

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

July 25, 2022

BOARD OF SUPERVISORS

SPECIAL MEETING

AGENDA

Stuart Crossing Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

July 18, 2022

Board of Supervisors
Stuart Crossing Community Development District

Dear Board Members:

The Board of Supervisors of the Stuart Crossing Community Development District will hold a Special Meeting on July 25, 2022 at 1:00 p.m., at the Hampton Inn Bartow, 205 Old Bartow Eagle Lake Rd., Bartow, Florida 33830. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Administration of Oath of Office to Jerry Tomberlin, Jr. *(the following will be provided in a separate package)*
 - A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
 - B. Membership, Obligations and Responsibilities
 - C. Chapter 190, Florida Statutes
 - D. Financial Disclosure Forms
 - I. Form 1: Statement of Financial Interests
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests
 - III. Form 1F: Final Statement of Financial Interests
 - E. Form 8B: Memorandum of Voting Conflict
4. Consideration of Resolution 2022-24, Designating a Date, Time, and Location of a Public Hearing Regarding the District's Intent to Use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Special Assessments as Authorized by Section 197.3632, Florida Statutes; Authorizing the Publication of the Notice of Such Hearing; and Providing an Effective Date
5. Presentation of Engineer's Report
6. Presentation of Master Special Assessment Methodology Report

ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

- 7. Consideration of Resolution 2022-25, Declaring Special Assessments; Designating the Nature and Location of the Proposed Improvements; Declaring The Total Estimated Cost of the Improvements, the Portion to be Paid By Assessments, and the Manner and Timing in Which The Assessments are to be Paid; Designating the Lands Upon Which The Assessments Shall Be Levied; Providing for an Assessment Plat and a Preliminary Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication of this Resolution; and Addressing Conflicts, Severability and an Effective Date
- 8. Update: Stormwater Management Needs Analysis
- 9. Staff Report
 - A. District Counsel: *KE Law Group, PLLC*
 - B. District Engineer (Interim): *Kimley-Horn & Associates, Inc.*
 - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- UPCOMING MEETINGS

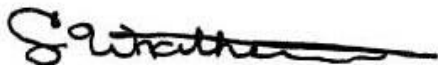
- August 16, 2022 at 1:00 P.M. Landowners' Meeting [*Board is not required to attend*]
- September 7, 2022 at 1:00 P.M.

- QUORUM CHECK

GARTH NOBLE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
JESSICA RESCHKE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
JERRY L TOMBERLIN, JR.	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
MICHAEL BYRD	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
JOHN KAKRIDAS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Kristen Suit at (410) 207-1802.

Sincerely,



Craig Wrathell
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 943 865 3730

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

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**STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
OATH OF OFFICE**

I, _____, A CITIZEN OF THE STATE OF FLORIDA AND OF THE UNITED STATES OF AMERICA, AND BEING EMPLOYED BY OR AN OFFICER OF STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT AND A RECIPIENT OF PUBLIC FUNDS AS SUCH EMPLOYEE OR OFFICER, DO HEREBY SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES AND OF THE STATE OF FLORIDA.

Board Supervisor

ACKNOWLEDGMENT OF OATH BEING TAKEN

STATE OF FLORIDA
COUNTY OF _____

The foregoing oath was administered before me by means of physical presence or online notarization on this ___ day of _____, 20__, by _____, who is personally known to me or has produced _____ as identification, and is the person described in and who took the aforementioned oath as a Member of the Board of Supervisors of Stuart Crossing Community Development District and acknowledged to and before me that he/she took said oath for the purposes therein expressed.

(NOTARY SEAL)

Notary Public, State of Florida
Print Name: _____
Commission No.: _____ Expires: _____

MAILING ADDRESS: Home Office County of Residence _____

Street Phone Fax

City, State, Zip Email Address

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

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RESOLUTION 2022-24

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A DATE, TIME AND LOCATION OF A PUBLIC HEARING REGARDING THE DISTRICT'S INTENT TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM SPECIAL ASSESSMENTS AS AUTHORIZED BY SECTION 197.3632, FLORIDA STATUTES; AUTHORIZING THE PUBLICATION OF THE NOTICE OF SUCH HEARING; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Stuart Crossing Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District pursuant to the provisions of Chapter 190, *Florida Statutes*, is authorized to levy, collect and enforce certain special assessments, which include benefit and maintenance assessments and further authorizes the Board of Supervisors of the District ("**Board**") to levy, collect and enforce special assessments pursuant to Chapters 170 and 190, *Florida Statutes*; and

WHEREAS, the District desires to use the uniform method for the levy, collection and enforcement of non-ad valorem special assessments authorized by Section 197.3632, *Florida Statutes* ("**Uniform Method**").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT:

1. PUBLIC HEARING. A Public Hearing will be held on the District's intent to adopt the Uniform Method on _____, at ____:____ a/p.m., at _____.

2. PUBLICATION. The District Secretary is directed to publish notice of the hearing in accordance with Section 197.3632, Florida Statutes.

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

[SIGNATURES APPEAR ON FOLLOWING PAGE]

PASSED AND ADOPTED this 26th day of July, 2022.

ATTEST:

**STUART CROSSING COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

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July 22, 2022

Engineer's Report



Stuart Crossing Community Development District

Ernest Smith Blvd , Polk County, Florida

Prepared for:

The District

Kimley»»Horn

July 22, 2022

© Kimley-Horn and Associates, Inc. 2022

ENGINEER'S REPORT

PREPARED FOR:

BOARD OF SUPERVISORS
STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT

ENGINEER:

July 22, 2022

STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT

ENGINEER'S REPORT

1. INTRODUCTION

The purpose of this report is to provide a description of the capital improvement plan ("CIP") and estimated costs of the CIP, for the Stuart Crossing Community Development District.

2. GENERAL SITE DESCRIPTION

The District is located entirely within the City of Bartow, Florida, and covers approximately 259.10 acres of land, more or less. The site is generally located south of Ernest Smith Boulevard, west of US 17 and east of the Bartow Regional Medical Center.

3. CAPITAL IMPROVEMENT PLAN

The CIP is intended to provide public infrastructure improvements for the lands within the District, which are planned for 591 residential homes. The following charts show the planned product types for the District:

Table 1 - Planned Units

Product Type	TOTALS
40' Width	225
50' Width	239
60' Width	127
TOTAL	591

The CIP infrastructure includes:

Roadway Improvements:

The CIP includes subdivision roads within the District. Generally, all roads will be 2-lane un-divided roads. Such roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, striping and signage and sidewalks within rights-of-way abutting non-lot lands. Sidewalks abutting lots will be constructed by the homebuilders. All roads will be designed in accordance with City standards.

All internal roadways will be financed, owned, operated and maintained by the District and will be open and accessible to the public.

Stormwater Management System:

The stormwater collection and outfall system is a combination of roadway curbs, curb inlets, manholes, pipe, control structures and open lakes designed to treat and attenuate stormwater runoff from District lands. The stormwater system within the project discharges to surrounding

existing wetlands and then to the existing ditch flowing offsite. The stormwater system will be designed consistent with the criteria established by the Southwest Florida Water Management District for stormwater/floodplain management systems. The District will finance, own, operate and maintain the stormwater system.

No private earthwork is included in the CIP. Accordingly, the District will not fund any costs of mass grading of lots.

Water & Wastewater Utilities:

As part of the CIP, the District intends to construct water and wastewater infrastructure within the District. The water and wastewater systems will be conveyed to and owned and maintained by the City once it has been certified complete and cleared for use.

The on-site water supply improvements include water mains that will be located within rights-of-way and used for potable water service and fire protection. Water main connections will be made to Ernest Smith Blvd, Forest Hill Drive, and North Wilson Ave.

Wastewater improvements for the project will include an onsite 8" diameter gravity collection system, an onsite 6" force main and onsite lift station. The onsite force main connection will be made at Old Bartow/Eagle Lake Road.

Hardscape, Landscape, and Irrigation:

The District will construct and/or install landscaping, irrigation and hardscaping within District common areas and rights-of-way. This project will at a minimum meet the landscaping requirements of the City.

