# AMENDED PETITION TO AMEND THE BOUNARY OF BEACH COMMUNITY DEVELOPMENT DISTRICT

Submitted by:

Wesley S. Haber Florida Bar No. 420069 Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 Tallahassee, Florida 32301 (850) 222-7500 (telephone) (850) 224-8551 (facsimile)

Attorneys for Petitioner

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# BEFORE THE CITY COUNCIL CITY OF JACKSONVILLE, FLORIDA

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IN RE: A Petition to Amend the Boundary of the Beach Community Development District

## AMENDED PETITION TO AMEND THE BOUNDARY OF BEACH COMMUNITY DEVELOPMENT DISTRICT

Petitioner, Beach Community Development District, a unit of special purpose local government established pursuant to the provisions of Chapter 190, Florida Statutes and the City of Jacksonville Ordinance No. 2007-170-E, as amended by Ordinance No. 2007-780-E, Ordinance No. 2013-680-E, Ordinance No. 2014-765-E and Ordinance No. 2017-189-E, and located entirely within the City of Jacksonville, Florida (hereafter "District"), hereby petitions the City Council, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, and specifically Section 190.046(1), Florida Statutes, to adopt an amendment to the City of Jacksonville Ordinance No. 2007-170-E, to remove approximately 25.41 acres from the District. In support of this amended petition, the District states:

1. Location and Size. The District is located entirely within the City of Jacksonville, Florida. Exhibit 1 depicts the general location of the existing District. The District currently covers approximately 600.36 acres of land and is located north of Beach Boulevard, east of Kernan Boulevard, south of Atlantic Boulevard and west of Hodges Boulevard. The current metes and bounds description of the external boundary of the District is set forth in Exhibit 2. The general location for the lands to be contracted from the District (the "Exception Parcel") is set forth in Exhibit 3. Exhibit 4 provides a metes and bounds description of the Exception

Parcel, which comprises approximately 25.41 acres. Subsequent to the proposed contraction of the District, the District will encompass approximately 574.94 acres in total. **Exhibit 5** contains the metes and bounds description of the District boundary, as amended, as well as a location map.

2. <u>Landowner Consent.</u> Petitioner has obtained the written consent of one hundred percent of the owners of the lands comprising the Exception Parcel to amend the boundary of the District as set forth in this Petition. Documentation of this consent is attached hereto in **Exhibit 6**, as amended. The favorable action of the Board of Supervisors of the District constitutes consent for all other lands pursuant to Section 190.046(1)(g), Florida Statutes, as is evidenced by the District's submission of this Petition and Resolution 2018-01, attached hereto as **Exhibit 7**.

3. <u>Future Land Uses.</u> The designation of future general distribution, location and extent of the public and private land uses proposed for the District's amended boundary by the Future Land Use Element of the City of Jacksonville's Comprehensive Plan are shown on **Exhibit 8**. Amending the boundary of the District in the manner proposed is consistent with the adopted applicable Comprehensive Plan.

4. <u>District Facilities and Services.</u> The District intends to construct, acquire, install or provide the facilities detailed on **Exhibit 9**, as amended, which provides the estimated construction costs prepared by England-Thims and Miller, Inc. for such improvements. The cost estimates include work for fire station relocation and the construction of community amenities. The construction of such facilities is authorized by virtue of City of Jacksonville Ordinances 2007-780-E and 2013-680-E, which granted the requisite special powers. Construction of the Master Improvements is complete and completion of the residential community improvements is

anticipated in 2022, as described in the chart at **Exhibit 9** which provides the estimated annual outlay of these costs. The improvements described in **Exhibit 9** will be funded either by the entity developing the particular parcel or through a subsequent issuance of bonds by the District. Actual construction timetables and expenditures may vary, due in part to the effects of future changes in economic conditions upon costs such as labor, services, materials, interest rates and market conditions. **Exhibit 10**, as amended, includes drainage and utility maps for the District, as well as letters from JEA regarding the availability of water and sewer. The District currently renders no services to the proposed Exception Parcel of land.

5. <u>Statement of Estimated Regulatory Costs.</u> **Exhibit 11** is the amended statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

6. <u>Certificate of Petition and Agent Authorization</u>. **Exhibit 12** is an affidavit of the Chairman of the Beach Community Development District Board of Supervisors, affirming that the contents of the Petition were reviewed and are true and correct to the best of the Chairman's knowledge, and authorizing Wesley S. Haber to act as the District's agent in all matters related to the Petition. Copies of all correspondence should be sent to Mr. Haber at the following address:

Wesley S. Haber wesh@hgslaw.com Hopping Green & Sams, P.A. 119 South Monroe Street, Suite 300 (32301) Post Office Box 6526 Tallahassee, Florida 32314

7. This amended petition to amend the boundary of the Beach Community Development District should be granted for the following reasons:

a. Amendment of the District and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the local Comprehensive Plan.

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

c. The District, as amended, remains the best alternative for delivering community development services and facilities without imposing an additional burden on the general population of the local general-purpose government.

d. The community development services and facilities of the District as amended will not be incompatible with the capacity and use of existing local and regional community development services and facilities.

e. The area to be served by the District as amended will continue to be amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the City Council of the City of Jacksonville, Florida to:

a. schedule a public hearing in accordance with the requirements of Section 190.046(1)(b), Florida Statutes; and

b. grant this Amended Petition and amend the boundary of the District, as established and amended by City of Jacksonville Ordinance No. 2007-170-E, Ordinance No. 2007-780-E, Ordinance No. 2013-680-E, Ordinance No. 2014-765-E and Ordinance No. 2017-189-E, pursuant to Chapter 190, Florida Statutes.

This Amended Petition to Amend the Beach Community Development District is respectfully submitted, this  $\underline{\parallel fh}$  day of September, 2018.

HOPPING GREEN & SAMS, P.A.

By:

Wesley S. Haber Florida Bar No. 0420069 119 S. Monroe Street, Suite 300 (32301) Post Office Box 6526 Tallahassee, FL 32314 wesh@hgslaw.com (850) 222-7500 (telephone) (850) 224-8551 (facsimile)

Attorneys for Petitioner

# List of Exhibits

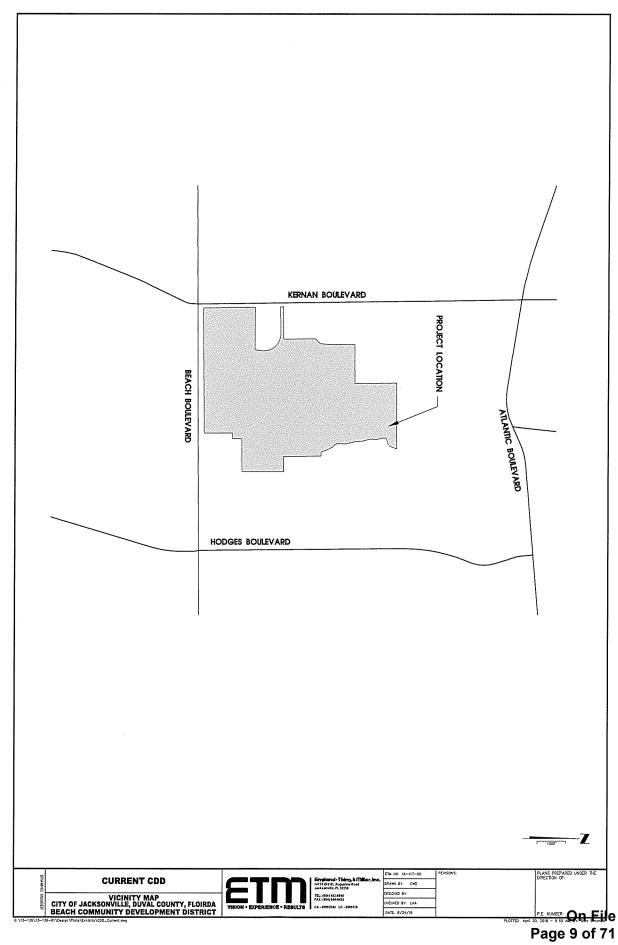
<u>Exhibit Number</u>	<u>Description</u>
1	Map showing general location of the District
2	Current metes and bounds description of the external boundary of District
3	Map showing location of exception parcel
4	A metes and bounds description for the exception parcel
5	A metes and bounds description of the proposed District boundary, along with location map.
6	Written consent from the property owners of the exception parcel
7	Resolution Authorizing the Boundary Amendment.
8	Future distribution, location and extent of public and private land uses for the amended boundary by land use plan element.
9	Estimated costs construction and annual outlay
10	Utilities and drainage maps with JEA letters
11	Statement of Estimated Regulatory Costs (SERC)
12	Certificate of Petition and Authorization of Agent.

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Work Order 14-156.00 File No. 123E-35.00A

## **Beach CDD Remaining Lands Parcel**

A portion of Sections 27, 34 and 35, Township 2 South, Range 28 East, Duval County, Florida, being more particularly described as follows:

For a Point of Beginning, commence at the Northwest corner of said Section 35; thence North 89°54'26" East, along the Northerly line of said Section 35, a distance of 532.46 feet to the Northwest corner of those lands described and recorded in Official Records Book 16455, page 2305 of the current Public Records of said county; thence South 00°05'34" East, departing said Northerly line, along the Westerly line of last said lands and along the Westerly line of Terra Costa Phase 1, according to the plat thereof recorded in Plat Book 67, pages 75 through 82, said current Public Records, a distance of 1465.36 feet to a point lying on the Easterly prolongation of the Northerly line of those lands described and recorded in Official Records Book 10124, Page 1928 of said current Public Records; thence South 89°30'13" West, departing last said Westerly line, along said Easterly prolongation and along said Northerly line, 1176.27 feet to the Northwesterly corner thereof; thence South 00°27'44" East, along the Westerly line of last said lands, 334.40 feet; thence South 89°30'13" West, departing said Westerly line and along the Northerly line of those lands described and recorded in Official Records Book 8105, page 1950, of said current Public Records, a distance of 200.00 feet to the Northwesterly corner thereof; thence South 00°27'44" East, along the Westerly line of last said lands, 985.60 feet to the Southwest corner thereof, said corner lying on the Northerly right of way line of Beach Boulevard (U.S. Highway No. 90) (State Road No. 212), a 200 foot right of way as presently established; thence South 89°30'13" West, along said Northerly right of way line, 4445.13 feet to a point lying on the Easterly right of way line of Kernan Boulevard South, a 200 foot right of way as presently established; thence North 00°54'42" West, departing said Northerly right of way line and along said Easterly right of way line, 2822.91 feet to the Northwest corner of said Section 34; thence North 89°52'26" East, along said Northerly line, 1150.00 feet to the Southeasterly corner of Parcel "A" as described and recorded in Official Records Book 10473, Page 2247 of said current Public Records; thence North 00°45'10" West, departing said Northerly line and along the Easterly line of last said lands, along the Easterly line of those lands described and recorded in Official Records Book 7857, Page 1093, of said current Public Records, and along the Easterly line of Parcel "B" of said Official Records Book 10473, Page 2247, a distance of 1125.00 feet to the Northeasterly corner of said Parcel "B"; thence North 89°52'26" East, 17.03 feet; thence North 41°28'37" East, 233.37 feet; thence North 05°55'49" East, 269.79 feet to a point on a curve concave Westerly having a radius of 9614.04 feet; thence

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#### Beach CDD Remaining Lands Parcel

Northerly along the arc of said curve, through a central angle of 02°05'33", an arc length of 351.13 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 00°44'29" East, 351.11 feet; thence North 00°00'32" West, 602.79 feet to a point lying on the Southerly line of those lands described and recorded in Official Records Book 9784, Page 2027 of said current Public Records; thence North 89°49'34" East, along the Southerly line of last said lands and the Southerly line of those lands described and recorded in Official Records Book 9907, Page 2037 of said current Public Records, a distance of 1385.39 feet to the Southeasterly corner thereof; thence North 00°45'10" West, along the Easterly line of last said lands, 1,465.15 feet to the Northeasterly corner thereof, said corner lying on the Northerly line of those lands described and recorded in Official Records Book 12145, Page 1118, of said current Public Records; thence North 89°50'42" East, along said Northerly line, 2,333.56 feet to the Northwesterly corner of Bentwater Place Unit X, according to the plat thereof recorded in Plat Book 56, Pages 25, 25A through 25D, of said current Public Records; thence Southerly along the Westerly line of said Bentwater Place Unit X the following fifteen courses: Course 1, thence South 19°49'13" West, departing said Northerly line, 240.31 feet; Course 2, thence South 45°33'58" West, 105.91 feet; Course 3, thence South 74°14'19" West, 232.82 feet; Course 4, thence South 01°09'07" West, 162.59 feet; Course 5, thence South 18°31'45" East, 186.97 feet; Course 6, thence South 06°49'07" West, 204.23 feet; Course 7, thence South 15°05'21" East, 301.81 feet; Course 8, thence South 02°08'20" East, 172.43 feet; Course 9, thence South 10°39'10" East, 230.11 feet; Course 10, thence South 15°24'22" East, 201.94 feet; Course 11, thence South 03°49'16" West, 284.02 feet; Course 12, thence South 24°25'17" East, 118.15 feet; Course 13, thence South 48°56'02" East, 101.29 feet; Course 14, thence South 26°06'20" East, 258.14 feet; Course 15, thence South 19°33'20" East, 193.80 feet to the Southwesterly corner of said Bentwater Place Unit X; thence South 89°57'42" East, along the Southerly line of said Bentwater Place Unit X, a distance of 142.02 feet to a point lying on the Easterly line of said Section 27, said point being the Northwesterly corner of those lands described and recorded in Official Records Book 7746, Page 2134, of said current Public Records; thence South 00°59'57" East, departing said Southerly line and along the Westerly line of last said lands, a distance of 1,325.28 feet to the Southwest corner thereof and the Point of Beginning.

