

# **STUART CROSSING**

## **COMMUNITY DEVELOPMENT DISTRICT**

**December 6, 2022**

**BOARD OF SUPERVISORS**

## **REGULAR MEETING AGENDA**

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **AGENDA**

# **LETTER**

**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**

November 29, 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 Regular Meeting on December 6, 2022 at 12:00 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 Supervisor Martha Schiffer *(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 2023-01, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date
5. Consideration of Engineer's Report
6. Consideration of Special Warranty Deed (Lyle Parkway Extension)
7. Acceptance of Unaudited Financial Statements as of October 31, 2022
8. Approval of September 7, 2022 Public Hearings and Regular Meeting Minutes

**ATTENDEES:**

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

9. Staff Reports

- A. District Counsel: *KE Law Group, PLLC*
- B. District Engineer (Interim): *Kimley-Horn & Associates, Inc.*
- C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: January 3, 2023 at 12:00 PM

- QUORUM CHECK

GARTH NOBLE	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
CHRIS TORRES	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
MARTHA SCHIFER	<input type="checkbox"/>	IN PERSON	<input type="checkbox"/>	PHONE	<input type="checkbox"/>	NO
JERRY TOMBERLIN	<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

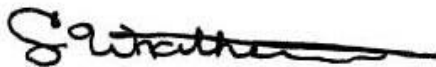
10. Board Members' Comments/Requests

11. Public Comments

12. Adjournment

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**

**4**

**RESOLUTION 2023-01**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT 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 desires to designate its primary administrative office as the location where the District’s public records are routinely created, sent, received, maintained, and requested, for the purposes of prominently posting the contact information of the District’s Record’s Custodian in order to provide citizens with the ability to access the District’s records and ensure that the public is informed of the activities of the District in accordance with Chapter 119, *Florida Statutes*; and

**WHEREAS**, the District additionally desires to specify the location of the District’s principal headquarters for the purpose of establishing proper venue under the common law home venue privilege applicable to the District.

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

**1. PRIMARY ADMINISTRATIVE OFFICE.** The District’s primary administrative office for purposes of Chapter 119, *Florida Statutes*, shall be located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

**2. PRINCIPAL HEADQUARTERS.** The District’s principal headquarters for purposes of establishing proper venue shall be located at the offices of \_\_\_\_\_ and within Polk County, Florida.

**3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 6th day of December, 2022.

ATTEST:

**STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**5**

*December 6, 2022*

*Engineer's Report*



# *Stuart Crossing Community Development District*

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*Ernest Smith Blvd , Polk County, Florida*

*Prepared for:*

*The District*

**Kimley»»Horn**

*December 6, 2022*

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ENGINEER'S REPORT

PREPARED FOR:

BOARD OF SUPERVISORS  
STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT

ENGINEER:

December 6, 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
<b>TOTAL</b>	<b>591</b>

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 a 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 a portion of Sequoia Lane. 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**

<b>Facility Description</b>	<b>Cost Estimate</b>	<b>Financing Entity</b>	<b>O&amp;M Entity</b>
Stormwater Management	\$3,300,000	CDD	CDD
Roadways	\$5,500,000	CDD	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	\$800,000	CDD	City
Professional Services	\$1,800,000	CDD	CDD
Contingency	\$2,000,000		
<b>TOTAL</b>	<b>\$22,300,000</b>		

\* 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.