All such landscaping, irrigation and hardscaping will be owned, maintained and funded by the District. Such infrastructure, to the extent that it is located in rights-of-way owned by the City will be maintained pursuant to a right-of-way agreement to be entered into with the City.

Streetlights / Undergrounding of Electrical Utility Lines

The District intends to lease street lights through an agreement with The City of Bartow in which case the District would fund the street lights through an annual operations and maintenance assessment. As such, streetlights are not included as part of the CIP.

The CIP does however include the incremental cost of undergrounding of electrical utility lines within right-of-way and utility easements throughout the community. Any lines and transformers located in such areas would be owned by the City of Bartow-Electric and not paid for by the District as part of the CIP.

Recreational Amenities:

In conjunction with the construction of the CIP, the District intends to construct walking paths, pool, playground, dog park, fitness area, basketball court, pickleball courts, and event lawn. These improvements will be funded, owned and maintained by the District, or alternatively may be

funded by the developer and turned over to homeowners' association for ownership, operation and maintenance. All such improvements, if constructed by the District, will be open to the general public subject to any uniformly applicable fees and requirements set forth in the District rules and policies. If funded by the developer and owned by a homeowner's association, such facilities shall be considered common areas for the exclusive benefit of the homeowners.

Environmental Conservation/Mitigation

There are 6.29 acres of forested and herbaceous wetland impacts associated with the property construction of the District's infrastructure which will require wetland mitigation via mitigation bank credits.

Off-Site Improvements

The offsite improvements for the CIP consist of offsite roadway improvements to Ernest Smith Blvd, Osprey Blvd extension, and connection to Lyle Pkwy. The median along Ernest Smith Blvd will be removed to allow internal access to the Stuart Crossing development. Osprey Blvd will be extended to Ernest Smith Blvd and will provide access to the internal site. Lyle Pkwy will be improved to allow additional site development.

Professional Services

The CIP also includes various professional services. These include: (i) engineering, surveying and architectural fees, (ii) permitting and plan review costs, and (iii) development/construction management services fees that are required for the design, permitting and construction of the public improvements and community facilities.

All of the foregoing improvements are required by applicable development approvals. Note that, except as stated herein, there are no impact fee or similar credits available from the construction of any such improvements.

4. PERMITTING/CONSTRUCTION COMMENCEMENT

All necessary permits for the construction of the CIP have either been obtained or are currently under review by respective governmental authorities, and include the following:

- City of Bartow
- Polk County
- Southwest Florida Water Management District
- Federal Emergency Management Agency
- Florida Department of Environmental Protection
- Florida Department of Health

5. COST ESTIMATE / MAINTENANCE RESPONSIBILITY

The table below presents, among other things, the Cost Estimate for the CIP, and sets forth the entity

responsibility for each improvement. It is our professional opinion that the costs set forth in the table below are reasonable and consistent with market pricing.

TABLE 2 – Cost Estimate & Responsible Owner

Facility Description	Cost Estimate	Financing Entity	O&M Entity
Stormwater Management	\$3,300,000	CDD	CDD
Roadways	\$5,500,000	CDD	City
Utilities (Water, Sewer)	\$3,000,000	CDD	City
Undergrounding of Conduit	\$300,000	CDD	CDD
Hardscape/Landscape/Irrigation	\$400,000	CDD	CDD
Recreational Amenities	\$5,000,000	CDD or Developer	CDD or HOA
Conservation/Mitigation	\$200,000	CDD	CDD
Off-Site Improvements	\$200,000	CDD	City
Professional Services	\$1,800,000	CDD	CDD
Contingency	\$2,000,000		
TOTAL	\$21,700,000		

* The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated CDD expenditures that may be incurred.

** Excludes earthwork and grading of each lot in conjunction with lot development and home construction, which will be provided by home builder.

6. CONCLUSIONS

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design. It is further our opinion that:

- The estimated cost to the CIP as set forth herein is reasonable based on prices currently being experienced in Polk County, Florida;
- All of the improvements comprising the CIP are required by applicable development approvals;
- The CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course;
- The assessable property within the District will receive a special benefit from the CIP; and
- The CIP will function as a system of improvements benefitting lands within the District.

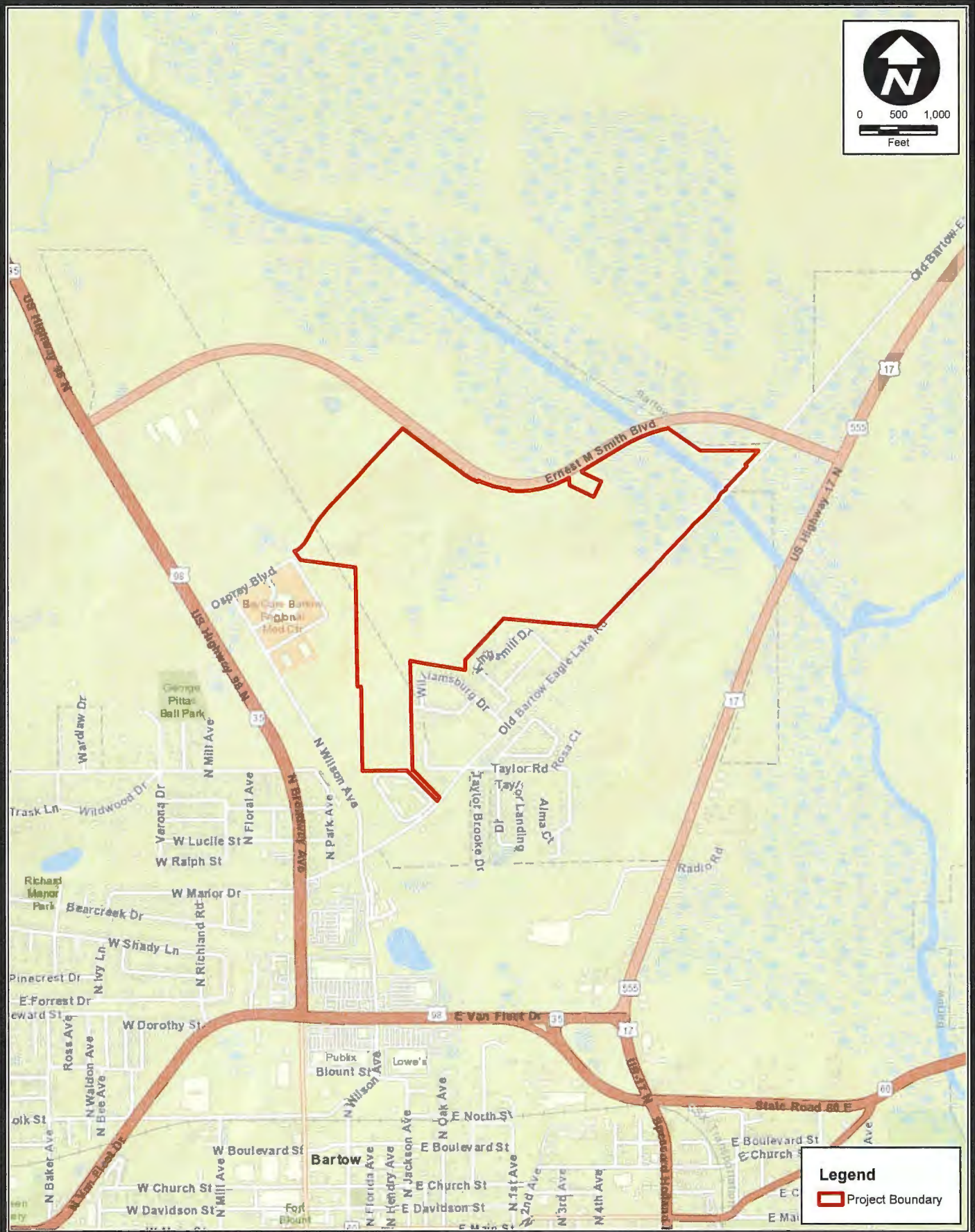
The professional service for establishing the Opinion of Probable Construction Costs is consistent with the degree of care and skill exercised by members of the same profession under similar circumstances.