Less and Except the following described parcel:

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#### **Beach CDD Remaining Lands Parcel**

**Exception Parcel:** 

A portion of Section 34, Township 2 South, Range 28 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 12145, page 1118, of the current Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Northwest corner of said Section 34, said corner also lying on the Easterly right of way line of Kernan Boulevard South, a 200 foot right of way as presently established; thence South 00°54'42" East, along said Easterly right of way line, 140.01 feet to the Point of Beginning.

From said Point of Beginning, thence North 89°52'26" East, departing said Easterly right of way line, 327.57 feet to the point of curvature of a curve concave Northerly having a radius of 320.00 feet; thence Easterly along the arc of said curve, through a central angle of 15°54'56", an arc length of 88.89 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North 81°54'58" East, 88.60 feet; thence Easterly along the arc of a curve concave Southerly having a radius of 280.00 feet, through a central angle of 15°54'56", an arc length of 77.78 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 81°54'58" East, 77.53 feet; thence North 89°52'26" East, 474.69 feet to the point of curvature of a curve concave Southerly having a radius of 583.50 feet; thence Easterly along the arc of said curve, through a central angle of 20°19'32", an arc length of 206.99 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 79°57'48" East, 205.91 feet; thence North 20°11'58" West, 15.50 feet to a point on a curve concave Southwesterly having a radius of 599.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 34°07'52", an arc length of 356.82 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 52°44'06" East, 351.57 feet; thence South 54°56'12" West, 20.00 feet to a point on a curve concave Southwesterly having a radius of 579.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 09°45'46", an arc length of 98.66 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 30°48'33" East, 98.54 feet; thence Southerly along the arc of a curve concave Easterly having a radius of 131.79 feet, through a central angle of 77°36'33", an arc length of 178.52 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 17°43'36" East, 165.18 feet; thence Southerly along the arc of a curve concave Westerly having a radius of 579.00 feet, through a central angle of 09°57'22", an arc length of 100.61 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 04°32'52" East, 100.49 feet; thence North 89°03'04" East, 20.01 feet to a point on a curve concave Westerly having a radius of 599.00 feet; thence Southerly along the arc of said curve, through a central angle of 12°24'02", an arc length of 129.64 feet to the point of tangency of said curve, said arc being subtended by a chord bearing

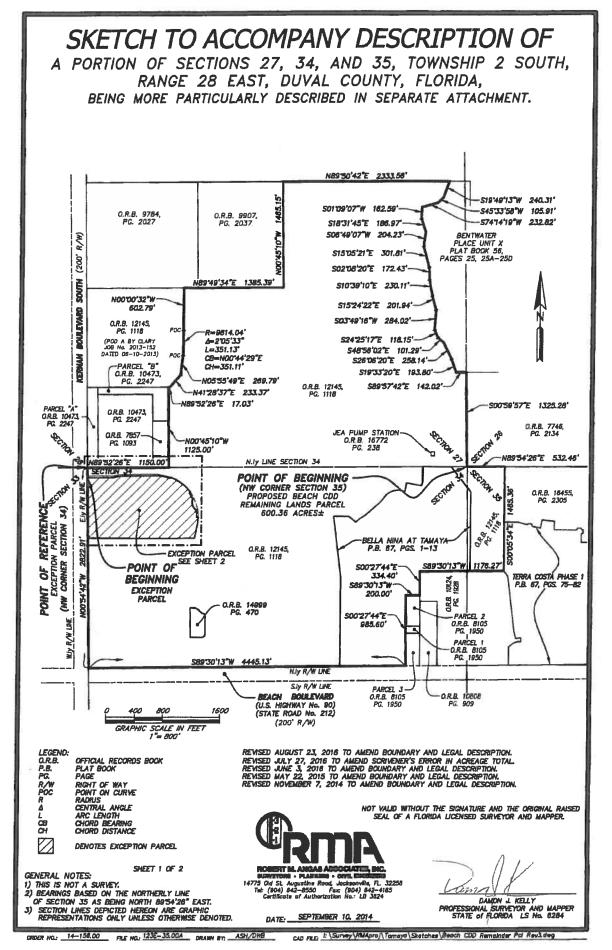
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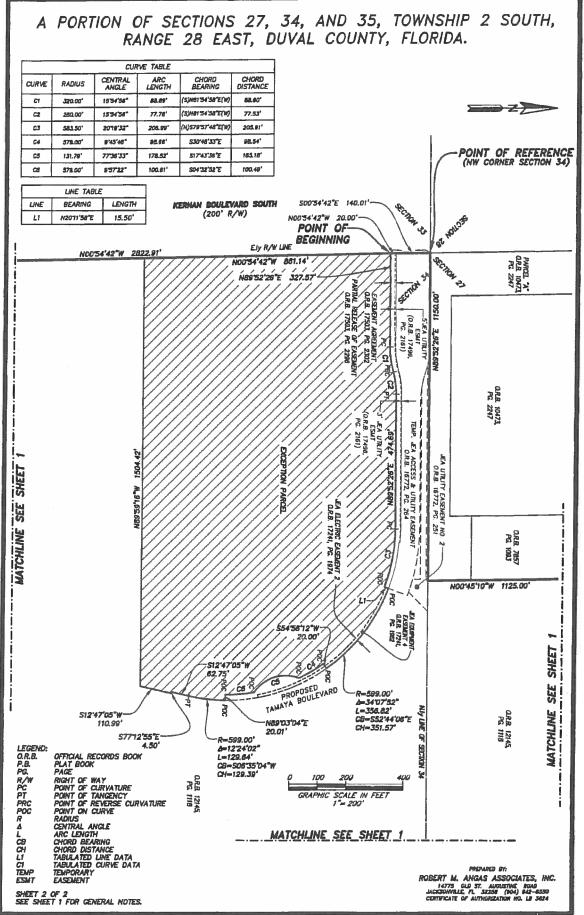
Work Order 14-156.00 File No. 123E-35.00A

## Beach CDD Remaining Lands Parcel

and distance of South 06°35'04 "West, 129.39 feet; thence South 12°47'05" West, 62.75 feet; thence South 77°12'55" East, 4.50 feet; thence South 12°47'05" West, 110.99 feet; thence North 89°59'16" West, 1504.42 feet to a point lying on the Easterly right of way line of said Kernan Boulevard South; thence North 00°54'42" West, along said Easterly right of way line, 861.14 feet to the Point of Beginning.

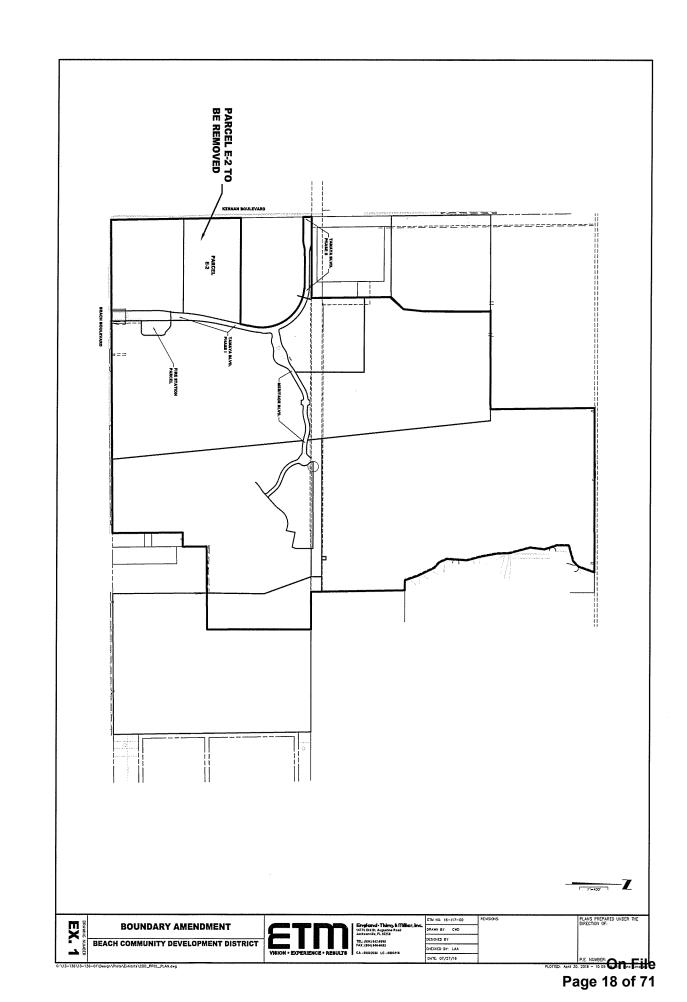
The above described lands containing 600.36 acres, more or less.





ORDER HQ.: 14-158.00 FLE HQ.: 123E-33.00A DRAINN BY: ASH/DINB CAD FLE: E \Survey\RMAproj\Tamoya\Stelches\Beach CDD Remainder Pol Revision

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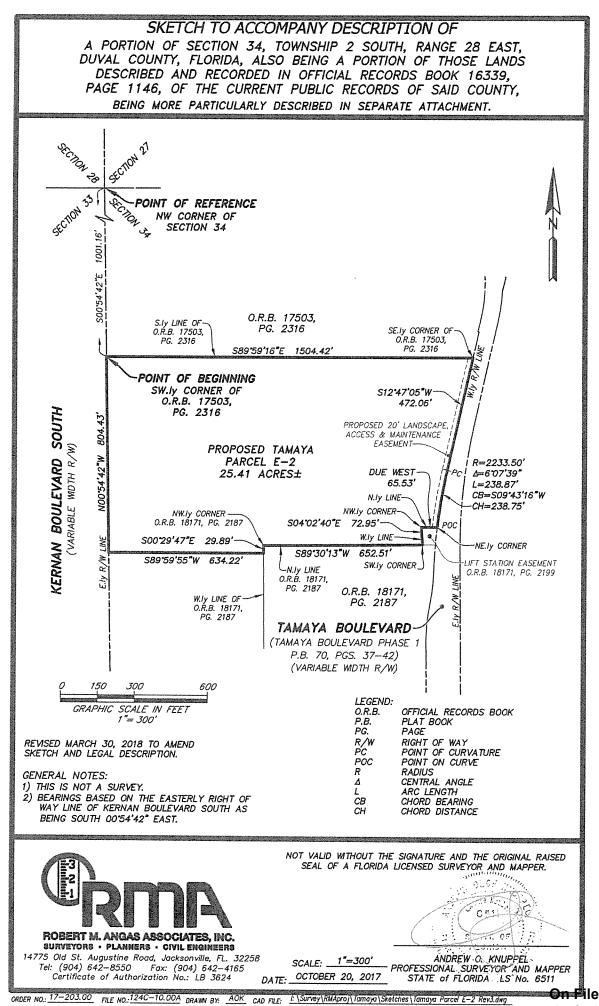
## Tamaya Parcel E-2

A portion of Section 34, Township 2 South, Range 28 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 16339, page 1146, of the current Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Northwest corner of said Section 34, said corner lying on the Easterly right of way line of Kernan Boulevard South, a variable width right of way as presently established; thence South 00°54'42" East, along said Easterly right of way line, 1001.16 feet to the Southwesterly corner of those lands described and recorded in Official Records Book 17503, page 2316, of said current Public Records, and the Point of Beginning.