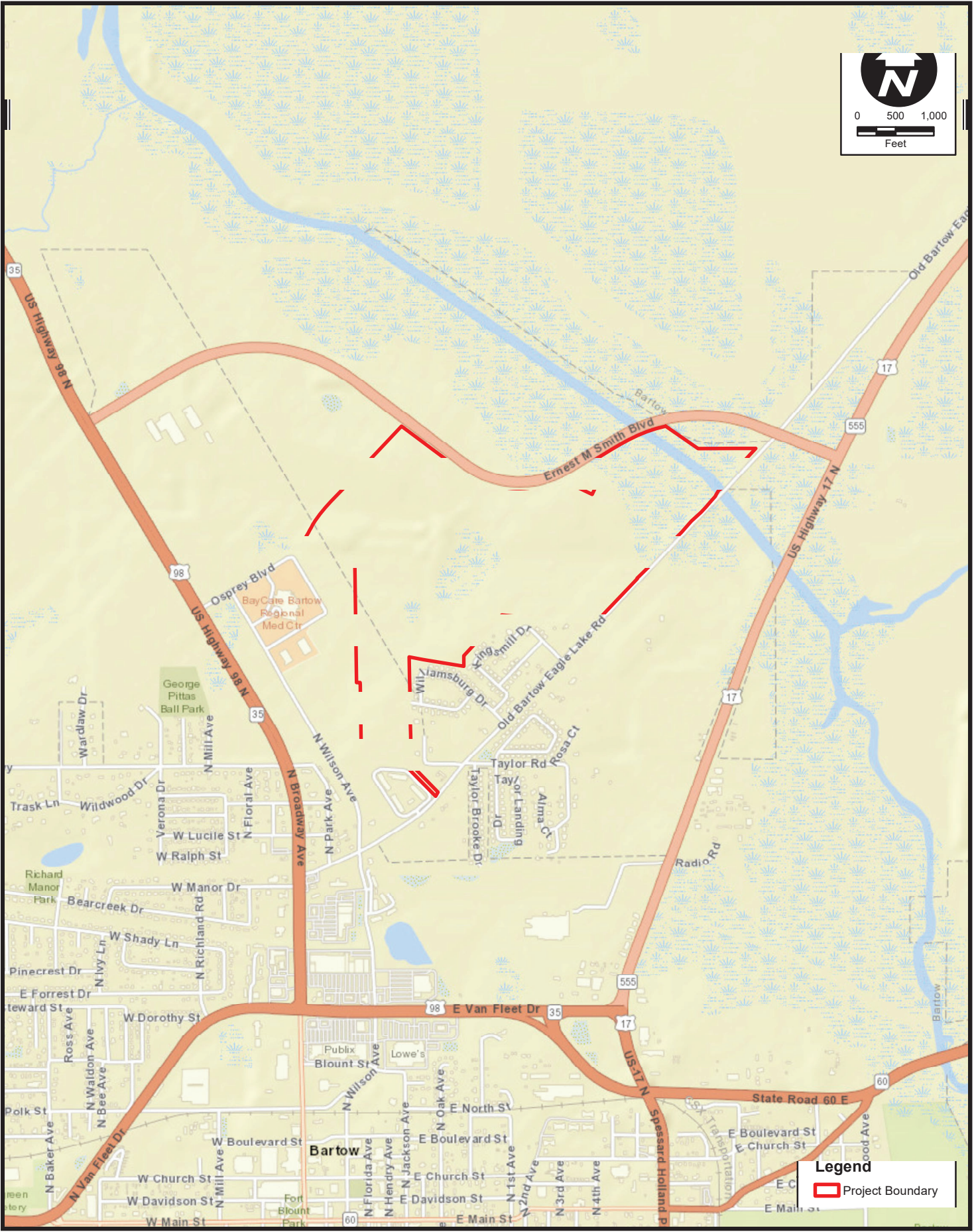
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By: Mark E. Wilson  
FL License No. 47615


This item has been digitally signed and sealed by Mark E. Wilson, P.E. #47615. Printed copies of this document are not considered signed and sealed, and the signature must be verified on any electronic copies.

Digitally signed  
by Mark E  
Wilson  
Date:  
2022.12.01  
15:52:17 -05'00'

A digital signature block for Mark E. Wilson. It features the name "Mark E Wilson" in a large, bold, black font. To the right of the name, the text "Digitally signed by Mark E Wilson" is displayed in a smaller font. Below this, the date and time "Date: 2022.12.01 15:52:17 -05'00'" are shown. A light pink, stylized signature scribble is overlaid on the text, appearing to be a cursive "M" that loops around the "Wilson" part of the name.