The CIP will be owned by the District or other governmental units and such CIP is intended to be available and will reasonably be available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All of the CIP is or will be located on lands owned or to be owned by the District or another governmental entity or on public easements in favor of the District or other governmental entity. The CIP, and any cost opinion set forth herein, do not include any earthwork, grading or other improvements on private lots or property.

Please note that the CIP as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

By: Mark E. Wilson
FL License No. 47615

Mark E Digitally signed
by Mark E Wilson
Wilson Date: 2022.07.22
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ORDINANCE NO. 2022-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA, ESTABLISHING THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS AND FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the "Uniform Community Development Act of 1980", Chapter 190, *Florida Statutes* (hereinafter referred to as the "Act"), sets forth the exclusive and uniform method for establishing a community development district; and

WHEREAS, Section 190.005(2) of the Act requires that a Petition for the Establishment of a Community Development District of less than 2,500 acres be filed by the petitioner with the municipality having jurisdiction over the majority of land in the area in which the district is to be located; and

WHEREAS, Section 190.005(1)(a) of the Act requires that such petition contain certain information to be considered at a public hearing before the City Commission of the City of Bartow, Florida ("City"); and

WHEREAS, Meritage Homes of Florida, Inc. ("Petitioner"), having obtained written consent to the establishment of the Stuart Crossing Community Development District (the "District") by the owners of one-hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the District, has petitioned the City to adopt an ordinance establishing

the District pursuant to Chapter 190, *Florida Statutes* (2021); and

WHEREAS, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida and whose principal place of business is 8800 East Raintree Drive, Suite 300, Scottsdale, Arizona 85260; and

WHEREAS, the Petition which was submitted to the City on or around March 22, 2022, has been determined to contain the requisite information as mandated by Section 190.005(1)(a) of the Act; and

WHEREAS, all interested persons and affected units of general-purpose local government have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on June 6, 2022; and

WHEREAS, on June 6, 2022, the City considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, and upon such review, has determined that granting the Petition to Establish the Stuart Crossing Community Development District is in the best interest of the City; and

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

WHEREAS, it is believed that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Bartow, Florida as follows:

SECTION 1. RECITALS INCORPORATED. The above recitals are true and correct and are incorporated herein.

SECTION 2. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, codified in Chapter

190, *Florida Statutes*. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

SECTION 3. FINDINGS OF FACT. The City hereby finds and determines, pursuant to Section 190.005(2) of the Act, based on the testimony and evidence presented before the City, and the record established at the public hearing that:

A. All statements within the Petition are true and correct.

B. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the state comprehensive plan, or the City of Bartow Comprehensive Plan.

C. The area of land within the District, described in Exhibit "A", which is attached hereto and incorporated herein, is of a sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.

D. The District is the best alternative available for delivering the community development services and facilities to the area that would be served by the District.

E. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

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

SECTION 4. ESTABLISHMENT AND DISTRICT NAME. There is hereby created a community development district situated entirely within the incorporated limits of the City of Bartow, Florida, which District shall be known as the "Stuart Crossing Community Development District", and which shall be referred to in this Ordinance as the "District".

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT. The external

boundaries of the District are described in Exhibit "A", and said boundaries encompass 259.10 acres, more or less.

SECTION 6. DISTRICT POWERS AND FUNCTIONS. The powers and functions of the District are described in Chapter 190, *Florida Statutes*. The District shall have all powers and functions granted by the Act pursuant to Sections 190.011 and 190.012(1) and (3), *Florida Statutes*, as amended from time to time. In addition, consent is hereby given to the District's Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses and security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars. The District shall have all further powers to establish additional systems and facilities as specified in the remaining subsections of Section 190.012(2)(a) and (d), *Florida Statutes*, so long as said improvements are in accordance with the Code and land development regulations of the City and each of the specifications for any such improvements are first approved by the City. Pursuant to Section 190.002(3), *Florida Statutes*, the District shall not have or exercise any zoning or development permitting powers governing land development or the use of land.

Bonds to be issued by the District shall not constitute a debt, liability or general obligation of the City, the County or of the State of Florida, or of any political subdivision thereof, but shall be payable solely from the Pledged Revenues designated for the Bonds.

This Ordinance is not intended, nor shall it be construed to expand, modify or delete any provisions of the Uniform Community Development District Act of 1980, as set forth in Chapter 190, *Florida Statutes*, nor shall it be intended to modify, restrict or expand any current prospective development or utility agreements.

SECTION 7. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are Martha Schiffer, Chris Torres, Garth Noble, John Kakridas and Jerry Tomberlin.

SECTION 8. NOTICE REQUIREMENTS. Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper at least once a week for four consecutive weeks immediately prior to such hearing in compliance with the provisions of Section 190.005(1)(d), *Florida Statutes*.

SECTION 9. COMPLIANCE WITH ALL REMAINING PROVISIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE PROVISIONS OF LAW. Petitioner has complied with all remaining provisions of Chapter 190, *Florida Statutes* and other provisions of law necessary for the establishment of the District.

SECTION 10. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining sections of this Ordinance.

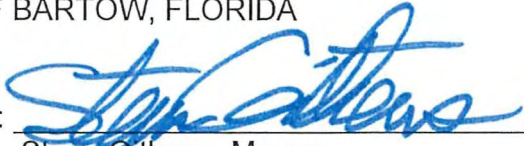
SECTION 11. ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS. The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect upon its approval and publication as required by law.


[CONTINUED ON FOLLOWING PAGE]

INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of the City of Bartow, Florida, meeting in Regular Season this 16th day of May, 2022.

CITY COMMISSION
OF BARTOW, FLORIDA


By: 
Steve Githens, Mayor

ATTEST:


By: 
Jacqueline Poole, MMC, FCRM, CPM,
City Clerk

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING by the City Commission of the City of Bartow, Florida, meeting in Regular Season this 6th day of June, 2022.

CITY COMMISSION
OF BARTOW, FLORIDA

By: 
Leo E. Longworth, Vice Mayor

ATTEST:

By: 
Jacqueline Poole, MMC, FCRM, CPM,
City Clerk

APPROVED AS TO FORM:

By: 
Sean R. Parker, City Attorney

EXHIBIT A
LEGAL DESCRIPTION

A portion of those lands described in Commitment for Title Insurance, File Number 2037-5265305

A parcel of land lying within Sections 31 & 32, Township 29 South, Range 25 East, Polk County, Florida, being more particularly described as follows:

For a POINT OF REFERENCE commence at the Northwest corner of said Section 32; thence N.89°41'55"E. along the North boundary of the Northwest 1/4 of said Section 32, a distance of 101.09 feet for a POINT OF BEGINNING; thence N.43°19'04"E., a distance of 697.50 feet to the Southerly right-of-way line of Ernest M. Smith Boulevard as described in Official Records Book 8282, Page 1800 of the Public Records of Polk County, Florida; thence along said Southerly right-of-way line the following sixteen (16) courses: (1) S.52°54'24"E., a distance of 961.27 feet; (2) N.37°05'36"E., a distance of 2.00 feet to a non-tangent point of curvature; (3) Southeasterly 273.22 feet along the arc of a curve to the left, said curve having a radius of 1,286.00 feet, a central angle of 12°10'23", and a chord bearing and distance of S.58°59'35"E., 272.71 feet; (4) N.24°55'13"E., a distance of 20.00 feet to a non-tangent point of curvature; (5) Easterly 419.90 feet along the arc of a curve to the left, said curve having a radius of 1,266.00 feet, a central angle of 19°00'13", and a chord bearing and distance of S.74°34'54"E., 417.98 feet; (6) S.05°55'00"W., a distance of 20.00 feet to a non-tangent point of curvature; (7) Easterly 319.90 feet along the arc of a curve to the left, said curve having a radius of 1,286.00 feet, a central angle of 14°15'10", and a chord bearing and distance of N.88°47'25"E., 319.08 feet; (8) N.08°20'10"W., a distance of 4.00 feet to a non-tangent point of curvature; (9) Easterly 483.15 feet along the arc of a curve to the left, said curve having a radius of 1,282.00 feet, a central angle of 21°35'35", and a chord bearing and distance of N.70°52'02"E., 480.30 feet; (10) S.02°46'49"E., a distance of 100.74 feet; (11) S.64°39'13"E., a distance of 351.56 feet; (12) N.25°20'47"E., a distance of 222.23 feet; (13) N.64°39'13"W., a distance of 281.17 feet; (14) N.02°46'49"W., a distance of 16.71 feet; (15) N.59°05'36"E., a distance of 625.03 feet to a point of curvature; (16) Easterly 642.14 feet along the arc of a curve to the right, said curve having a radius of 1,998.00 feet, a central angle of 18°24'52", and a chord bearing and distance of N.68°18'02"E., 639.38 feet; to a point lying 200 feet Northeasterly (measured at a perpendicular angle) of the Northeast top of bank of Saddle Creek; thence S.55°18'59"E. parallel with and 200 feet Northeasterly of said top of bank a distance of 522.00 feet; thence N.89°41'55"E., a distance of 739.90 feet to the Northwesterly right-of-way line of Old Bartow/Eagle Lake Road as described in the aforementioned Book 8282, Page 1800; thence along said Northwesterly right-of-way line the following five (5) courses: (1) Southwesterly 174.49 feet along the arc of a non-tangent curve to the right, said curve having a radius of 5,649.58 feet, a central angle of 01°46'11", and a chord bearing and distance of S.42°41'39"W., 174.48 feet; (2) S.43°34'44"W., a distance of 76.42 feet; (3) S.46°25'16"E., a distance of 25.00 feet; (4) S.43°34'44"W., a distance of 400.00 feet; (5) S.46°25'16"E., a distance of 15.31 feet; to the Northwesterly maintained right-of-way line of Old Bartow/Eagle Lake Road as shown on Maintained Right-of-Way Map recorded in Map Book 19, Page 1 of the Public Records of Polk County, Florida, thence along said maintained right-of-way line the following eighteen (18) courses: (1) S.49°51'22"W., a distance of 23.22 feet; (2) S.57°44'39"W., a distance of 60.59 feet; (3) S.28°25'48"W., a distance of 91.53 feet; (4) S.41°33'50"W., a distance of 83.50 feet; (5) S.41°19'07"W., a distance of 103.63 feet; (6) S.42°24'59"W., a distance of 94.24 feet; (7) S.47°16'15"W., a distance of 171.23 feet; (8) S.41°32'55"W., a distance of 192.38 feet; (9) S.45°08'47"W., a distance of 143.71 feet; (10) S.43°36'15"W., a distance of 231.91 feet; (11) S.41°16'35"W., a distance of 92.36 feet; (12) S.57°06'42"W., a distance of 12.36 feet; (13) S.43°05'29"W., a distance of 21.36 feet; (14) S.38°53'12"W., a distance of 72.24 feet; (15) S.45°38'30"W., a distance of 264.91 feet; (16) S.20°50'24"E., a distance of 7.26 feet; (17) S.43°38'01"W., a distance of 804.65 feet; (18) S.33°31'40"W., a distance of 1.20 feet to a point on the North boundary of that parcel described in

Official Records Book 3419, Page 1719 of the Public Records of Polk County, Florida; thence N.85°05'54"W. along said North boundary, a distance of 720.45 feet to the Northwest corner of said Parcel, the same being the Northeast plat corner of JAMESTOWN PLACE PHASE TWO, according to the map or plat thereof recorded in Plat Book 156, Page 24 of the Public Records of Polk County, Florida; thence along the Northerly and Westerly plat boundary of said JAMESTOWN PLACE PHASE TWO the following three (3) courses: (1) N.84°37'14"W., a distance of 501.26 feet; (2) S.42°59'04"W., a distance of 729.96 feet; (3) S.00°06'21"E., a distance of 137.71 feet to the Northeast corner of that parcel described in Official Records Book 7781, Page 1866 of the Public Records of Polk County, Florida; thence N.80°40'59"W. along the North boundary thereof, a distance of 536.26 feet to the Northwest corner thereof, the same being a point on the Northerly plat boundary of JAMESTOWN PLACE PHASE ONE, according to the map or plat thereof recorded in Plat Book 149, Page 46 of the Public Records of Polk County, Florida; thence along the Northerly and Westerly plat boundary of said JAMESTOWN PLACE PHASE ONE the following two (2) courses: (1) N.78°46'38"W, a distance of 190.08 feet; (2) S.01°02'53"E., a distance of 746.00 feet to the Southwest corner thereof, said Southwest corner lying on the North boundary of that parcel described in Official Records book 2749, Page 798; thence N.71°33'54"W. along the said North boundary, a distance of 0.63 feet to the Northwest corner of said parcel, thence S.01°04'26"E., along the West boundary thereof, said boundary line being 21.10 feet West of and parallel with the East boundary of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 32, a distance of 681.08 feet to a point on the North boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 32, thence N.89°25'37"E. along said North boundary, a distance of 12.10 feet; thence S.44°21'11"E., a distance of 494.23 feet to a point on the aforementioned Northwesterly maintained right-of-way line of Old Bartow/Eagle Lake Road; thence S.39°43'03"W. along said Northwesterly maintained right-of-way line, a distance of 60.32 feet; thence N.44°22'29"W., a distance of 558.27 feet to the aforementioned North boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 32; thence S.89°32'47"W. along said North boundary, a distance of 579.92 feet to the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 32; thence N.00°54'36"W. along the West boundary thereof, a distance of 1,067.78 feet; thence S.89°05'24"W., a distance of 69.93 feet to the Southeasterly corner of that parcel identified as Parcel 2 in that Warranty Deed recorded in Official Records Book 9967, Page 35 of the Public Records of Polk County, Florida; thence along the Easterly and Northerly boundary thereof the following two (2) courses: (1) N.00°55'38"W., along a line being 70 feet West of and parallel with the West boundary of said Section 32, a distance of 1,566.95 feet; (2) N.82°38'58"W., a distance of 744.17 feet to the Easternmost corner of right-of-way parcel for Osprey Boulevard as recorded in Official Records Book 7349, Page 2242 of the Public Records of Polk County, Florida; thence N.30°58'55"W. along the Easterly boundary of said right-of-way parcel, a distance of 134.99 feet to a non-tangent point of curvature; thence Northeasterly 272.02 feet along the arc of a curve to the left, said curve having a radius of 474.00 feet, a central angle of 32°52'51", and a chord bearing and distance of N.42°41'12"E., 268.30 feet to a point of reverse curvature; thence Northeasterly 479.71 feet along the arc of a curve to the right, said curve having a radius of 1,610.00 feet, a central angle of 17°04'18", and a chord bearing and distance of N.34°46'55"E., 477.94 feet; thence N.43°19'04"E., a distance of 733.54 feet to the POINT OF BEGINNING.

Containing 259.10 acres, more or less.



GRAPHIC SCALE IN FEET
 1" = 125'

NORTH

NET PROJECT SUMMARY
 100 SINGLE FAMILY UNITS/220,019 AC. = 2.20 UNITS/AC
 100 SINGLE FAMILY UNITS/220,019 AC. = 2.20 UNITS/AC

NET PROJECT SUMMARY
 100 SINGLE FAMILY UNITS/220,019 AC. = 2.20 UNITS/AC

NET PROJECT SUMMARY
 100 SINGLE FAMILY UNITS/220,019 AC. = 2.20 UNITS/AC

- CONSTRUCTION AND MAINTENANCE**
1. FLOOD WALL, WATER MAIN, LET STATION, SANITARY, SEWERAGE AND ELECTRICAL SYSTEMS AT STATION 0+00. ALL WORK SHALL BE COMPLETED PRIOR TO THE START OF CONSTRUCTION AND SHALL BE MAINTAINED BY THE CONTRACTOR THROUGHOUT THE CONSTRUCTION PERIOD.
 2. TRACTY SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE TRACTY THROUGHOUT THE CONSTRUCTION PERIOD.
 3. TRACTY SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE TRACTY THROUGHOUT THE CONSTRUCTION PERIOD.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE TRACTY THROUGHOUT THE CONSTRUCTION PERIOD.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE TRACTY THROUGHOUT THE CONSTRUCTION PERIOD.