From said Point of Beginning, thence South 89°59'16" East, departing said Easterly right of way line and along the Southerly line of said Official Records Book 17503, page 2316, a distance of 1504.42 feet to the Southeasterly corner thereof, said corner lying on the Westerly right of way line of Tamaya Boulevard, as depicted on Tamaya Boulevard Phase 1, recorded in Plat Book 70, pages 37 through 42, of said current Public Records; thence South 12°47'05" West, along said Westerly right of way line, 472.06 feet to the point of curvature of a curve concave Easterly having a radius of 2233.50 feet; thence Southerly, continuing along said Westerly right of way line and along the arc of said curve, through a central angle of 06°07'39", an arc length of 238.87 feet to the Northeasterly corner of that certain Lift Station Easement described and recorded in Official Records Book 18171, page 2199, of said current Public Records, said arc being subtended by a chord bearing and distance of South 09°43'16" West, 238.75 feet; thence Due West, departing said Westerly right of way line and along the Northerly line of said Lift Station Easement, 65.53 feet to the Northwesterly corner thereof; thence South 04°02'40" East, along the Westerly line of said Lift Station Easement, 72.95 feet to the Southwesterly corner thereof, said corner lying on the Northerly line of those lands described and recorded in Official Records Book 18171, page 2187, of said current Public Records; thence South 89°30'13" West, along said Northerly line, 652.51 feet to the Northwesterly corner thereof; thence South 00°29'47" East, along the Westerly line of last said lands, 29.89 feet; thence South 89°59'55" West, departing said Westerly line, 634.22 feet to a point lying on said Easterly right of way line of Kernan Boulevard South; thence North 00°54'42" West, along said Easterly right of way line, 804.43 feet to the Point of Beginning.

Containing 25.41 acres, more or less.





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## **Beach CDD Remaining Lands Parcel**

A portion of Sections 27, 34 and 35, Township 2 South, Range 28 East, Duval County, Florida, being more particularly described as follows:

For a Point of Beginning, commence at the Northwest corner of said Section 35; thence North 89°54'26" East, along the Northerly line of said Section 35, a distance of 532.46 feet to the Northwesterly corner of those lands described and recorded in Official Records Book 16455, page 2305, of the current Public Records of said county; thence South 00°05'34" East, departing said Northerly line, along the Westerly line of last said lands and along the Westerly line of Terra Costa Phase 1, as recorded in Plat Book 67, pages 75 through 82, of said current Public Records, a distance of 1465.36 feet to its intersection with the Easterly prolongation of the Northerly line of those lands described and recorded in Official Records Book 10124, Page 1928, of said current Public Records; thence South 89°30'13" West, departing said Westerly line, along said Easterly prolongation and along said Northerly line, 1176.27 feet to the Northwesterly corner thereof; thence South 00°27'44" East, along the Westerly line of last said lands, 334.40 feet; thence South 89°30'13" West, departing said Westerly line and along the Northerly line of those lands described and recorded in Official Records Book 8105, page 1950, of said current Public Records, a distance of 200.00 feet to the Northwesterly corner thereof; thence South 00°27'44" East, along the Westerly line of last said lands, 985.60 feet to the Southwesterly corner thereof, said corner lying on the Northerly right of way line of Beach Boulevard (U.S. Highway No. 90) (State Road No. 212), a 200 foot right of way as presently established; thence South 89°30'13" West, along said Northerly right of way line, 4445.13 feet to its intersection with the Easterly right of way line of Kernan Boulevard South, a variable width right of way as presently established; thence North 00°54'42" West, departing said Northerly right of way line and along said Easterly right of way line, 1017.32 feet; thence North 89°59'55" East, departing said Easterly right of way line, 634.22 feet to a point lying on the Westerly line of those lands described and recorded in Official Records Book 18171, page 2187, of said current Public Records; thence North 00°29'47" West, along said Westerly line, 29.89 feet to the Northwesterly corner thereof; thence North 89°30'13" East, along the Northerly line of said Official Records Book 18171, page 2187, a distance of 652.51 feet to the Southwesterly corner of that certain Lift Station Easement as described and recorded in Official Records Book 18171, page 2199, of said current Public Records; thence North 04°02'40" West, departing said Northerly line and along the Westerly line of said Lift Station Easement, 72.95 feet to the Northwesterly corner thereof; thence Due East, along the Northerly line of said Lift Station Easement, 65.53 feet to the Northeasterly corner thereof, said corner lying on the Westerly right of way line of Tamaya

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## Beach CDD Remaining Lands Parcel (continued)

Boulevard, a variable width right of way as presently established; thence Northerly along said Westerly right of way line, the following 5 courses: Course 1, thence Northerly along the arc of a curve concave Easterly having a radius of 2233.50 feet, through a central angle of 06°07'39", an arc length of 238.87 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 09°43'16" East, 238.75 feet; Course 2, thence North 12°47'05" East, 583.06 feet; Course 3, thence North 77°12'55" West, 4.50 feet; Course 4, thence North 12°47'05" East, 62.75 feet to the point of curvature of a curve concave Westerly having a radius of 599.00 feet; Course 5, thence Northerly along the arc of said curve, through a central angle of 12°24'02", an arc length of 129.64 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 06°35'04" East, 129.39 feet: thence Northerly, along the Easterly line of those lands described and recorded in Official Records Book 17503, page 2316, of said current Public Records, the following 5 courses: Course 1, thence South 89°03'04" West, departing said Westerly right of way line, 20.01 feet to a point on a curve concave Westerly having a radius of 579.00 feet; Course 2, thence Northerly along the arc of said curve, through a central angle of 09°57'22", an arc length of 100.61 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 04°32'52" West. 100.49 feet; Course 3, thence Northerly along the arc of a curve concave Easterly having a radius of 131.79 feet, through a central angle of 77°36'33", an arc length of 178.52 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 17°43'36" West, 165.18 feet; Course 4, thence Northwesterly along the arc of a curve concave Southwesterly having a radius of 579.00 feet, through a central angle of 09°45'46", an arc length of 98.66 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 30°48'33" West, 98.54 feet; Course 5, thence North 54°56'12" East, 20.00 feet to a point lying on said Westerly right of way line of Tamaya Boulevard; thence Northwesterly along said Westerly right of way line and along the arc of a curve concave Southwesterly having a radius of 599.00 feet, through a central angle of 34°07'52", an arc length of 356.82 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 52°44'06" West, 351.57 feet; thence Westerly, along the Northerly line of said Official Records Book 17503, page 2316, the following 6 courses: Course 1, thence South 20°11'58" West, departing said Westerly right of way line, 15.50 feet to a point on a curve concave Southerly having a radius of 583.50 feet; Course 2, thence Westerly along the arc of said curve, through a central angle of 20°19'32". an arc length of 206.99 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 79°57'48" West, 205.91 feet; Course 3, thence South 89°52'26" West, 474.69 feet to the point of curvature of a curve concave Southerly having a radius of 280.00 feet; Course 4, thence Westerly along the arc of said curve, through a central angle of 15°54'56", an arc length of 77.78 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of South 81°54'58" West, 77.53 feet; Course 5, thence Westerly along the arc of a curve concave Northerly having a radius of 320.00 feet. through a central angle of 15°54'56", an arc length of 88.89 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 81°54'58" West, 88.60 feet: Course 5, thence South 89°52'26" West, 327.57 feet to the Northeasterly corner thereof, said corner lying on said Easterly right of way line of Kernan Boulevard South; thence North

ROBERT M. ANGAS ASSOCIATES, INC.

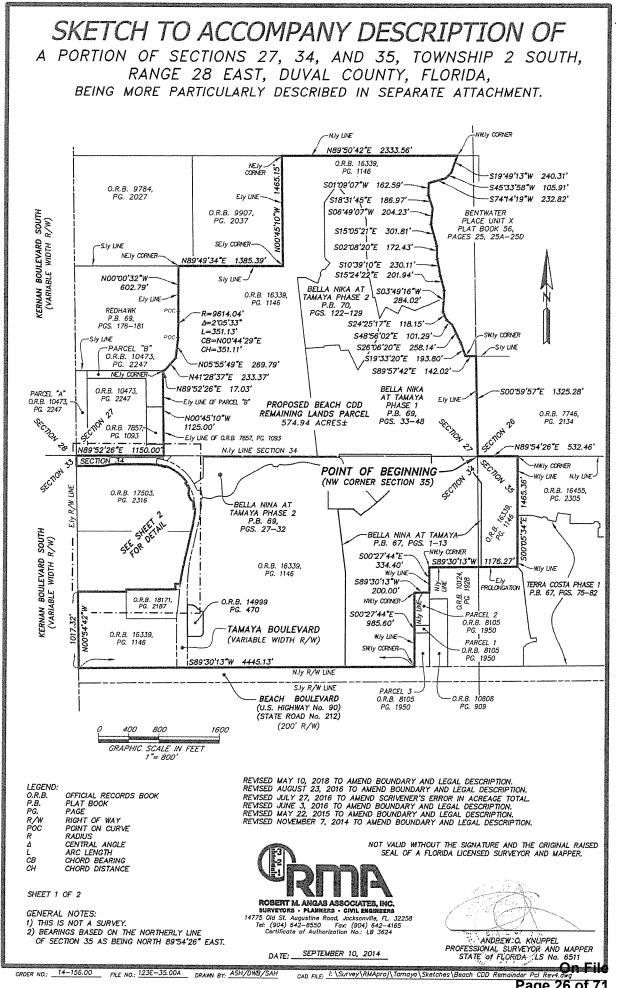
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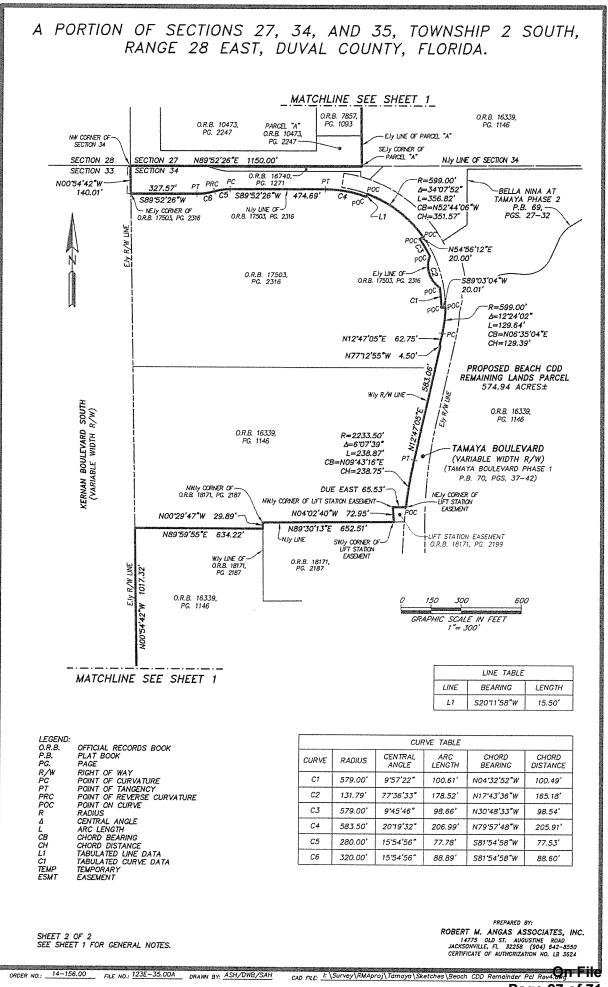
## Beach CDD Remaining Lands Parcel (continued)

00°54'42" West, along said Easterly right of way line, 140.01 feet to the Northwest corner of said Section 34; thence North 89°52'26" East, departing said Easterly right of way line and along the Northerly line of said Section 34, a distance of 1150.00 feet to the Southeasterly corner of Parcel "A" as described and recorded in Official Records Book 10473, page 2247, of said current Public Records; thence North 00°45'10" West, departing said Northerly line, along the Easterly line of said Parcel "A", along the Easterly line of those lands described and recorded in Official Records Book 7857, Page 1093, of said current Public Records, and along the Easterly line of Parcel "B" of said Official Records Book 10473, Page 2247, a distance of 1125.00 feet to the Northeasterly corner of said Parcel "B", said corner lying on the Southerly line of Redhawk, as recorded in Plat Book 69, pages 176 through 181, of said current Public Records; thence Northerly, along the Southerly and Easterly lines of said Redhawk, the following 5 courses: Course 1, thence North 89°52'26" East, 17.03 feet; Course 2, thence North 41°28'37" East, 233.37 feet; Course 3, thence North 05°55'49" East, 269.79 feet to a point on a curve concave Westerly having a radius of 9614.04 feet; Course 4, thence Northerly along the arc of said curve. through a central angle of 02°05'33", an arc length of 351.13 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 00°44'29" East, 351.11 feet; Course 5, thence North 00°00'32" West, 602.79 feet to the Northeasterly corner thereof, said corner lying on the Southerly line of those lands described and recorded in Official Records Book 9784, page 2027, of said current Public Records; thence North 89°49'34" East, along the Southerly line of last said lands and the Southerly line of those lands described and recorded in Official Records Book 9907, page 2037, of said current Public Records, a distance of 1385.39 feet to the Southeasterly corner thereof; thence North 00°45'10" West, along the Easterly line of last said lands, 1465.15 feet to the Northeasterly corner thereof, said corner lying on the Northerly line of those lands described and recorded in Official Records Book 16339, Page 1146, of said current Public Records; thence North 89°50'42" East, along said Northerly line, 2333.56 feet to the Northwesterly corner of Bentwater Place Unit X, as recorded in Plat Book 56, pages 25, 25A through 25D, of said current Public Records; thence Southerly, along the Westerly line of said Bentwater Place Unit X, the following 15 courses: Course 1, thence South 19°49'13" West, departing said Northerly line, 240.31 feet; Course 2, thence South 45°33'58" West, 105.91 feet; Course 3, thence South 74°14'19" West, 232.82 feet; Course 4, thence South 01°09'07" West, 162.59 feet; Course 5, thence South 18°31'45" East, 186.97 feet; Course 6, thence South 06°49'07" West, 204.23 feet; Course 7, thence South 15°05'21" East, 301.81 feet; Course 8, thence South 02°08'20" East, 172.43 feet; Course 9, thence South 10°39'10" East, 230.11 feet; Course 10, thence South 15°24'22" East, 201.94 feet; Course 11, thence South 03°49'16" West, 284.02 feet; Course 12, thence South 24°25'17" East, 118.15 feet; Course 13, thence South 48°56'02" East, 101.29 feet; Course 14, thence South 26°06'20" East, 258.14 feet; Course 15, thence South 19°33'20" East, 193.80 feet to the Southwesterly corner thereof; thence South 89°57'42" East, along the Southerly line of said Bentwater Place Unit X, a distance of 142.02 feet to its intersection with the Easterly line of said Section 27; thence South 00°59'57" East, departing said Southerly line and along said Easterly line, 1325.28 feet to the Point of Beginning.