**Legend**

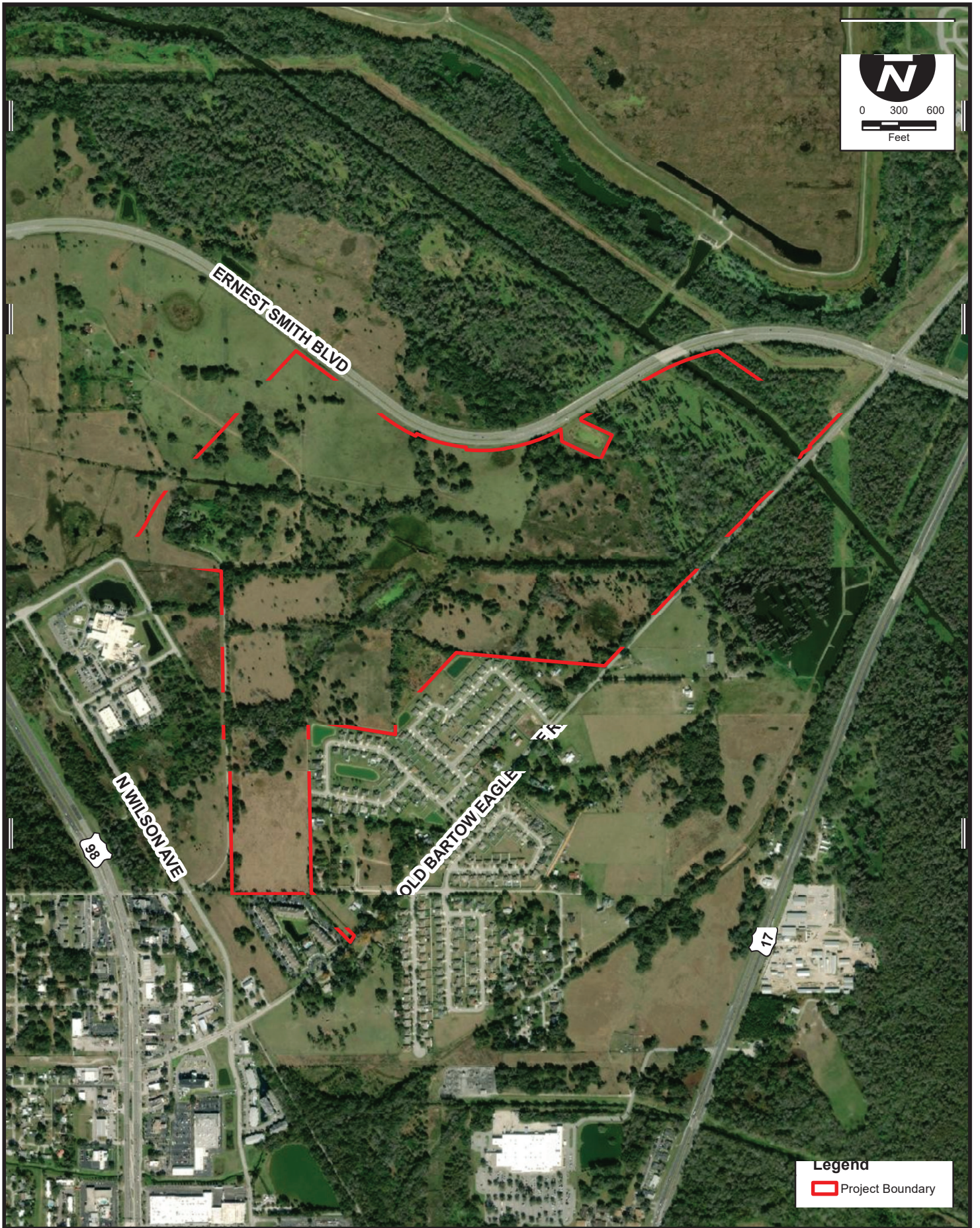
 Project Boundary

**LOCATION MAP**  
STUART CROSSING

DECEMBER 2020

POLK COUNTY, FL  
© 2020 Kimley-Horn and Associates, Inc.  
116 South Kentucky Avenue, Lakeland, FL 33801  
Phone: 863 701 8702  
www.kimley-horn.com CA 00000696







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 16<sup>th</sup> 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 6<sup>th</sup> 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.





# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**6**



INSTR # 2022304237  
 BK 12492 Pgs 628-632 PG(s)5  
 RECORDED 11/22/2022 12:33:24 PM  
 STACY M. BUTTERFIELD, CLERK OF COURT  
 POLK COUNTY  
 DEED DOC \$0.70  
 RECORDING FEES \$44.00  
 RECORDED BY elizhovi

*Prepared by and return to:*  
 Jacob C. Dykxhoorn  
 Dykxhoorn Law Firm, P.A.  
 225 East Stuart Avenue  
 Lake Wales, FL 33853  
 863-676-3300