NOTE:
 ALL PROPOSED TYPICAL LOT DIMENSIONS ARE COMPLIANT PER THE FUR SUBDIVISION.

LOT MIX	
LOT WIDTH (FT.)	APPROVED
40	MAX 50%
50	MAX 80%
60	MIN 10%
TOTAL	639

PROJECTED SCHOOL AGE POPULATION		
ELEMENTARY STUDENTS	SPESSARD L. HOLLAND ELEMENTARY	123
MIDDLE STUDENTS	BARTOW MIDDLE	51
SENIOR HIGH STUDENTS	BARTOW SENIOR HIGH	85

CALL 3 INFLUENCE DAYS BEFORE YOU GO
IT'S THE LAW!
 CALL 3 INFLUENCE DAYS BEFORE YOU GO

Kimley Horn
 100 WEST BAY STREET, SUITE 200
 TAMPA, FLORIDA 33603
 PHONE: (813) 288-1000
 FAX: (813) 288-1001
 WWW.KIMLEYHORN.COM

MASTER SITE PLAN

THE GROVE AT STUART CROSSING SFR
 PREPARED FOR: HERITAGE HOMES OF FLORIDA, INC.
 SHEET NUMBER: C200

DATE: _____
REVISIONS:

NO.	DATE	DESCRIPTION
-----	------	-------------

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

6

STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT

Master Special Assessment
Methodology Report

July 25, 2022



Provided by:

Wrathell, Hunt and Associates, LLC
2300 Glades Road, Suite 410W
Boca Raton, FL 33431
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Website: www.whhassociates.com

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1.0 Introduction

1.1 Purpose

This Master Special Assessment Methodology Report (the “Report”) was developed to provide a master financing plan and a master special assessment methodology for the Stuart Crossing Community Development District (the “District”), located in the City of Bartow, Florida, as related to funding the costs of the acquisition and construction of public infrastructure improvements contemplated to be provided by the District.

1.2 Scope of the Report

This Report presents projections for financing the District’s public infrastructure improvements (the “Capital Improvement Plan” or “CIP”) as described in the Kimley-Horn and Associates, Inc. dated July 18, 2022 (the “Engineer’s Report”), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the CIP.

1.3 Special Benefits and General Benefits

Public infrastructure improvements undertaken and funded by the District as part of the CIP create special and peculiar benefits, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District’s CIP enables properties within its boundaries to be developed.

There is no doubt that the general public, property owners, and property outside the District will benefit from the provision of the CIP. However, these benefits are only incidental since the CIP is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the CIP and do not depend upon the CIP to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District’s boundaries.

The CIP will provide infrastructure and improvements which are all necessary in order to make the lands within the District developable

and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the CIP. Even though the exact value of the benefits provided by the CIP is hard to estimate at this point, it is without doubt greater than the costs associated with providing same.

1.4 Organization of the Report

Section Two describes the development program as proposed by the Developer, as defined below.

Section Three provides a summary of the CIP as determined by the District Engineer.

Section Four discusses the current financing program for the District.

Section Five discusses the special assessment methodology for the District.

2.0 Development Program

2.1 Overview

The District serves the Stuart Crossing development (the “Development” or “Stuart Crossing”), a master planned, residential development located in the City of Bartow, Florida. The land within the District consists of approximately 259.1 +/- acres and is generally located south of Ernest Smith Boulevard, west of US 17 and east of the Bartow Regional Medical Center.

2.2 The Development Program

The development of Stuart Crossing is anticipated to be conducted by Meritage Homes of Florida, Inc. (the “Developer”). Based upon the information provided by the Developer, the current development plan for the District envisions a total of 591 Single-Family residential units developed in one or more phases, although phasing plan, land use types and unit numbers may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for the District.

3.0 The Capital Improvement Plan

3.1 Overview

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

3.2 CIP

The CIP needed to serve the Development is projected to consist of stormwater management, roadways, utilities (water, sewer), undergrounding of conduit, hardscape/ landscape/ irrigation, recreational amenities, conservation/ mitigation, and off-site improvements, as well as professional fees and contingency, all as set forth in more detail in the Engineer's Report.

The CIP is anticipated to be developed in one or more phases to coincide with and support the development of the land within the District and all of the infrastructure included in the CIP will comprise an interrelated system of improvements, which means that all of the improvements will serve the entire District and all improvements will be interrelated such that they will reinforce one another. At the time of this writing, the total costs of the CIP are estimated at \$21,700,000. Table 2 in the *Appendix* illustrates the specific components of the CIP and their costs.

4.0 Financing Program

4.1 Overview

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. The choice of the exact mechanism for providing public infrastructure has not yet been made at the time of this writing, and the District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund the costs of the

CIP as described in *Section 3.2* in one financing transaction, the District would have to issue approximately \$28,905,000* in par amount of special assessment bonds (the "Bonds").

Please note that the purpose of this Report is to allocate the benefit of the CIP to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the CIP. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.

4.2 Types of Bonds Proposed

The proposed financing plan for the District provides for the issuance of the Bonds in the principal amount of \$28,905,000 in one or more Series with various maturities to finance CIP costs at \$21,700,000. The Bonds as projected under this master financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made every May 1 or November 1.

In order to finance the improvement costs, the District would need to borrow more funds and incur indebtedness in the total amount of \$28,905,000. The difference is comprised of debt service reserve, capitalized interest, and costs of issuance, including the underwriter's discount. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.

5.0 Assessment Methodology

5.1 Overview

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the CIP outlined in *Section 3.2* and described in more detail by the District Engineer in the Engineer's Report. These improvements

lead to special and general benefits, with special benefits accruing to properties within the boundaries of the District. General benefits accrue to areas outside the District, but are only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties that derive special and peculiar benefits from the CIP. All properties that receive special benefits from the CIP will be assessed for their fair share of the debt issued in order to finance the CIP.

5.2 Benefit Allocation

The current development plan for the District envisions the development of a total of 591 Single-Family residential units developed in one or more phases, although phasing, unit numbers and land use types may change throughout the development period.

The public infrastructure included in the CIP will comprise an interrelated system of improvements, which means that all of the improvements will serve the entire District and such public improvements will be interrelated such that they will reinforce each other and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the CIP have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual non-ad valorem assessment amount levied on that parcel.

This Report proposes to allocate the benefit associated with the CIP to the different product types proposed to be developed within the District in proportion to their density of development and intensity of use of infrastructure as measured by a standard unit called an

Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the product types contemplated to be developed within the District based on the densities of development and the intensities of use of infrastructure, total ERU counts for each product type, and the share of the benefit received by each product type.

The rationale behind the different ERU weights is supported by the fact that generally and on average products with smaller lot sizes will use and benefit from the improvements which are part of the CIP less than products with larger lot sizes. For instance, generally and on average products with smaller lot sizes will produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than products with larger lot sizes. Additionally, the value of the products with larger lot sizes is likely to appreciate by more in terms of dollars than that of the products with smaller lot sizes as a result of the implementation of the infrastructure improvements. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received from the District's public infrastructure improvements that are part of the CIP.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with the Bonds (the "Bond Assessment") to the Single-Family residential units contemplated to be developed within the District in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the Bond Assessment annual debt service assessments per unit.

No Bond Assessment is allocated herein to the private amenities or other common areas planned for the development. Such amenities and common areas will be owned and operated by the District in which case they will not be assessed. Alternatively, such areas may be owned and operated by the master homeowners' association for the benefit of the entire District, would be available for use by all of the residents of the District, and would be considered a common element for the exclusive benefit of property owners. Accordingly, any benefit to the amenities and common areas would flow directly to the benefit of all platted lots in the District. As such, no Bond Assessment will be assigned to the amenities and common areas.