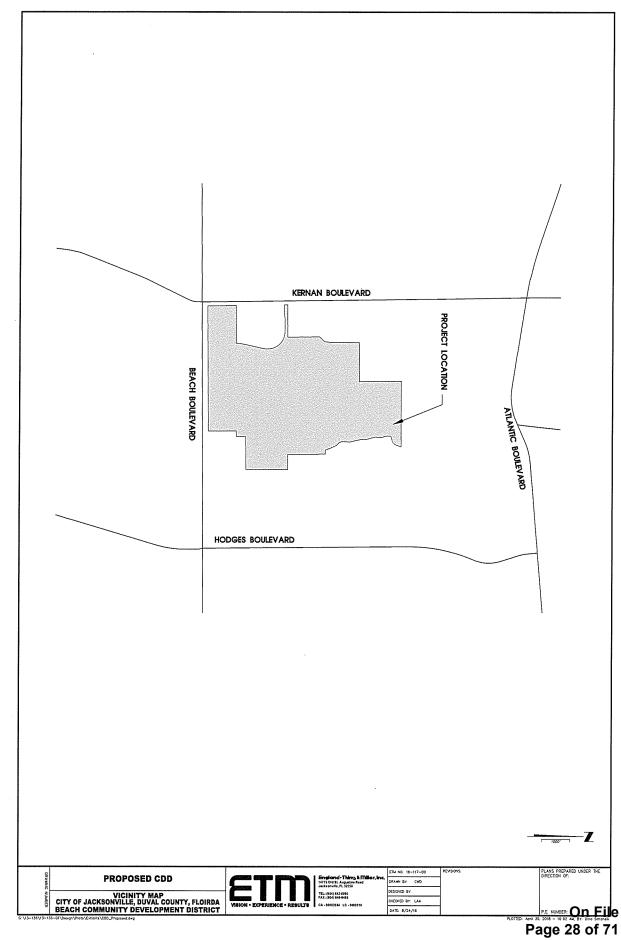
Containing 574.94 acres, more or less.



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On File Page 29 of 71

## **Consent and Joinder of Landowner** For the Amendment of the Boundaries of the Beach Community Development District

The undersigned is the owner of certain lands of which are more fully described as on **Exhibit A** attached hereto and made a part hereof (the "Property"). The undersigned understands and acknowledges that the Board of Supervisors of the Beach Community Development District ("Petitioner"), intends to submit a petition amending the boundaries of the Beach Community Development District in accordance with the provisions of Chapter 190 of the Florida Statutes.

As the owner of lands that are intended to constitute lands to be removed from the Beach Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005 and Section 190.046, Florida Statutes, Petitioner is required to include the written consent to the amendment of the boundaries of the Community Development District of one hundred percent (100%) of the owners of the lands to be excluded from the Community Development District.

The undersigned hereby requests and consents to removal of the Property from the Beach Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the petition process for the amendment of the boundaries of the Beach Community Development District. The undersigned further acknowledges that the consent will remain in full force and effect for three years from the date hereof. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to amendment of the boundaries of the Beach Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

[signatures on following page]

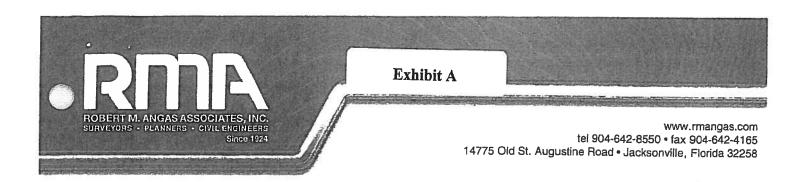
Executed this <u>25</u> day of	July, 2018.
Witnessed:	Lennar Homes, LLC
Cynti and. Print Name: Cynthia Acrosof	By: Scott ter
Reft	Its:

# STATE OF FLORIDA COUNTY OF DUNG

Print Name: Risting Dock

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared of Lennar Homes, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 22	ay of July, 2018.
ZENZI ROGERS Commission # FF 194032 Expires January 29, 2019 Bonded Thru Troy Fain Insurance 800-385-7019	Personally known: Produced Identification: Type of Identification:



Revised March 30, 2018 October 20, 2017 Tamaya

Work Order No. 17-203.00 File No. 124C-10.00A

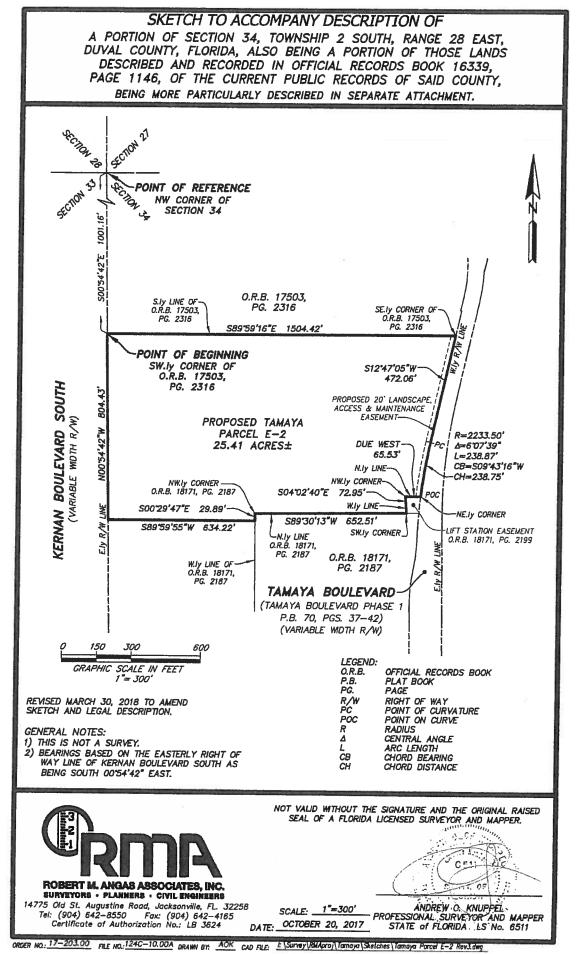
## Tamaya Parcel E-2

A portion of Section 34, Township 2 South, Range 28 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 16339, page 1146, of the current Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the Northwest corner of said Section 34, said corner lying on the Easterly right of way line of Kernan Boulevard South, a variable width right of way as presently established; thence South 00°54'42" East, along said Easterly right of way line, 1001.16 feet to the Southwesterly corner of those lands described and recorded in Official Records Book 17503, page 2316, of said current Public Records, and the Point of Beginning.

From said Point of Beginning, thence South 89°59'16" East, departing said Easterly right of way line and along the Southerly line of said Official Records Book 17503, page 2316, a distance of 1504.42 feet to the Southeasterly corner thereof, said corner lying on the Westerly right of way line of Tamaya Boulevard, as depicted on Tamaya Boulevard Phase 1, recorded in Plat Book 70. pages 37 through 42, of said current Public Records; thence South 12°47'05" West, along said Westerly right of way line, 472.06 feet to the point of curvature of a curve concave Easterly having a radius of 2233.50 feet; thence Southerly, continuing along said Westerly right of way line and along the arc of said curve, through a central angle of 06°07'39", an arc length of 238.87 feet to the Northeasterly corner of that certain Lift Station Easement described and recorded in Official Records Book 18171, page 2199, of said current Public Records, said arc being subtended by a chord bearing and distance of South 09°43'16" West, 238.75 feet; thence Due West, departing said Westerly right of way line and along the Northerly line of said Lift Station Easement, 65.53 feet to the Northwesterly corner thereof; thence South 04°02'40" East, along the Westerly line of said Lift Station Easement, 72.95 feet to the Southwesterly corner thereof, said corner lying on the Northerly line of those lands described and recorded in Official Records Book 18171, page 2187, of said current Public Records; thence South 89°30'13" West, along said Northerly line, 652.51 feet to the Northwesterly corner thereof; thence South 00°29'47" East, along the Westerly line of last said lands, 29.89 feet; thence South 89°59'55" West, departing said Westerly line, 634.22 feet to a point lying on said Easterly right of way line of Kernan Boulevard South; thence North 00°54'42" West, along said Easterly right of way line, 804.43 feet to the Point of Beginning.

Containing 25.41 acres, more or less.



On File Page 33 of 71

# DOCUMENT# L06000114706

Entity Name: LENNAR HOMES, LLC

## Current Principal Place of Business:

700 N.W. 107TH AVENUE SUITE 400 MIAMI, FL 33172

## **Current Mailing Address:**

700 N.W. 107TH AVENUE SUITE 400 MIAMI, FL 33172 US

## FEI Number: 59-0711505

## Name and Address of Current Registered Agent:

C T CORPORATION SYSTEM 1200 S. PINE ISLAND RD. SUITE 250 PLANTATION, FL 33324 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

## SIGNATURE:

Electronic Signature of Registered Agent

## Authorized Person(s) Detail :

Authonizeu	reison(s) Delan :		
Title	MGRM	Title	CEO
Name	U.S. HOME CORPORATION	Name	MILLER, STUART A
Address	700 N.W. 107TH AVENUE SUITE 400	Address	700 N.W. 107TH AVENUE SUITE 400
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172
Title	CFO	Title	PRES
Name	GROSS, BRUCE	Name	BECKWITT, RICHARD
Address	700 N.W. 107TH AVENUE SUITE 400	Address	1707 MARKETPLACE BLVD., SUITE 270
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	IRVING TX 75063
Title	VP/S/GC	Title	VP
Name	SUSTANA, MARK	Name	FEDER, ERIC
Address	700 N.W. 107TH AVENUE SUITE 400	Address	700 N.W. 107TH AVENUE SUITE 400
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172
Title	VP	Title	VP
Name	BAVOUSET, JAMES S	Name	GABOR, STEPHEN
Address	700 N.W. 107TH AVENUE SUITE 400	Address	700 N.W. 107TH AVENUE SUITE 400
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172

## Continues on page 2

VP

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; end that my name appears above, or on an attachment with all other like empowered.