File Number: 20-167

Part of Tax Parcel #25-29-31-000000-011020

## Special Warranty Deed

This Special Warranty Deed is made and executed as of 11-8, 2022, by **J. K. Stuart Properties, LLC, a Florida limited liability company**, whose post office address is **P.O. Box 870, Bartow, FL 33831-0870** ("Grantor"), to and in favor of the **Stuart Crossing Community Development District**, a local governmental entity established under Chapter 190, Florida Statutes, whose post office address is **2300 Glades Road, Suite 410W, Boca Raton, FL 33431** ("Grantee"). [*"Grantor" and "Grantee" are used for singular or plural, as context requires, and, whenever used herein, such terms shall refer to the applicable party and shall include such party's heirs, legal representatives, successors, and assigns.*]

**Witnesseth:** Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable considerations paid or given to Grantor by Grantee, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, alienate, remise, release, convey, and transfer to Grantee, and Grantee's heirs, successors, and assigns forever, the following described land (the "Property"), situate, lying and being in **Polk County, Florida**, to-wit:

See **Exhibit "A"** attached hereto and made a part hereof by reference.

Subject to: (a) all restrictions, reservations, conditions, and easements of record, if any, which are not reimposed by this deed; and (b) taxes and assessments for the year **2023** and subsequent years.

Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining; to have and to hold the same in fee simple forever.

Grantor hereby reserves an easement over, upon and across the Property for ingress, egress and utilities for the benefit of Grantor's remaining adjacent real property.

Grantor hereby covenants with Grantee that the Property is free from all liens, mortgages and other encumbrances made by Grantor, except as stated above, and Grantor is lawfully seized of the Property in fee simple, and Grantor has the right and lawful authority to sell and convey the Property to Grantee. Grantor hereby fully warrants the title to the Property for any acts of Grantor and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other, except as set forth above.

**In Witness Whereof**, Grantor has hereunto set Grantor's hand and seal as of the day and year first above written.

[signature(s) on attached page(s)]

Special Warranty Deed to CDD

Signed, sealed and delivered  
in the presence of:

J. K. Stuart Properties, LLC, a Florida limited  
liability company

Jacob C. Dykxhoorn  
Witness #1 - sign name above  
Print Name: Jacob C Dykxhoorn

By: Sandra H. Mitchell  
Sandra H. Mitchell, as manager

John Allen Smith  
Witness #2 - sign name above  
Print Name: JOHN ALLEN SMITH

State of Florida

County of Polk

The foregoing instrument was acknowledged before me this NOVEMBER 7, 2022, by means of physical presence by **Sandra H. Mitchell, as a manager of J. K. Stuart Properties, LLC, a Florida limited liability company**, on behalf of said company. She [] is personally known to me or [] has produced a driver's license as identification.

(SEAL)



John Allen Smith  
Notary Public  
Print Name: JOHN ALLEN SMITH  
My Commission Expires: August 1, 2023

Signed, sealed and delivered  
in the presence of:

J. K. Stuart Properties, LLC, a Florida limited  
liability company

Glenda Sue Speed  
Witness #1 - sign name above  
Print Name: Glenda Sue Speed

By: Jack P. Brandon  
Jack P. Brandon, as manager

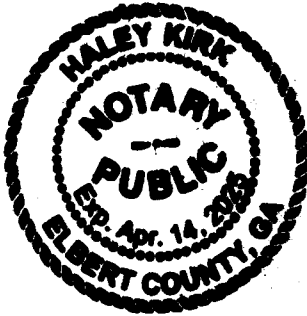
Ashley Wilson  
Witness #2 - sign name above  
Print Name: Ashley Wilson

State of GA

County of Labun

The foregoing instrument was acknowledged before me this NOV 9<sup>th</sup>, 2022, by means of physical presence by **Jack P. Brandon, as a manager of J. K. Stuart Properties, LLC, a Florida limited liability company**, on behalf of said company. He [ ] is personally known to me or [✓] has produced a driver's license as identification.