5.3 Assigning Bond Assessment

As the land in the District is not yet platted for its intended final use and the precise location of the various product types by lot or parcel is unknown, the Bond Assessment will initially be levied on all of the land in the District on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$28,905,000 will be preliminarily levied on approximately 259.1 +/- gross acres at a rate of \$111,559.24 per gross acre.

When the land is platted, the Bond Assessment will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessment from unplatted gross acres to platted parcels will reduce the amount of Bond Assessment levied on unplatted gross acres within the District.

In the event unplatted land (the “Transferred Property”) is sold to a third party not affiliated with the Developer, the Bond Assessment will be assigned to such Transferred Property at the time of the sale based on the maximum total number of ERUs assigned by the Developer to that Transferred Property, subject to review by the District’s methodology consultant, to ensure that any such assignment is reasonable, supported by current development rights and plans, and otherwise consistent with this Report. The owner of the Transferred Property will be responsible for the total Bond Assessment applicable to the Transferred Property, regardless of the total number of ERUs ultimately actually platted. This total Bond Assessment is fixed to the Transferred Property at the time of the sale. If the Transferred Property is subsequently sub-divided into smaller parcels, the total Bond Assessment initially allocated to the Transferred Property will be re-allocated to the smaller parcels pursuant to the Methodology as described herein (i.e., equal assessment per acre until platting).

5.4 Lienability Test: Special and Peculiar Benefit to the Property

As first discussed in *Section 1.3*, Special Benefits and General Benefits, improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the

District. The special and peculiar benefits resulting from each improvement are:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums; and
- d. increased marketability and value of the property.

The improvements which are part of the CIP make the land in the District developable and saleable and when implemented jointly as parts of the CIP, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay

A reasonable estimate of the proportion of special and peculiar benefits received by the various product types from the improvements is delineated in Table 4 (expressed as the ERU factors).

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the CIP.

Accordingly, no acre or parcel of property within the District will be lienied for the payment of Bond Assessment more than the determined special benefit peculiar to that property.

5.6 True-Up Mechanism

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the number of ERUs may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Bond Assessment on a per ERU basis never exceeds the initially allocated assessment

as contemplated in the adopted assessment methodology. Bond Assessment per ERU preliminarily equals \$50,586.28 (\$28,905,000 in Bond Assessment divided by 571.4 ERUs) and may change based on the final bond sizing. If such changes occur, the Methodology is applied to the land based on the number of and type of units of particular product type within each and every parcel as signified by the number of ERUs.

As the land in the District is platted, the Bond Assessment is assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per ERU for land that remains unplatted remains equal to \$50,586.28, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessment to the platted parcels the Bond Assessment per ERU for land that remains unplatted equals less than \$50,586.28 (for instance as a result of a larger number of units) then the per ERU Bond Assessment for all parcels within the District will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, as a result of platting and apportionment of the Bond Assessment to the platted parcels, the Bond Assessment per ERU for land that remains unplatted equals more than \$50,586.28¹ (for instance as a result of a smaller number of units), taking into account any future development plans for the unplatted lands – in the District’s sole discretion and to the extent such future development plans are feasible, consistent with existing entitlements and governmental requirements, and reasonably expected to be implemented, then the difference in Bond Assessment plus applicable accrued interest (to the extent described below in this Section) will be collected from the owner(s) of the property which platting caused the increase of assessment per ERU to occur, in accordance with the assessment resolution and/or a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference

¹ For example, if the first platting includes 225 Single-Family 40’ lots, 219 Single-Family 50’, and 127 Single-Family 60’ lots, which equates to a total allocation of \$27,893,274.41 in Bond Assessment, then the remaining unplatted land would be required to absorb 20 Single-Family 50’ lots or \$1,011,725.59 in Bond Assessment. If the remaining unplatted land would only be able to absorb 10 Single-Family 50’ lots or \$505,862.79 in Bond Assessment, then a true-up, payable by the owner of the unplatted land, would be due in the amount of \$505,862.79 in Bond Assessment plus applicable accrued interest to the extent described in this Section.

between the actual Bond Assessment per ERU and \$50,586.28, multiplied by the actual number of ERUs plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the following interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of Bonds secured by the Bond Assessment).

In addition to platting of property within the District, any planned sale of an unplatted parcel to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessment per ERU for land that remains unplatted within the District remains equal to \$50,586.28. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessment transferred at sale.

5.7 Preliminary Assessment Roll

Based on the per gross acre assessment proposed in Section 5.2, the Bond Assessment of \$28,905,000 is proposed to be levied uniformly over the area described in Exhibit "A". Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

5.8 Additional Items Regarding Bond Assessments Imposition and Allocation

This Report is intended to establish, without the need for a further public hearing, the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the CIP referenced herein. All such liens shall be within the benefit limits established herein and using the allocation methodology described herein, and shall be described in one or more supplemental reports.

As set forth in any supplemental reports, and for any particular bond issuance, the land developer may opt to "buy down" the Bond Assessment on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for actual effective bond assessments to reach certain target levels. Note that any "true-up," as described herein, may require a

payment to satisfy “true-up” obligations as well as additional contributions to maintain such target assessment levels. Any amounts contributed by the developer to pay down the Bond Assessment will not be eligible for “deferred costs,” if any are provided for in connection with any particular bond issuance.

6.0 Additional Stipulations

6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District’s CIP. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.

7.0 Appendix

Table 1

Stuart Crossing Community Development District

Development Plan

Product Type	Number of Units
Single Family 40'	225
Single Family 50'	239
Single Family 60'	127
Total	591

Table 2

Stuart Crossing Community Development District

CIP Costs

Improvement	Total Costs
Stormwater Management	\$3,300,000.00
Roadways	\$5,500,000.00
Utilities (Water, Sewer)	\$3,000,000.00
Undergrounding of Conduit	\$300,000.00
Hardscape/Landscape/Irrigation	\$400,000.00
Recreational Amenities	\$5,000,000.00
Conservation/Mitigation	\$200,000.00
Off-Site Improvements	\$200,000.00
Professional Services	\$1,800,000.00
Contingency	\$2,000,000.00
Total	\$21,700,000.00

Table 3

Stuart Crossing

Community Development District

Preliminary Sources and Uses of Funds

Sources

Bond Proceeds:	
Par Amount	\$28,905,000.00
Total Sources	\$28,905,000.00

Uses

Project Fund Deposits:	
Project Fund	\$21,700,000.00
Other Fund Deposits:	
Debt Service Reserve Fund	\$2,329,349.99
Capitalized Interest Fund	\$4,046,700.00
Delivery Date Expenses:	
Costs of Issuance	\$828,100.00
Rounding	\$850.01
Total Uses	\$28,905,000.00

Table 4

Stuart Crossing

Community Development District

Benefit Allocation

Product Type	Number of Units	ERU Weight	Total ERU
Single Family 40'	225	0.80	180.00
Single Family 50'	239	1.00	239.00
Single Family 60'	127	1.20	152.40
Total	591		571.40

Table 5

Stuart Crossing

Community Development District

Bond Assessment Apportionment

Product Type	Number of Units	Total Cost Allocation*	Maximum Total Bond Assessment Apportionment	Maximum Bond Assessment Apportionment per Unit	Maximum Annual Principal and Interest Payment per Unit on the Bonds**
Single Family 40'	225	\$6,835,841.79	\$9,105,530.28	\$40,469.02	\$3,261.25
Single Family 50'	239	\$9,076,478.82	\$12,090,120.76	\$50,586.28	\$4,076.57
Single Family 60'	127	\$5,787,679.38	\$7,709,348.97	\$60,703.54	\$4,891.88
Total	591	\$21,700,000.00	\$28,905,000.00		

* Please note that cost allocations to units herein are based on the ERU benefit allocation illustrated in Table 4

** Does not include applicable costs of collection and early payment discounts

EXHIBIT A
LEGAL DESCRIPTION

A portion of those lands described in Commitment for Title Insurance, File Number 2037-5265305