## SIGNATURE: MARK SUSTANA

Electronic Signature of Signing Authorized Person(s) Detail

FILED Mar 28, 2018 Secretary of State CC0478024591

Certificate of Status Desired: No

Date

Date

03/28/2018

# Authorized Person(s) Detail Continued :

NameGONZALEZ, CARLOSNameGORSS, BRUCEAddress700 NW, 107TH AVENUEAddress700 NW, 107TH AVENUECity-State-ZipMIAMI FL 33172City-State-ZipMIAMI FL 33172TrifeVPNameHUGSINS, ERIK RNameHUGSINS, ERIK RAddress700 NW, 107TH AVENUESUITE 400SUITE 400SUITE 400MIAMI FL 33172City-State-ZipMIAMI FL 33172City-State-ZipMIAMI FL 33172City-State-ZipMIAMI FL 33172TrifeVPTitleVPNameJAFFE, JONATHAN MNameMARIEL, GHRISTIAN LAddressJOID W, 107TH AVENUECity-State-ZipMIAMI FL 33172SUITE 400SUITE 400City-State-ZipMIAMI FL 33172City-State-ZipMIAMI FL 33172City-State-ZipMIAMI FL 33172TrifeVPNameMGCMRAY, DARIN LNameMGMURAY, DARIN LNameMCPHERSON, GREGAddress700 NW, 107TH AVENUECity-State-ZipMIAMI FL 33172TrifeVPTitleVPNameMETHEYN, MARVIN LNameROTHAN, FREDAddress700 NW, 107TH AVENUECity-State-ZipMIAMI FL 33172TrifeVPTitleVPNameMETHEYN, MARVIN LNameROTHAN, FREDAddress700 NW, 107TH AVENUESUITE 400SUITE 400SUITE 400NOTH AVENUESUITE 400SUITE 400NameMETHEYN, MARVIN LNameROTHAN, FREDNameMETHEYN	Title	VP	Title	VP
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SUITE 400 Address 700 N.W. 107TH AVENUE SUITE 400   City-State-Zip: MIAMI FL 33172 City-State-Zip: MIAMI FL 33172   Title AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS Title AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS   Name KIRSCHNER, TERRENCE V Title AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS   Address 700 N.W. 107TH AVENUE SUITE 400 Name MORGAN, KAREN   City-State-Zip: MIAMI FL 33172 Xume MORGAN, KAREN   City-State-Zip: MIAMI FL 33172 Xume Xume			Name	HUMAN, MICHAEL
City-State-Zip:   MIAMI FL 33172     Title   AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS   Title   AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS     Name   KIRSCHNER, TERRENCE V   Name   MORGAN, KAREN     Address   700 N.W. 107TH AVENUE SUITE 400   Address   700 N.W. 107TH AVENUE SUITE 400   Name   MORGAN, KAREN     City-State-Zip:   MIAMI FL 33172   MIAMI FL 33172   Address   700 N.W. 107TH AVENUE SUITE 400		SUITE 400	Address	
OPERATIONS Title AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS   Name KIRSCHNER, TERRENCE V Name MORGAN, KAREN   Address 700 N.W. 107TH AVENUE SUITE 400 Address 700 N.W. 107TH AVENUE SUITE 400   City-State-Zip: MIAMI FL 33172 Address 700 N.W. 107TH AVENUE SUITE 400	City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172
Name KIRSCHNER, TERRENCE V   Address 700 N.W. 107TH AVENUE   SUITE 400 Address   City-State-Zip: MIAMI FL 33172	Title		Title	
Address 700 N.W. 107TH AVENUE   SUITE 400 Address 700 N.W. 107TH AVENUE   City-State-Zip: MIAMI FL 33172 SUITE 400	Name	KIRSCHNER, TERRENCE V	Name	
City-State-Zip: MIAMI FL 33172	Address			700 N.W. 107TH AVENUE
	City-State-Zip:	MIAMI FL 33172	City-State-Zip:	

Title	AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS	Title	AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS
Name	MOSS, DEBORAH	Name	RODRIGUEZ, ANGEL
Address	700 N.W. 107TH AVENUE SUITE 400	Address	700 N.W. 107TH AVENUE SUITE 400
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172
Title	AUTHORIZED AGENT - HOMEBUILDING/PERMITTING OPERATIONS	Title	AUTHORIZED AGENT - LAND DEVELOPMENT OPERATIONS
Name	SERRATE, PHIL	Name	COFFEY, LAURA
Address	700 N.W. 107TH AVENUE SUITE 400	Address	700 N.W. 107TH AVENUE SUITE 400
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172
Title	AUTHORIZED AGENT - PAYROLL OPERATIONS	Title	AUTHORIZED AGENT - TAX
Name	MURIAS, MANUEL	Nama	OPERATIONS
Address	700 N.W. 107TH AVENUE	Name	
City State Zing		Address	700 N.W. 107TH AVENUE SUITE 400
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	MIAMI FL 33172
Title	AUTHORIZED AGENT - TAX OPERATIONS	<b>T</b> 11-	
Name	PETROLINO, MICHAEL	Title	AUTHORIZED AGENT - TAX OPERATIONS
Address	700 N.W. 107TH AVENUE	Name	SCHAAN, TODD
City-State-Zip:	SUITE 400 MIAMI FL 33172	Address	700 N.W. 107TH AVENUE SUITE 400
Title	ASST. SECRETARY	City-State-Zip:	MIAMI FL 33172
Name	CHEN, SANDY	Title	ASST. SECRETARY
Address	700 N.W. 107TH AVENUE	Name	HOUK, MELANIE
City-State-Zip:	SUITE 400 MIAMI FL 33172	Address	700 N.W. 107TH AVENUE SUITE 400
Title	ASST. SECRETARY	City-State-Zip:	MIAMI FL 33172
Name	LEYVA, SANDRA	Title	ASST. SECRETARY
Address	700 N.W. 107TH AVENUE	Name	MAYER, JOAN
Address	SUITE 400	Address	700 N.W. 107TH AVENUE
City-State-Zip:	MIAMI FL 33172	City-State-Zip:	SUITE 400 MIAMI FL 33172
Title	ASST. SECRETARY	Ony-Otate-Zip.	
Name	MCPHERSON, GREG	Title	ASST. SECRETARY
Address	700 N.W. 107TH AVENUE SUITE 400	Name	SANTAELLA, GRACE
City-State-Zip:	MIAMI FL 33172	Address	700 N.W. 107TH AVENUE SUITE 400
Title	ASST. TREASURER	City-State-Zip:	MIAMI FL 33172
Name	DESOUZA, JACQUELINE S	Title	AUTHORIZED AGENT - PURCHASE
Address	700 N.W. 107TH AVENUE	Name	AGREEMENTS FOSTER, E. W. MICHAEL
City-State-Zip:	SUITE 400 MIAMI FL 33172	Address	700 N.W. 107TH AVENUE
, <u></u> p.		/100/055	SUITE 400
Title	AUTHORIZED AGENT - PURCHASE AGREEMENTS	City-State-Zip:	MIAMI FL 33172
Name	ROTHMAN, FRED	Title	VP
Address	700 N.W. 107TH AVENUE SUITE 400	Name	ELLIS, LANCE
City-State-Zip:	MIAMI FL 33172	Address	10481 BEN . PRATT SIC MILE CYPRESS PARKWAY
Title	VP	City-State-Zip:	FORT MEYERS FL 33912
Name	KEILING, SCOTT	Title	VP

Address	9440 PHILIPS HIGHWAY	Name	BROCK, NICHOLAS
City-State-Zip:	JACKSONVILLE FL 32256	Address	8390 EAST CRESENT WAY PARKWAY #600
Title	AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS	City-State-Zip:	GREENWOOD VILLAGE FL 80111
Name	GOLDSTEIN, BENJAMIN	Title	AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS
Address	4600 WEST CYPRESS STREET SUITE 200	Name	CATANZARITI, JR., JOE
City-State-Zip:	TAMPA FL 33607	Address	700 N.W. 107TH AVENUE SUITE 400
Title	AUTHORIZED AGENT - HOMEBUILDING/SALES OPERATIONS	City-State-Zip:	MIAMI FL 33172
Name	PACE, ERICKA	Title	AUTHORIZED AGENT - LAND DEVELOPMENT OPERATIONS
Address	4600 WEST CYPRESS STREET SUITE 200	Name	BONIN, ROB
City-State-Zip:	TAMPA FL 33607	Address	700 N.W. 107TH AVENUE SUITE 400
Title	AUTHORIZED AGENT - LAND DEVELOPMENT OPERATIONS	City-State-Zip:	MIAMI FL 33172
Name	BOWLEY, THERESA	Title	AUTHORIZED AGENT - LAND DEVELOPMENT OPERATIONS
Address	700 N.W. 107TH AVENUE SUITE 400	Name	HIRONS, PARKER
City-State-Zip:	MIAMI FL 33172	Address	4600 WEST CYPRESS STREET SUITE 300
Title	AUTHORIZED AGENT	City-State-Zip:	MIAMI FL 33607
Name	CASAGRANDE, VIRGINIA S.	Title	VP
Address	15550 LIGHTWAVE DRIVE SUITE 201	Name	DESIMONE, ANTHONY
City-State-Zip:	CLEARWATER FL 33760	Address	700 N.W. 107TH AVENUE SUITE 400
Title	AUTHORIZED AGENT	City-State-Zip:	MIAMI FL 33172
Name	MALCUIT, KEITH	Title	
Address	700 N.W. 107TH AVENUE SUITE 400	Name	AUTHORIZED AGENT RAPAPORT , JON
City-State-Zip:	MIAMI FL 33172	Address	700 N.W. 107TH AVENUE SUITE 400
Title	VP	City-State-Zip:	MIAMI FL 33172
Name	MCCHESNEY, VALERIE		
Address	700 N.W. 107TH AVENUE	Title	
Olto Oleto 7		Name	
City-State-Zip:	MIAMI FL 33172	Address	700 N.W. 107TH AVENUE SUITE 400

City-State-Zip: MIAMI FL 33172

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#### **RESOLUTION NO. 2018-01**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BEACH COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO FILE A PETITION WITH THE CITY OF JACKSONVILLE, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES TO REMOVE PARCEL E2, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS.

WHEREAS, the Beach Community Development District ("District") is a unit of specialpurpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes ("Uniform Act"), and City of Jacksonville, Florida Ordinance Number 2007-170-E ("Ordinance"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roads, a fire station, utility relocation, utility improvements offsite road improvements; entry features, landscaping, stormwater management, wetlands mitigation, street lighting and other infrastructure; and

WHEREAS, the District presently consists of 600.36 acres, more or less, as more fully described in the Ordinance, as amended; and

WHEREAS, Tamaya Loan Acquisition, LLC ("Landowner"), owns real property within the District; and

WHEREAS, the Landowner has approached the District and requested that the District petition to amend its boundaries to remove those certain lands depicted in the attached Exhibit A (the "Amendment Parcel") upon the payment of all District assessments levied against the Amendment Parcel; and

WHEREAS, the Landowner has provided written consent to the removal of the Amendment Parcel from the District; and

WHEREAS, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

WHEREAS, removal of the Amendment Parcel from the District is not inconsistent with either the State or local comprehensive plan; and

WHEREAS, the area of land that will lie in the amended boundaries of the District is amenable to separate special district government; and

WHEREAS, in order to seek a boundary amendment pursuant to Chapter 190, Florida Statutes, the District desires to authorize District staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

WHEREAS, the Landowner has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, Florida Statutes, which processes include the preparation of a petition to the City of Jacksonville, Florida, and such other actions as are necessary in furtherance of the boundary amendment process.

#### NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BEACH COMMUNITY DEVELOPMENT DISTRICT:

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

**SECTION 2.** Upon receipt of confirmation from the District Manager that all District assessments levied against the Amendment Parcel have been paid in full, the Chairman and District staff are hereby directed to proceed in an expeditious manner with the preparation and filing of a petition and related materials with the City of Jacksonville, Florida, to seek the amendment of the District's boundaries to remove the Amendment Parcel, pursuant to Chapter 190, Florida Statutes, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, Florida Statutes, for the amendment of the District's boundaries.

**SECTION 3.** The District Chairman and Wesley S. Haber are hereby authorized to act as agents of the District with regard to any and all matters pertaining to the petition to the City of Jacksonville, Florida to amend the boundaries of the District.

PASSED AND ADOPTED this 26th day of March, 2018.

ATTEST:

J. Andrew Hagan Assistant Secretary

### BEACH COMMUNITY DEVELOPMENT DISTRICT

Chairman/Vice-Chairman, Board of Supervisors Kelly McCarrick



**Exhibit** A

www.rmangas.com tel 904-642-8550 • fax 904-642-4165 14775 Old St. Augustine Road • Jacksonville, Florida 32258

Revised March 30, 2018 October 20, 2017 Tamaya

Work Order No. 17-203.00 File No. 124C-10.00A

#### Tamaya Parcel E-2

A portion of Section 34, Township 2 South, Range 28 East, Duval County, Florida, also being a portion of those lands described and recorded in Official Records Book 16339, page 1146, of the current Public Records of said county, being more particularly described as follows:

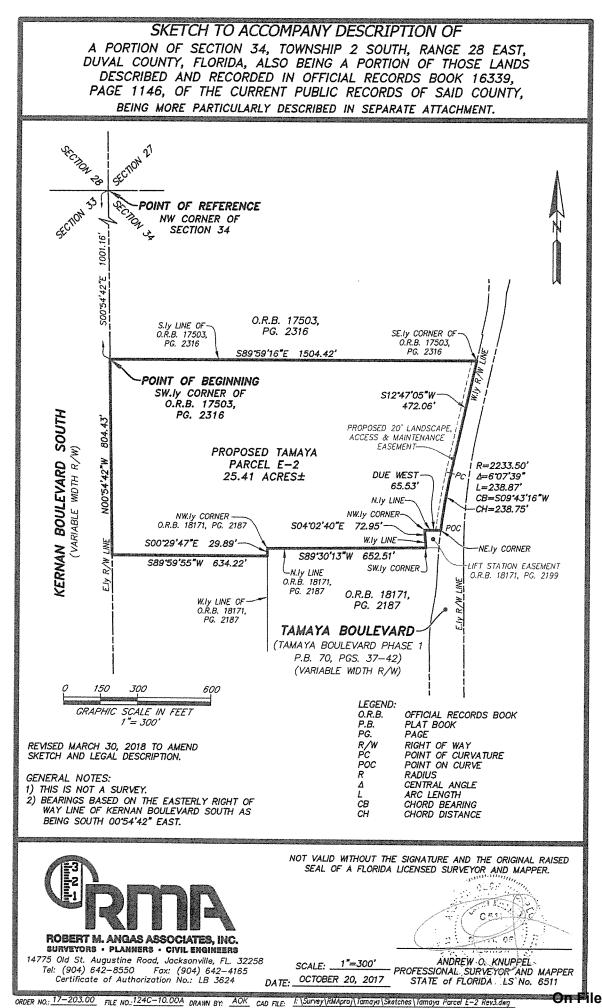
For a Point of Reference, commence at the Northwest corner of said Section 34, said corner lying on the Easterly right of way line of Kernan Boulevard South, a variable width right of way as presently established; thence South 00°54'42" East, along said Easterly right of way line, 1001.16 feet to the Southwesterly corner of those lands described and recorded in Official Records Book 17503, page 2316, of said current Public Records, and the Point of Beginning.