(SEAL)



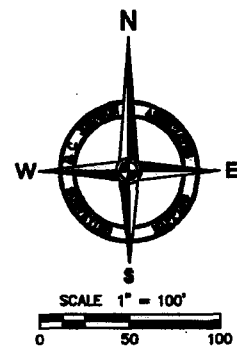
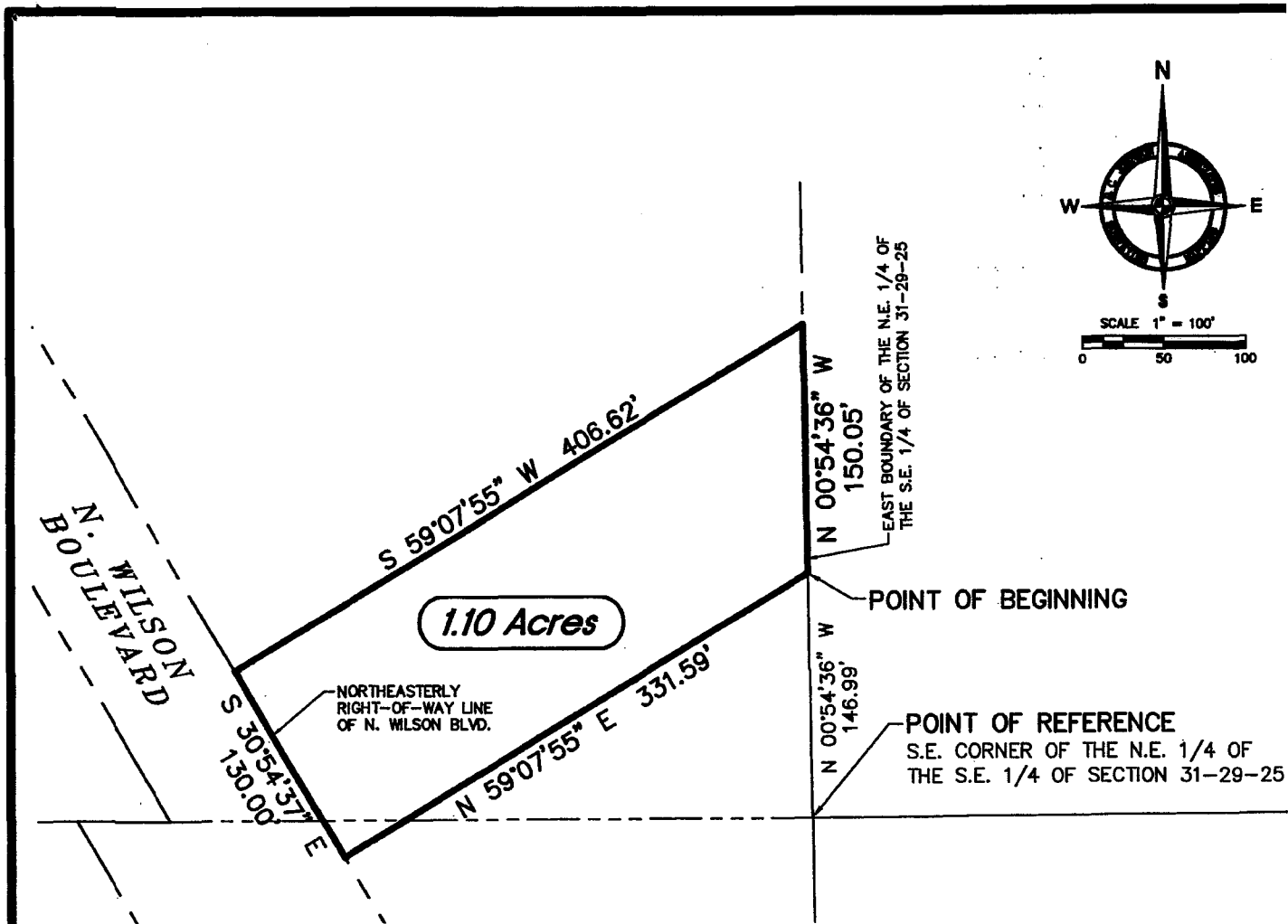
H Kirk  
Notary Public  
Print Name: Haley Kirk  
My Commission Expires: 4-14-25

Exhibit "A"

Description for Lyle Parkway Extension

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

For a POINT OF REFERENCE commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 31; thence N.00°54'36"W., along the East boundary thereof, a distance of 146.99 feet for a POINT OF BEGINNING; thence continue N.00°54'36"W., along said East boundary, a distance of 150.05 feet; thence S.59°07'55"W., a distance of 406.62 feet to a point on the Northeasterly right-of-way line of N. Wilson Boulevard as described in Warranty Deed recorded in Official Records Book 7349, Page 2242, of the Public Records of Polk County, Florida; thence S.30°54'37"E., along said Northeasterly right-of-way line, a distance of 130.00 feet; thence N.59°07'55"E., a distance of 331.59 feet, to the POINT OF BEGINNING.