A parcel of land lying within Sections 31 & 32, Township 29 South, Range 25 East, Polk County, Florida, being more particularly described as follows:

For a POINT OF REFERENCE commence at the Northwest corner of said Section 32; thence N.89°41'55"E. along the North boundary of the Northwest 1/4 of said Section 32, a distance of 101.09 feet for a POINT OF BEGINNING; thence N.43°19'04"E., a distance of 697.50 feet to the Southerly right-of-way line of Ernest M. Smith Boulevard as described in Official Records Book 8282, Page 1800 of the Public Records of Polk County, Florida; thence along said Southerly right-of-way line the following sixteen (16) courses: (1) S.52°54'24"E., a distance of 961.27 feet; (2) N.37°05'36"E., a distance of 2.00 feet to a non-tangent point of curvature; (3) Southeasterly 273.22 feet along the arc of a curve to the left, said curve having a radius of 1,286.00 feet, a central angle of 12°10'23", and a chord bearing and distance of S.58°59'35"E., 272.71 feet; (4) N.24°55'13"E., a distance of 20.00 feet to a non-tangent point of curvature; (5) Easterly 419.90 feet along the arc of a curve to the left, said curve having a radius of 1,266.00 feet, a central angle of 19°00'13", and a chord bearing and distance of S.74°34'54"E., 417.98 feet; (6) S.05°55'00"W., a distance of 20.00 feet to a non-tangent point of curvature; (7) Easterly 319.90 feet along the arc of a curve to the left, said curve having a radius of 1,286.00 feet, a central angle of 14°15'10", and a chord bearing and distance of N.88°47'25"E., 319.08 feet; (8) N.08°20'10"W., a distance of 4.00 feet to a non-tangent point of curvature; (9) Easterly 483.15 feet along the arc of a curve to the left, said curve having a radius of 1,282.00 feet, a central angle of 21°35'35", and a chord bearing and distance of N.70°52'02"E., 480.30 feet; (10) S.02°46'49"E., a distance of 100.74 feet; (11) S.64°39'13"E., a distance of 351.56 feet; (12) N.25°20'47"E., a distance of 222.23 feet; (13) N.64°39'13"W., a distance of 281.17 feet; (14) N.02°46'49"W., a distance of 16.71 feet; (15) N.59°05'36"E., a distance of 625.03 feet to a point of curvature; (16) Easterly 642.14 feet along the arc of a curve to the right, said curve having a radius of 1,998.00 feet, a central angle of 18°24'52", and a chord bearing and distance of N.68°18'02"E., 639.38 feet; to a point lying 200 feet Northeasterly (measured at a perpendicular angle) of the Northeast top of bank of Saddle Creek; thence S.55°18'59"E. parallel with and 200 feet Northeasterly of said top of bank a distance of 522.00 feet; thence N.89°41'55"E., a distance of 739.90 feet to the Northwesterly right-of-way line of Old Bartow/Eagle Lake Road as described in the aforementioned Book 8282, Page 1800; thence along said Northwesterly right-of-way line the following five (5) courses: (1) Southwesterly 174.49 feet along the arc of a non-tangent curve to the right, said curve having a radius of 5,649.58 feet, a central angle of 01°46'11", and a chord bearing and distance of S.42°41'39"W., 174.48 feet; (2) S.43°34'44"W., a distance of 76.42 feet; (3) S.46°25'16"E., a distance of 25.00 feet; (4) S.43°34'44"W., a distance of 400.00 feet; (5) S.46°25'16"E., a distance of 15.31 feet; to the Northwesterly maintained right-of-way line of Old Bartow/Eagle Lake Road as shown on Maintained Right-of-Way Map recorded in Map Book 19, Page 1 of the Public Records of Polk County, Florida, thence along said maintained right-of-way line the following eighteen (18) courses: (1) S.49°51'22"W., a distance of 23.22 feet; (2) S.57°44'39"W., a distance of 60.59 feet; (3) S.28°25'48"W., a distance of 91.53 feet; (4) S.41°33'50"W., a distance of 83.50 feet; (5) S.41°19'07"W., a distance of 103.63 feet; (6) S.42°24'59"W., a distance of 94.24 feet; (7) S.47°16'15"W., a distance of 171.23 feet; (8) S.41°32'55"W., a distance of 192.38 feet; (9) S.45°08'47"W., a distance of 143.71 feet; (10) S.43°36'15"W., a distance of 231.91 feet; (11) S.41°16'35"W., a distance of 92.36 feet; (12) S.57°06'42"W., a distance of 12.36 feet; (13) S.43°05'29"W., a distance of 21.36 feet; (14) S.38°53'12"W., a distance of 72.24 feet; (15) S.45°38'30"W., a distance of 264.91 feet; (16) S.20°50'24"E., a distance of 7.26 feet; (17) S.43°38'01"W., a distance of 804.65 feet; (18) S.33°31'40"W., a distance of 1.20 feet to a point on the North boundary of that parcel described in

Official Records Book 3419, Page 1719 of the Public Records of Polk County, Florida; thence N.85°05'54"W. along said North boundary, a distance of 720.45 feet to the Northwest corner of said Parcel, the same being the Northeast plat corner of JAMESTOWN PLACE PHASE TWO, according to the map or plat thereof recorded in Plat Book 156, Page 24 of the Public Records of Polk County, Florida; thence along the Northerly and Westerly plat boundary of said JAMESTOWN PLACE PHASE TWO the following three (3) courses: {1} N.84°37'14"W., a distance of 501.26 feet; {2} S.42°59'04"W., a distance of 729.96 feet; {3} S.00°06'21"E., a distance of 137.71 feet to the Northeast corner of that parcel described in Official Records Book 7781, Page 1866 of the Public Records of Polk County, Florida; thence N.80°40'59"W. along the North boundary thereof, a distance of 536.26 feet to the Northwest corner thereof, the same being a point on the Northerly plat boundary of JAMESTOWN PLACE PHASE ONE, according to the map or plat thereof recorded in Plat Book 149, Page 46 of the Public Records of Polk County, Florida; thence along the Northerly and Westerly plat boundary of said JAMESTOWN PLACE PHASE ONE the following two (2) courses: {1} N.78°46'38"W, a distance of 190.08 feet; {2} S.01°02'53"E., a distance of 746.00 feet to the Southwest corner thereof, said Southwest corner lying on the North boundary of that parcel described in Official Records book 2749, Page 798; thence N.71°33'54"W. along the said North boundary, a distance of 0.63 feet to the Northwest corner of said parcel, thence S.01°04'26"E., along the West boundary thereof, said boundary line being 21.10 feet West of and parallel with the East boundary of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 32, a distance of 681.08 feet to a point on the North boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 32, thence N.89°25'37"E. along said North boundary, a distance of 12.10 feet; thence S.44°21'11"E., a distance of 494.23 feet to a point on the aforementioned Northwesterly maintained right-of-way line of Old Bartow/Eagle Lake Road; thence S.39°43'03"W. along said Northwesterly maintained right-of-way line, a distance of 60.32 feet; thence N.44°22'29"W., a distance of 558.27 feet to the aforementioned North boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 32; thence S.89°32'47"W. along said North boundary, a distance of 579.92 feet to the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 32; thence N.00°54'36"W. along the West boundary thereof, a distance of 1,067.78 feet; thence S.89°05'24"W., a distance of 69.93 feet to the Southeasterly corner of that parcel identified as Parcel 2 in that Warranty Deed recorded in Official Records Book 9967, Page 35 of the Public Records of Polk County, Florida; thence along the Easterly and Northerly boundary thereof the following two (2) courses: {1} N.00°55'38"W., along a line being 70 feet West of and parallel with the West boundary of said Section 32, a distance of 1,566.95 feet; {2} N.82°38'58"W., a distance of 744.17 feet to the Easternmost corner of right-of-way parcel for Osprey Boulevard as recorded in Official Records Book 7349, Page 2242 of the Public Records of Polk County, Florida; thence N.30°58'55"W. along the Easterly boundary of said right-of-way parcel, a distance of 134.99 feet to a non-tangent point of curvature; thence Northeasterly 272.02 feet along the arc of a curve to the left, said curve having a radius of 474.00 feet, a central angle of 32°52'51", and a chord bearing and distance of N.42°41'12"E., 268.30 feet to a point of reverse curvature; thence Northeasterly 479.71 feet along the arc of a curve to the right, said curve having a radius of 1,610.00 feet, a central angle of 17°04'18", and a chord bearing and distance of N.34°46'55"E., 477.94 feet; thence N.43°19'04"E., a distance of 733.54 feet to the POINT OF BEGINNING.