From said Point of Beginning, thence South 89°59'16" East, departing said Easterly right of way line and along the Southerly line of said Official Records Book 17503, page 2316, a distance of 1504.42 feet to the Southeasterly corner thereof, said corner lying on the Westerly right of way line of Tamaya Boulevard, as depicted on Tamaya Boulevard Phase 1, recorded in Plat Book 70, pages 37 through 42, of said current Public Records; thence South 12°47'05" West, along said Westerly right of way line, 472.06 feet to the point of curvature of a curve concave Easterly having a radius of 2233.50 feet; thence Southerly, continuing along said Westerly right of way line and along the arc of said curve, through a central angle of 06°07'39", an arc length of 238.87 feet to the Northeasterly corner of that certain Lift Station Easement described and recorded in Official Records Book 18171, page 2199, of said current Public Records, said arc being subtended by a chord bearing and distance of South 09°43'16" West, 238.75 feet; thence Due West, departing said Westerly right of way line and along the Northerly line of said Lift Station Easement, 65.53 feet to the Northwesterly corner thereof; thence South 04°02'40" East, along the Westerly line of said Lift Station Easement, 72.95 feet to the Southwesterly corner thereof, said corner lying on the Northerly line of those lands described and recorded in Official Records Book 18171, page 2187. of said current Public Records; thence South 89°30'13" West, along said Northerly line, 652,51 feet to the Northwesterly corner thereof; thence South 00°29'47" East, along the Westerly line of last said lands, 29.89 feet; thence South 89°59'55" West, departing said Westerly line, 634.22 feet to a point lying on said Easterly right of way line of Kernan Boulevard South; thence North 00°54'42" West, along said Easterly right of way line, 804.43 feet to the Point of Beginning.

Containing 25.41 acres, more or less.

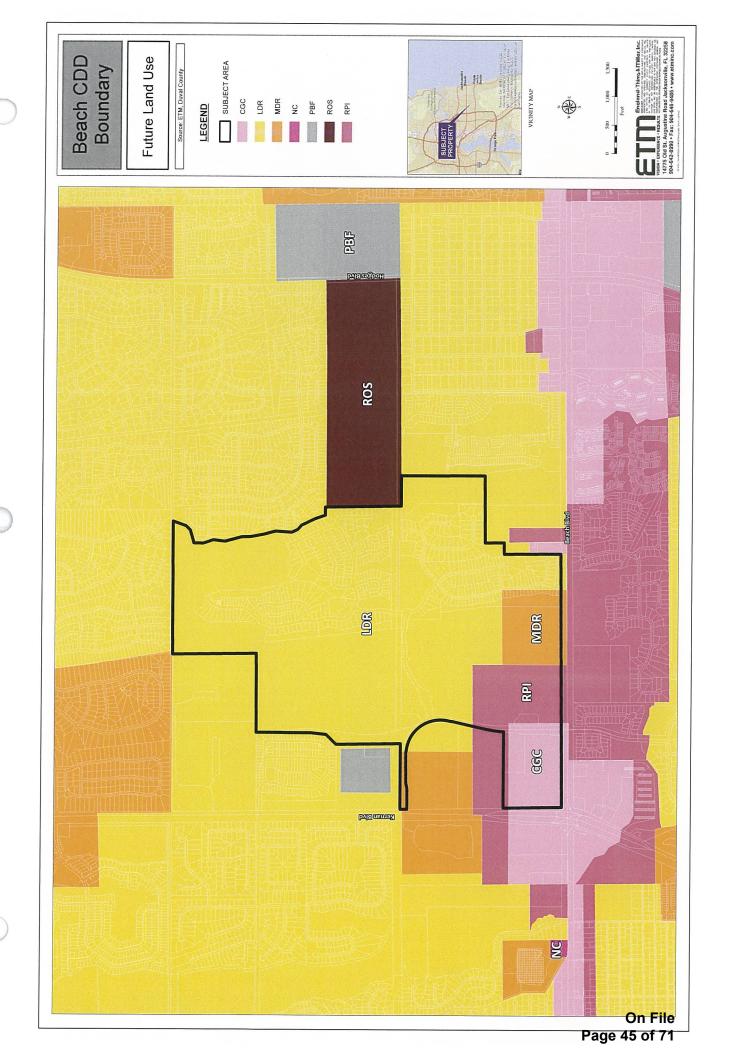
SURVEYORS • PLANNERS • CIVIL ENGINEERS Jacksonville, Florida

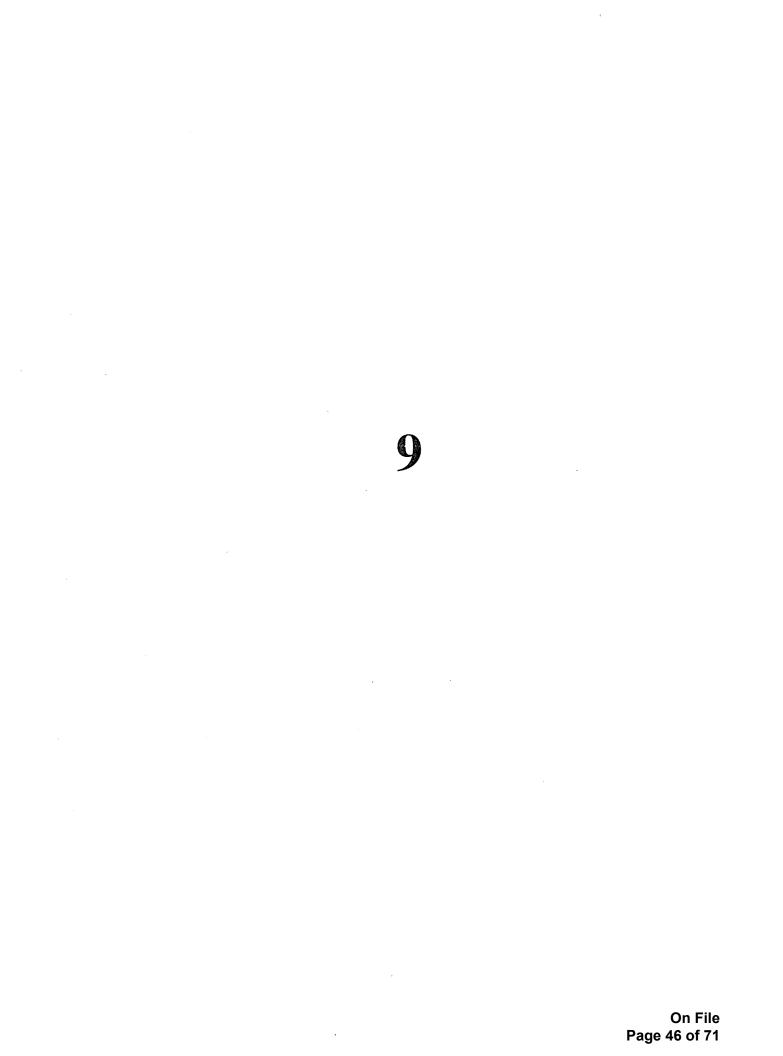
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#### TABLE 3 BEACH COMMUNITY DEVELOPMENT DISTRICT

#### CIP ASSESSMENT CATEGORY TABLE

7/30/2018

MASTER UTILITY IMPROVE		_Estimated Budget Amounts					: bene provei	
			В	C/D	E3	F	G/H	1
Water Main		\$2,184,000	X	X		x	X	X
Force Main		\$1,512,000	X	X	Х	X	X	X
Reuse Main		\$1,176,000	X	X		X	Х	Х
	Subtotal	\$4,872,000						
	Total	\$4,872,000						
MASTER ROADWAY IMPRO	/EMENTS	_						
Road A phase 1		\$6,647,350	X	Х	X	X	X	X
Road A phase 2		\$3,318,692	X	X	X	X	X	X
Fire Station Relocation and En	try Road	\$5,000,000	X	X	X	X	X	X
Off-site Road A Improvements		\$1,703,000	X	X	Х	Х	X	X
Off-site Road A Improvements		\$4,000,000	X	X	X	X	X	X
Wetland Mitigation Road A pha		\$1,000,000	X	X	X	X	X	X
Wetland Mitigation Road A pha		\$1,500,000	X	Х	Х	Х	Х	Х
	Total	\$23,169,042						
Master Improvements include a	a 20% Contingency							
RESIDENTIAL COMMUNITY	MPROVEMENTS	-						
PARCEL E3								
Lift Station	Total	\$250,000						
MERITAGE COMMUNITY PAI	RCELS (B,C/D,F,G/I		_					
Road B		\$13,809,187						
Wetland Mitigation Road B		\$2,500,000						
Community Amenity		\$10,000,000						
JEA Transmission Line Reloca		\$3,000,000						
Entry/Landscape & Irr/Walls/Ro	oundabout	\$4,100,720						
	Total	\$33,409,907						
PARCEL B								
Earthwork / Pond Construction		\$2,200,527						
Storm Drainage		\$664,167						
Utility Improvements (Water, Se	ewer and Reuse)	\$1,511,651						
Roadway		\$881,974						
JEA Electric Street Lighting		\$132,628						
Street Lighting Lift Station		\$33,157 \$250,000						
	Total	\$5,674,104						
PARCEL C/D Earthwork / Pond Construction		\$8,625,000						
Storm Drainage		\$868.250						
Utility Improvements (Water, Se	wer and Rouse	\$2,014,800						
Roadway		\$2,014,800						
JEA Electric		\$359,950						
Street Lighting		\$359,950 \$124,200						
Lift Station		\$124,200						

PARCEL F Earthwork / Pond Construction Storm Drainage Utility Improvements (Water, Sewer and Rei Roadway JEA Electric Street Lighting Lift Station	\$4,547,100 \$517,500 \$1,151,150 \$670,680 \$327,750 \$46,000 \$250,000
Total	\$7,510,180
PARCEL G/H	
Earthwork / Pond Construction	\$4,695,450
Storm Drainage	\$1,729,600
Utility Improvements (Water, Sewer and Reu	use) \$1,145,400
Roadway	\$2,010,200
JEA Electric	\$233,450
Street Lighting	\$57,960
Lift Station	\$400,000
Total	\$10,272,060
PARCELI	
Earthwork / Pond Construction	\$593,124
Storm Drainage	\$99,489
Utility Improvements (Water, Sewer and Reu	ise) \$156,400
Roadway	\$147,959
JEA Electric	\$25,300
Street Lighting	\$6,210
Total	\$1,028,482
Total CDD CIP Budget	\$100,250,725