**DESCRIPTION:**

A parcel of land lying within Section 31, Township 29 South, Range 25 East, Polk County, Florida, being more particularly described as follows:  
 For a POINT OF REFERENCE commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 31; thence N.00°54'36"W. along the East boundary thereof, a distance of 146.99 feet for a POINT OF BEGINNING; thence continue N.00°54'36"W. along said East boundary, a distance of 150.05 feet; thence S.59°07'55"W., a distance of 406.62 feet to a point on the Northeastery right-of-way line of N. Wilson Boulevard as described in Warranty Deed recorded in Official Records Book 7349, Page 2242 of the Public Records of Polk County, Florida; thence S.30°54'37"E. along said Northeastery right-of-way line, a distance of 130.00 feet; thence N.59°07'55"E., a distance of 331.59 feet to the POINT OF BEGINNING.  
 Containing 1.10 acres, more or less.

**DESCRIPTION AND SKETCH  
 NOT A BOUNDARY SURVEY**

Corner Monuments were not set in conjunction with the preparation of this sketch. Improvements, if any, have not been located in conjunction with the preparation of this sketch. This sketch is for graphic illustration only, and does not represent a field survey. Descriptions created per this sketch.

**STUART CROSSING  
 LYLE PARKWAY EXTENSION**

PREPARED FOR  
**Meritage Homes**

JOB NO: 2020-298A01.BG00004 | DRAWN BY: LDJ

We hereby certify that the sketch and description hereon are true and correct to the best of our knowledge and were prepared in accordance with the Statutes of Florida by the Florida Board of Land Surveyors in compliance with the Administrative Code, pursuant to Section 472.003 Florida Statute.

*Andrew R. Getz*  
 Andrew R. Getz  
 For D.C. Johnson & Associates, Inc.  
 Not valid without the signature and raised seal of a Licensed Surveyor

**JOHNSON ASSOCIATES**  
 SURVEYING AND MAPPING  
 Florida Licensed Business No. LB 4514  
 11911 S. Curley St. San Antonio, FL 335  
 (352) 588-2768 survey@dcjohnson.com  
 www.dccjohnson.com

# Ownership and Encumbrance Report

**First American Issuing Office:** First American Title Insurance Company  
2301 Maitland Center Parkway, Suite 450  
Maitland, FL 32751

**Customer Reference Number: Lyle Parkway**  
**First American File Number: 2037-6260130**

**Prepared For:** Dykxhoorn Law Firm, P.A.  
225 East Stuart Avenue  
Lake Wales, FL 33853

## **Legal Description:**

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

For a POINT OF REFERENCE commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 31; thence N.00°54'36"W., along the East boundary thereof, a distance of 146.99 feet for a POINT OF BEGINNING; thence continue N.00°54'36"W., along said East boundary, a distance of 150.05 feet; thence S.59°07'55"W., a distance of 406.62 feet to a point on the Northeasterly right-of-way line of N. Wilson Boulevard as described in Warranty Deed recorded in Official Records Book 7349, Page 2242, of the Public Records of Polk County, Florida; thence S.30°54'37"E., along said Northeasterly right-of-way line, a distance of 130.00 feet; thence N.59°07'55"E., a distance of 331.59 feet, to the POINT OF BEGINNING.

## **1. Grantee(s) In Last Deed of Record:**

J. K. Stuart Properties, LLC, a Florida limited liability company by virtue of Book 5311, Page 1730

## **2. Encumbrances/Matters Affecting Title:**

( ) Exhibit Attached (X) Exhibit Not Attached.

- a. Easement in favor of Florida Gas Transmission Company, LLC recorded June 30, 1955 in Book 281, Page 380; Modification and Amendment of Easement Grant recorded June 27, 2012 in Book 8684, Page 991; as affected by Encroachment Agreement recorded October 25, 2012 in Book 8782, Page 1991.
- b. Easement Agreement in favor of Columbia/Bartow Healthcare System, Ltd., a Florida limited partnership and HCA of Florida, Inc., a Florida corporation recorded September 17, 1998 in Book 4099, Page 1790; Modification of Easement Agreement recorded June 24, 2004 in Book 5827, Page 805.
- c. Declaration of Covenants and Restrictions recorded September 17, 1998 in Book 4099, Page 1803.