Containing 259.10 acres, more or less.

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

7

RESOLUTION 2022-25

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; DESIGNATING THE NATURE AND LOCATION OF THE PROPOSED IMPROVEMENTS; DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID; DESIGNATING THE LANDS UPON WHICH THE ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT AND A PRELIMINARY ASSESSMENT ROLL; ADDRESSING THE SETTING OF PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND ADDRESSING CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Stuart Crossing Community Development District ("**District**") is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways, sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects, and services necessitated by the development of, and serving lands within, the District; and

WHEREAS, the District hereby determines to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the portion of the infrastructure improvements comprising the District's overall capital improvement plan as described in the *Engineer's Report*, dated July 22, 2022 ("**Project**"), which is attached hereto as **Exhibit A** and incorporated herein by reference; and

WHEREAS, it is in the best interest of the District to pay for all or a portion of the cost of the Project by the levy of special assessments ("**Assessments**") using the methodology set forth in that *Master Special Assessment Methodology Report*, dated July 25, 2022 which is attached hereto as **Exhibit B**, incorporated herein by reference, and on file with the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("**District Records Office**");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT:

1. **AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190 and 197, *Florida Statutes*. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

2. **DECLARATION OF ASSESSMENTS.** The Board hereby declares that it has determined to undertake the Project and to defray all or a portion of the cost thereof by the Assessments.

3. **DESIGNATING THE NATURE AND LOCATION OF IMPROVEMENTS.** The nature and general location of and plans and specifications for the Project are described in **Exhibit A**, which is on file at the District Records Office. **Exhibit B** is also on file and available for public inspection at the same location.

4. **DECLARING THE TOTAL ESTIMATED COST OF THE IMPROVEMENTS, THE PORTION TO BE PAID BY ASSESSMENTS, AND THE MANNER AND TIMING IN WHICH THE ASSESSMENTS ARE TO BE PAID.**

- A. The total estimated cost of the Project is \$_____ (“**Estimated Cost**”).
- B. The Assessments will defray approximately \$_____, which is the anticipated maximum par value of any bonds and which includes all or a portion of the Estimated Cost, as well as other financing-related costs, as set forth in **Exhibit B**, and which is in addition to interest and collection costs. On an annual basis, the Assessments will defray no more than \$_____ per year, again as set forth in **Exhibit B**.
- C. The manner in which the Assessments shall be apportioned and paid is set forth in **Exhibit B**, as may be modified by supplemental assessment resolutions. The Assessments will constitute a “master” lien, which may be imposed without further public hearing in one or more separate liens each securing a series of bonds, and each as determined by supplemental assessment resolution. With respect to each lien securing a series of bonds, the special assessments shall be paid in not more than (30) thirty yearly installments. The special assessments may be payable at the same time and in the same manner as are ad-valorem taxes and collected pursuant to Chapter 197, *Florida Statutes*; provided, however, that in the event the uniform non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or if determined by the District to be in its best interest, the Assessments may be collected as is otherwise permitted by law, including but not limited to by direct bill. The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

5. **DESIGNATING THE LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED.** The Assessments securing the Project shall be levied on the lands within the District, as described in **Exhibit B**, and as further designated by the assessment plat hereinafter provided for.

6. **ASSESSMENT PLAT.** Pursuant to Section 170.04, *Florida Statutes*, there is on file, at the District Records Office, an assessment plat showing the area to be assessed with certain plans and specifications describing the Project and the estimated cost of the Project, all of which shall be open to inspection by the public.

7. **PRELIMINARY ASSESSMENT ROLL.** Pursuant to Section 170.06, *Florida Statutes*, the District Manager has caused to be made a preliminary assessment roll, in accordance with the method of assessment described in **Exhibit B** hereto, which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment may be divided, which assessment roll is hereby adopted and approved as the District’s

preliminary assessment roll.

8. **PUBLIC HEARINGS DECLARED; DIRECTION TO PROVIDE NOTICE OF THE HEARINGS.** Pursuant to Sections 170.07 and 197.3632(4)(b), *Florida Statutes*, among other provisions of Florida law, there are hereby declared two public hearings to be held as follows:

NOTICE OF PUBLIC HEARINGS

DATE:
TIME:
LOCATION:

The purpose of the public hearings is to hear comment and objections to the proposed special assessment program for District improvements as identified in the preliminary assessment roll, a copy of which is on file and as set forth in **Exhibit B**. Interested parties may appear at that hearing or submit their comments in writing prior to the hearings at the District Records Office.

Notice of said hearings shall be advertised in accordance with Chapters 170, 190 and 197, *Florida Statutes*, and the District Manager is hereby authorized and directed to place said notice in a newspaper of general circulation within Polk County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give thirty (30) days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Records Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.

9. **PUBLICATION OF RESOLUTION.** Pursuant to Section 170.05, *Florida Statutes*, the District Manager is hereby directed to cause this Resolution to be published twice (once a week for two (2) weeks) in a newspaper of general circulation within Polk County and to provide such other notice as may be required by law or desired in the best interests of the District.

10. **CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

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

12. **EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this 25th day of July, 2022.

ATTEST:

**STUART CROSSING
COMMUNITY DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: *Engineer's Report, dated July 22, 2022*

Exhibit B: *Master Special Assessment Methodology Report, dated July 25, 2022*

Exhibit A: *Engineer's Report*, dated July 22, 2022

Exhibit B: *Master Special Assessment Methodology Report*, dated July 25, 2022

STUART CROSSING

COMMUNITY DEVELOPMENT DISTRICT

8

Stuart Crossing Community Development District
2300 Glades Road, Suite 410W Boca Raton, FL 33431
Phone: (561) 571-0010 Toll-free: (877) 276-0889 Fax: (561) 571-0013

July 11, 2022

Via Electronic Mail

Tabitha Biehl
Land & Water Natural Areas Manager
Polk County Parks & Natural Resources Division
4177 Ben Durrance Rd
Bartow, FL 33830

Re: Stormwater Management Needs Analysis
(Chapter 2021-194, Laws of Florida/HB53)

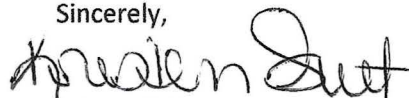
Dear Ms. Biehl:

I serve as the District Manager of the Stuart Crossing Community Development District the District ("District"), a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes. I am writing regarding the new law requiring special districts that either own or operate stormwater management systems to create a 20-year needs analysis ("Needs Analysis") of such system(s), with the first analysis due to Polk County by June 30, 2022. The districts organizational meeting was held on July 8, 2022. While the District is authorized to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems, facilities, and basic infrastructures for stormwater management improvements, pursuant to its establishing ordinance and Section 190.012(1)(f), *Florida Statutes*, the District did not own and/or operate a stormwater management system prior to the June 30, 2022, submission deadline. Consequently, the District was unable to submit its Needs Analysis by the June 2022 deadline.

The District acknowledges and agrees that, upon transfer of a stormwater system from the construction to operation phase, the District will perpetually operate, maintain and fund the stormwater system and intends to fund such operational and maintenance activities through the annual levy of maintenance special assessments as authorized under Section 190.021(3), *Florida Statutes*. Moreover, the District agrees that, upon transfer of a stormwater system, the District will create and submit a Needs Analysis of such system(s).

If you have any questions or concerns, please do not hesitate to contact me at 561-571-0010. Thank you for your patience as we work to improve our community.

Sincerely,



Kristen Suit
District Manager

cc: Chairperson, Board of Supervisors
District Counsel