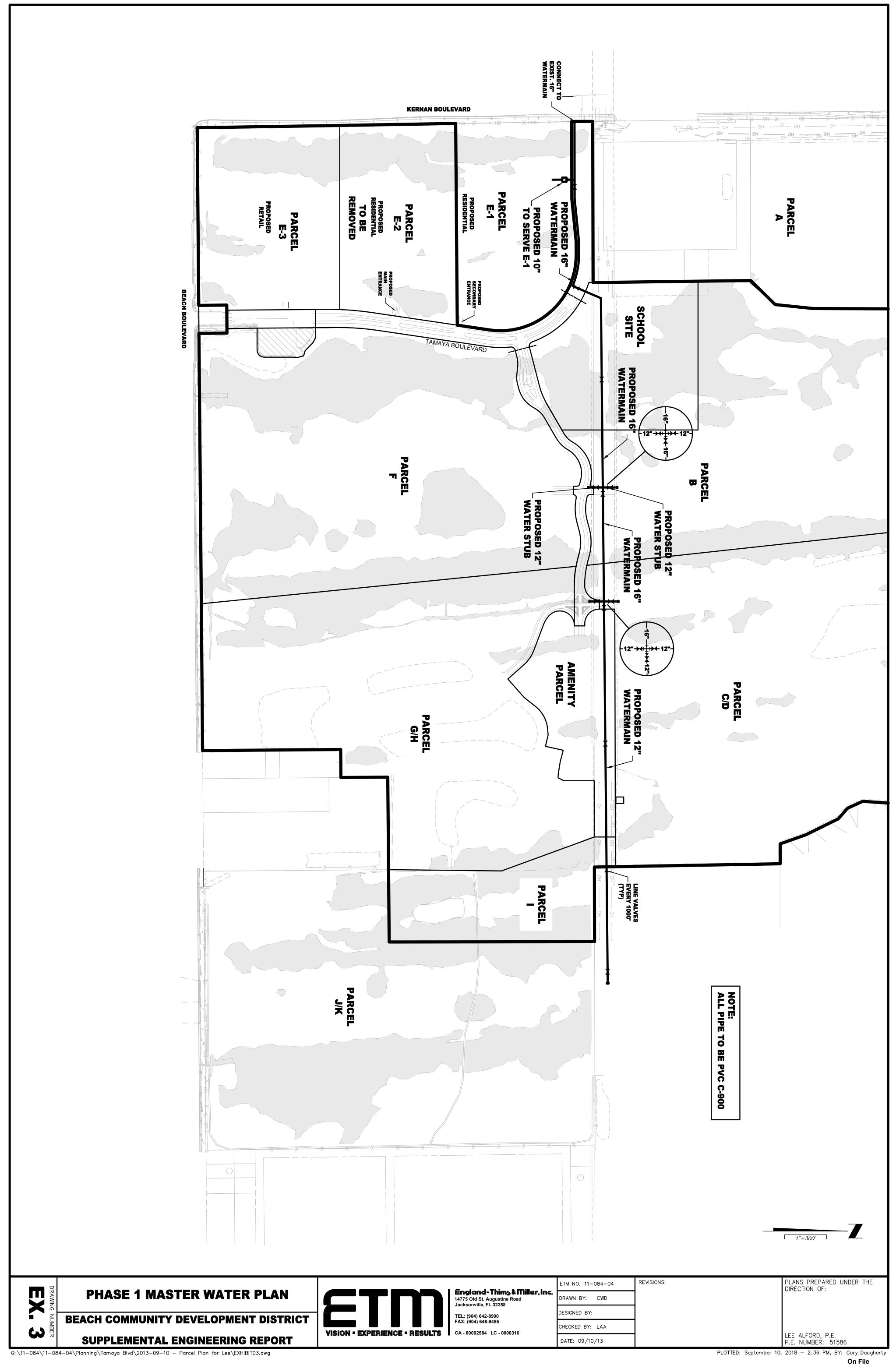
Note:

1. All Residential prices include a 15% contingency and are based on 2013 values & Site plan by Prosser Hallock for unit counts.

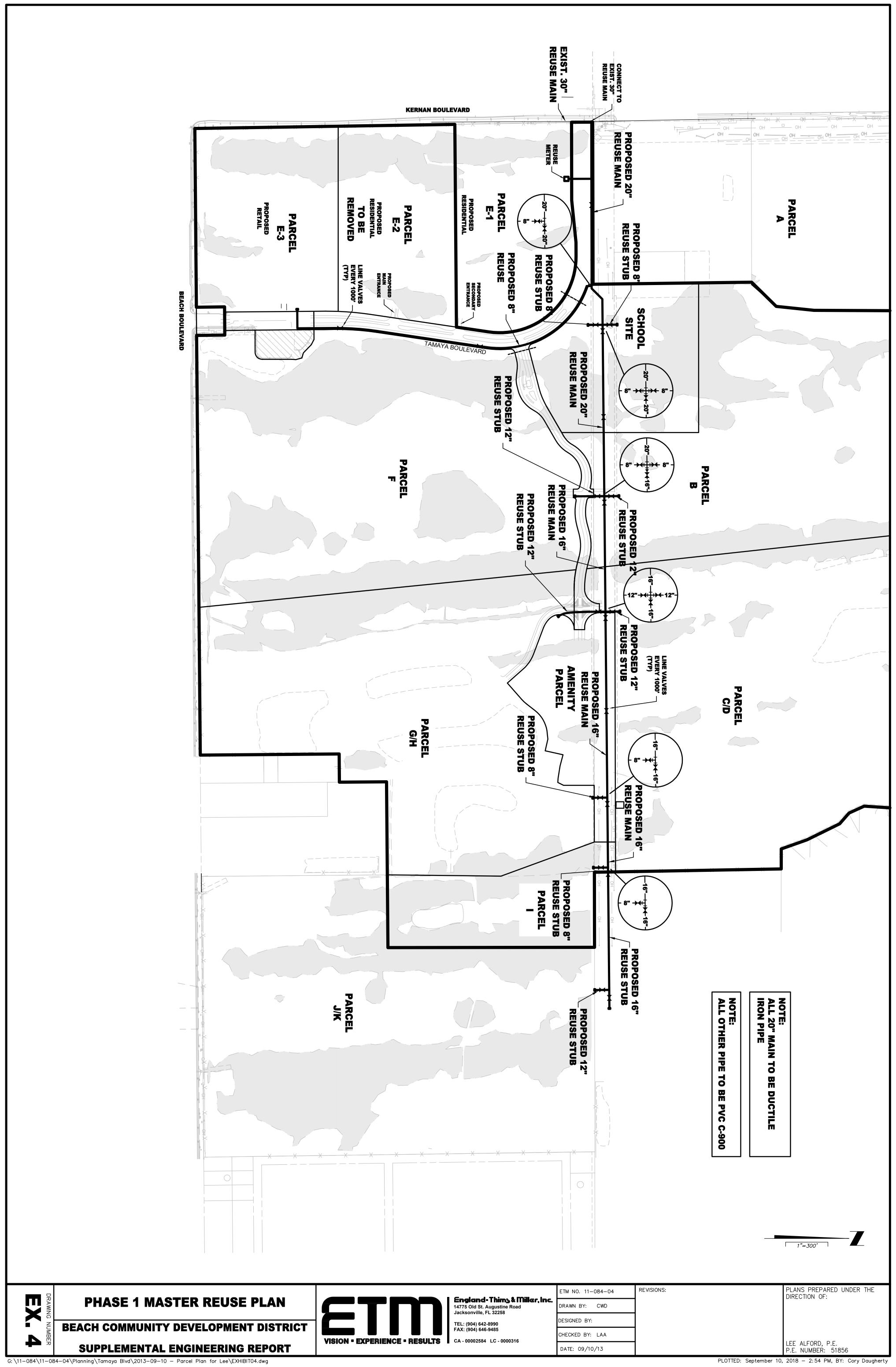
# BEACH CDD ESTIMATE OF BOND EXPENDITURES

		2018		2019		2020		2021		2022		TOTAL
Parcel E3			ş	250,000							\$	250,000
Parcel B			Ş	1,418,526	Ş	1,418,526 \$ 2,837,052 \$ 1,418,526	ş	1,418,526			\$	5,674,104
Parcel C/D	ş	1,811,010				3					\$	\$ 1,811,010
Parcel F					ş	1,877,545	ۍ	3,755,090	ş	1,877,545 \$ 3,755,090 \$ 1,877,545 <b>\$ 7,510,180</b>	s	7,510,180
Parcel I	Ŷ	257,120 \$	ŝ	771,362							~~ \	\$ 1,028,482
TOTAL	Ŷ	2,068,130	Ś	2,439,888	Ś	4,714,597	\$	5,173,616	ş	2,068,130 \$ 2,439,888 \$ 4,714,597 \$ 5,173,616 \$ 1,877,545 \$ 16,273,776	\$	16,273,776

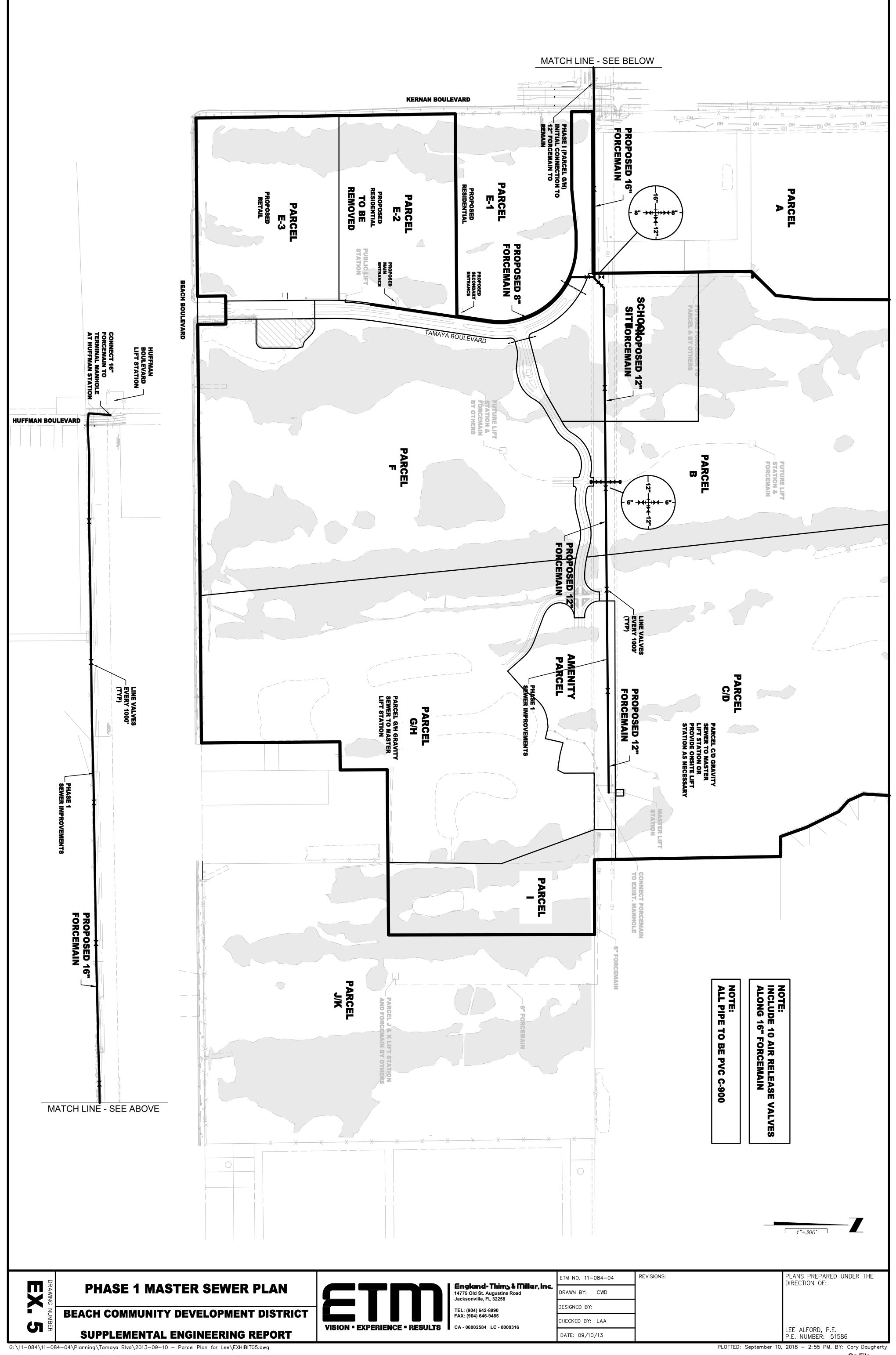
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21 West Church Street Jacksonville, Florida 32202-3139

WATER

SEWER

RECLAIMED

July 17, 2018

Nicole Bolatete, PE England Thims & Miller, Inc. 14775 Old St. Augustine Road Jacksonville, Florida, 32258

> Project Name: Tamaya Subdivision Availability#: 2018-1893

Attn: Nicole Bolatete, PE,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

#### **Point of Connection:**

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

#### **Offsite Improvements:**

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on jea.com.

#### **Reservation of Capacity:**

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

➡ Visit www.jea.com

Select Working with JEA
Select Stages of a Project

Sincerely,

JEA Water, Sewer Reclaim Availability Request Team

JEA	21 West Church Street Jacksonville, Florida 32202-3139
ELECTRIC	WATER SEWER RECLAIMED
Availability#:	2018-1893
Request Received On:	7/17/2018
Availability Response:	7/17/2018
Prepared by:	Susan West
<b>Project Information</b>	
Name:	Tamaya Subdivision
Туре:	Single Family
Requested Flow:	758,200 gpd
Location:	Northside of Beach Blvd between Kernan Blvd and Hodges Blvd
Parcel ID No.:	165285 0005
Description:	1718 multifamily units, 682 single family units and 300,000 sf office
Potable Water Connection	on
Water Treatment Grid:	SOUTH GRID
Connection Point #1:	Existing 24" water main along the east side ROW of Kernan Blvd, adjacent to the site
Connection Point #2:	Existing 20" water main along the north side ROW of Beach Blvd, adjacent to the site
Special Conditions:	Fire protection needs to be addressed. Due to the size of this development, JEA is anticipating that this development will have dual water main connections to the water transmission systems on Kernan Blvd and Hodges Blvd.
Sewer Connection	
Sewer Treatment Plant:	ARLINGTON EAST
Connection Point #1:	Existing 24" force main along the south side ROW of Beach Blvd, adjacent to the site
Connection Point #2:	NA
Special Conditions:	JEA will require only 1 JEA sewer master pump station for this development
Reclaimed Water Conne	ction
Sewer Region/Plant:	N/A
Connection Point #1:	Existing 30" reclaimed water main along the west side ROW of Kernan Blvd, adjacent to the site
Connection Point #2:	NA
Special Conditions:	

#### **General Comments:**

This availability letter is issued to serve as a confirmation of service availability for the Tamaya Development. Individual construction phases require site specific availability requests for more detailed point of connection information and for construction plan tracking purposes. Electric Availability: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations. 11



### STATEMENT OF ESTIMATED REGULATORY COSTS ACCOMPANYING THE PETITION TO AMEND THE BOUNDARIES OF THE BEACH COMMUNITY DEVELOPMENT DISTRICT

September 6, 2018

Prepared by:

Fishkind & Associates, Inc. 12051 Corporate Blvd. Orlando, Florida 32817

#### STATEMENT OF ESTIMATED REGULATORY COSTS

Beach Community Development District

September 6, 2018

#### 1.0 Introduction

#### 1.1 Purpose and Scope

This statement of estimated regulatory costs (SERC) supports the petition to amend the boundaries of the Beach Community Development District (the "District"). The District originally intended to finance public infrastructure improvements benefiting parcels currently within the District including "Parcel E-2." However, due to changes in market conditions and other factors, approximately 25.41 acres associated with Parcel E-2 within the District is now being removed from the District (this 25.41-acre parcel will be referred to herein as the "Exception Parcel"). Thus, the District's Board of Supervisors desires to remove the Exception Parcel from the District's boundaries.

As of this date, the District has funded public infrastructure improvements in two separate bond issuances. Series 2013 Bonds were issued in the amount of \$18,075,000 and Series 2015 Bonds were issued in the amount of \$48,995,000. A portion of this debt was allocated to the Exception Parcel; however, all assessment debt allocated to the Exception Parcel has been paid as of the date of this report. The proposed boundary amendment will generally have little, if any, impact on the day-to-day activities of the District or its property owners.

The limitations on the scope of SERCs supporting the establishment of or boundary amendments for community development districts are explicitly set out in Section 190.002(2)(d) of the Florida Statutes (emphasis added):

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



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1.2 Overview of the Amended District

If the Exception Parcel is removed from the District's boundaries, the District would retain the ability to provide public infrastructure, services, and facilities, along with their operations and maintenance, to the properties remaining within the boundaries of the District. The resulting District will contain 574.94 acres of land planned to contain residential development.

1.3 Requirements for Statement of Estimated Regulatory Costs

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

- (a) An economic analysis showing whether the rule directly or indirectly:
  - 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
  - 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or
  - 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.



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- (e) An analysis of the impact on small businesses as defined by s. <u>288.703</u>, and an analysis of the impact on small counties and small cities as defined in s. <u>120.52</u>. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.
- 2.0 An economic analysis showing whether the amendment of the District's boundaries directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs

Florida Statutes 120.541(2)(a) requires an economic analysis showing whether the proposed amendment to the District's boundaries will directly or indirectly have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs exceeding \$1 million in the aggregate within 5 years after the boundary amendment occurs. The simple answer is that the proposed amendment to the District's boundaries will not have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs. The District already exists and the proposed boundary amendment will not affect these activities.

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

If the boundary amendment is approved, the owners and future residents of the Exception Parcel will not be subject to the District's jurisdiction or potential assessments.



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- 4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues.
- 4.1 Impact on State and Local Revenues

#### State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the amendment of the District's boundaries. The District consists of less than 1,000 acres; therefore the City of Jacksonville (the "City") is the government having jurisdiction over the proposed boundary amendment, pursuant to Florida Statutes Section 190.005(2). The State will incur no costs in reviewing the petition to amend the District's boundaries and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the District's boundary amendment will be minimal, if any. The required annual reports the District must file with the State are outlined in the attached Appendix. However, the District must already file all of these reports. Thus, there will be no additional reporting or monitoring costs on the part of the State related to the District's boundary amendment. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.064 of the Florida Statutes, the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

#### City of Jacksonville

City staff will process, analyze, and conduct public hearing(s) on the petition to amend the District's boundaries. These activities will absorb the time of the City staff and Commissioners. However, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Fifth, the petitioner's filing fee will compensate the City for any advertising expense occurred and for the time City staff spends analyzing the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to amend the District's boundaries.



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The annual costs to the City, related to the continued existence of the District, are also minimal and within the control of the City. The District will be an independent unit of local government. The only annual costs incurred by the City on behalf of the District will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City. However, as noted above, the District already exists and no new reporting activity will be required as a result of the District's boundary amendment.

4.2 Impact on State and Local Revenue

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

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the City, or any unit of local government. By State law, the debts of the District are strictly its own responsibility.

## 5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance amending the District's boundaries.

The District plans to provide various community facilities and services to the property that will remain within the District, as outlined in Table 1 below.

<u>Facility</u>	Funded By	Ownership and Maintenance
Master Infrastructure Utility (Water Main, Force Main, Reuse Main)	CDD	JEA
Roadway Improvements	CDD	City/CDD

#### Table 1. Proposed Facilities and Services



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The petitioner has estimated the costs for providing the capital improvements and facilities outlined in Table 1 to the lands that will remain within the District following the boundary amendment. The cost estimates for these improvements and facilities are shown in Table 2, below.

#### Table 2. Summary of Estimated Capital Costs

1	MASTER UTILITY IMPROVEMENTS		Est. Budget Amounts
	Water Main		\$2,184,000
	Force Main		\$1,512,000
	Reuse Main		\$1,176,000
		Subtotal	\$4,872,000
		Total	\$4,872,000
2	MASTER ROADWAY IMPROVEMENTS		Est. Budget Amounts
	Road A phase 1		\$6,647,350
	Road A phase 2		\$3,318,692
	Fire Station Relocation and Entry Road		\$5,000,000
	Off-site Road A Improvements Phase 1		\$1,703,000
	Off-site Road A Improvements Phase 2		\$4,000,000
	Wetland Mitigation Road A phase 1		\$1,000,000
	Wetland Mitigation Road A phase 2		\$1,500,000
		Total	\$23,169,042
	Master Improvements include a 20% Contingency		
3	RESIDENTIAL COMMUNITY IMPROVEMENTS		
	PARCEL E3		
	Lift Station	Total	\$250,000
	MERITAGE COMMUNITY PARCELS (B,C/D,F,G/H, I) Master Improvement	S	
	Road B		\$13,809,187
	Wetland Mitigation Road B		\$2,500,000
	Community Amenity		\$10,000,000
	JEA Transmission Line Relocation		\$3,000,000
	Entry/Landscape & Irr/Walls/Roundabout		\$4,100,720
		Total	\$33,409,907



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#### PARCEL B

Earthwork / Pond Construction	\$2,200,527
Storm Drainage	\$664,167
Utility Improvements (Water, Sewer and Reuse)	\$1,511,651
Roadway	\$881,974
JEA Electric	\$132,628
Street Lighting	\$33,157
Lift Station	\$250,000

	Total	\$5,674,104
PARCEL C/D		
Earthwork / Pond Construction		\$8,625,000
Storm Drainage		\$868,250
Utility Improvements (Water, Sewer and Reuse)		\$2,014,800
Roadway		\$1,822,750
JEA Electric		\$359,950
Street Lighting		\$124,200
Lift Station		\$250,000

	Total	\$14,064,950
PARCEL F		
Earthwork / Pond Construction		\$4,547,100
Storm Drainage		\$517,500
Utility Improvements (Water, Sewer and Reuse)		\$1,151,150
Roadway		\$670,680
JEA Electric		\$327,750
Street Lighting		\$46,000
Lift Station		\$250,000

Total \$7,510,180



PARCEL G/H		
Earthwork / Pond Construction		\$4,695,450
Storm Drainage		\$1,729,600
Utility Improvements (Water, Sewer and Reuse)		\$1,145,400
Roadway		\$2,010,200
JEA Electric		\$233,450
Street Lighting		\$57,960
Lift Station		\$400,000
	Total	\$10,272,060
PARCELI		
Earthwork / Pond Construction		\$593,124
Storm Drainage		\$99,489
Utility Improvements (Water, Sewer and Reuse)		\$156,400
Roadway		\$147,959
JEA Electric		\$25,300
Street Lighting		\$6,210
	Total	\$1,028,482
To	otal CDD CIP Budget	\$100,250,725

To fund these improvements, the District issued special assessment bonds. Additional bonds will be issued in the future as further development becomes necessary. Infrastructure costs that are not paid for with District bonds will be funded by the developer of the project. The District's bonds will be repaid through non-ad valorem assessments levied on all properties located within the boundaries of the District that benefit from these improvements.

Landowners within the revised boundaries of the District will be required to pay non-ad valorem assessments levied by the District to secure the repayment of the District's bond debt. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

The estimated costs in the removed parcels will be eliminated from the CIP and will no longer be funded by the District. Any future improvements on those parcels will now be funded by the landowner.

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It is important to note that the various costs outlined in Table 2 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer provided infrastructure and facilities. Along these same lines, District imposed assessments for operations and maintenance cost are similar to what would be charged in any event by a property owner's association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the cost and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal services taxing unit (MSTU), a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

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

There will be no impact on small businesses because of the amendment of the District. The District will continue to exist and must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

The District is not located within a county with a population of less than 75,000 or within a city with a population of less than 10,000. Therefore, the proposed District is not located in either a county or city that is defined as "small" by Florida Statute § 120.52.



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#### 7.0 Any additional useful information.

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

Fishkind & Associates, Inc. ("Fishkind") certifies that this SERC meets the requirements for a SERC as set out in Chapter 120.541, F.S.

Fishkind drafted more than 100 SERCs. Below is a listing of some of the Districts for which we have prepared SERCs.

- Highlands Community Development District in Hillsborough County
- New Port Tampa Bay Community Development District in Tampa
- Lakewood Ranch Stewardship District in Manatee County
- Babcock Ranch Community Independent Special District in Charlotte County
- The Lake Nona "family" of Community Development Districts in Orlando
- Urban Orlando Community Development District in Orlando
- Palazzo Del Lago Community Development District in Orange County
- Winter Garden Village at Fowler Groves Community Development District in Winter Garden
- Midtown Orlando Community Development District in Orange County
- The Tradition "Family" of Community Development Districts in Port St. Lucie



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#### APPENDIX

#### LIST OF DISTRICT REPORTING REQUIREMENTS

REPORT	FLORIDA STATUTE SECTION	DATE
Annual Financial Audit	218.39	9 months after end of fiscal year
Annual Financial Report (AFR)	218.32	Within 45 days after delivery of audit
Financial Disclosure Form 1	112.3145	By July 1
Public Depositor	280.17	By November 30
Proposed Budget	190.008	By June 15
Adopted Budget	190.008	By October 1
Public Facilities Report	189.08	Initial report within 1 year of creation, updates every 7 years
Public Meetings Schedule	189.015	Beginning of fiscal year
Notice of Bond Issuance	218.38	Within 120 days after delivery
Registered Agent	189.014	30 days after first Board Meeting
Notice of Establishment	190.0485	30 days after formation
Creation Documents	189.016	30 days after adoption
Notice of Public Finance	190.009	After financing



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#### BEFORE THE CITY COMMISSION OF THE CITY OF JACKSONVILLE, FLORIDA

#### IN RE: PETITION TO AMEND THE BOUNDARY OF THE BEACH COMMUNITY DEVELOPMENT DISTRICT

#### AFFIDAVIT OF PETITION AND AUTHORIZATION OF AGENT

#### STATE OF FLORIDA COUNTY OF Volusia

I, Kelly McCarrick, Chairperson of the Beach Community Development District (the "District"), being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Kelly McCarrick and I am the Chairperson of the District.

3. Pursuant to Resolution 2018-01 of the Board of Supervisors of the District, I am authorized to act on behalf of the Board to take all action necessary in relation to the Petition to Amend the Boundary of the District.

4. In my capacity as Chairperson, I have reviewed the contents of the Petition to Amend the Boundary of the District, and its exhibits, and find it to be true and correct.

5. Wesley S. Haber, Hopping Green & Sams, 119 South Monroe Street, Suite 300, Post Office Box 6526, Tallahassee, Florida 32314 is designated to act as agent for the District with regard to any and all matters pertaining to the Petition to Amend the Boundary of the District before the City Council of the City of Jacksonville, Florida pursuant to Chapter 190, Florida Statutes. This authorization shall remain in effect until revoked in writing.

1

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this <u>28th</u> day of <u>March</u>, 2018.

Chairperson

STATE OF FLORIDA . COUNTY OF Volusia

TERI L. HANSEN Notary Public - State of Florida (SEAI Commission # FF 964698 My Comm. Expires May 3, 2020 Bonded through National Notary Assn.

Notary Public

TERIL. HANSEN Print Name: FF964698 Commission Number: May 3,2020 My Commission Expires:

X Personally Known

Produced Identification

(Form of Identification)