Copies of the Encumbrances/Matters Affecting Title (X) are ( ) are not included with this Report.

NOTE: The following is for informational purposes only and is given without assurance or guarantee:

Real Estate Taxes for Tax Parcel Number 25-29-31-000000-011020 for tax year 2022

Gross Tax: \$ 84.87 ( X ) Paid ( ) Not Paid.

Unpaid Taxes for Prior Years: None

Map Code: Assessment: \$

**Customer Reference Number: Lyle Parkway**  
**First American File Number: 2037-6260130**

## **Certificate**

"This Report" is a search limited to the Official Records Books as defined in Sections 28.001(1) and 28.222, Florida Statutes, from Earliest Public Records to November 11, 2022 at 8:00 a.m.. The foregoing Report accurately reflects matters recorded and indexed in the Official Records Books of POLK County, Florida, affecting title to the property described therein. This report is not an opinion of title, title insurance policy, warranty of title, or any other assurance as to the status of title and shall not be used for the purpose of issuing title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified in the property information report as the recipients of the property information report.

First American Title Insurance Company

A handwritten signature in black ink, appearing to read "Michael Abbey", written in a cursive style.

Michael Abbey, as SVP, Division Region Manager

Dated:11/16/2022



***First American Title Insurance Company***

*PO Box 776123*

*Chicago, IL 60677-6123*

*Phone: (407)691-5200 / Fax: (407)691-5300*

**PR:** 12000

**Ofc:** 2037 (1589)

**Final Invoice**

**To:** Dykxhoorn Law Firm, P.A.  
225 East Stuart Avenue  
Lake Wales , FL 33853

**Invoice No.:** 1589 - 2037364727

**Date:** 11/16/2022

**Our File No.:** 2037-6260130

**Title Officer:** Jarrett Balberchak

**Escrow Officer:**

**Customer ID:** 3030511

**Attention:** Jack Dykxhoorn

**Your Ref.:** Lyle Parkway

**Liability Amounts**

**RE: Property:**  
TBD, TBD, FL

**Buyers:** J. K. Stuart Properties, LLC

**Sellers:**

Description of Charge	Invoice Amount
Search Fee	\$250.00
<b>INVOICE TOTAL</b>	<b>\$250.00</b>

**Comments:**

**Thank you for your business!**

*To assure proper credit, please send a copy of this Invoice and Payment to:*

*Attention: Accounts Receivable Department*

*PO Box 776123*

*Chicago, IL 60677-6123*

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **UNAUDITED FINANCIAL STATEMENTS**

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
OCTOBER 31, 2022**

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
OCTOBER 31, 2022**

	<u>General Fund</u>	<u>Debt Service Fund</u>	<u>Total Governmental Funds</u>
<b>ASSETS</b>			
Undeposited funds	\$ 32,000	\$ -	\$ 32,000
Due from Landowner	2,219	-	2,219
Due from general fund	-	922	922
Total assets	<u>34,219</u>	<u>922</u>	<u>35,141</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Liabilities:			
Accounts payable	\$ 27,297	\$ 922	\$ 28,219
Due to Landowner	-	922	922
Due to debt service fund	922	-	922
Landowner advance	6,000	-	6,000
Total liabilities	<u>34,219</u>	<u>1,844</u>	<u>36,063</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred receipts	2,219	-	2,219
Total deferred inflows of resources	<u>2,219</u>	<u>-</u>	<u>2,219</u>
Fund balances:			
Restricted for:			
Debt service	-	(922)	(922)
Unassigned	<u>(2,219)</u>	<u>-</u>	<u>(2,219)</u>
Total fund balances	<u>(2,219)</u>	<u>(922)</u>	<u>(3,141)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 34,219</u>	<u>\$ 922</u>	<u>\$ 35,141</u>

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED OCTOBER 31, 2022**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Landowner contribution	\$ 14	\$ 14	\$ 100,290	0%
Total revenues	<u>14</u>	<u>14</u>	<u>100,290</u>	0%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording**	2,000	2,000	46,000	4%
Legal	-	-	25,000	0%
Engineering	-	-	2,000	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent*	-	-	1,000	0%
Trustee*	-	-	5,500	0%
Telephone	16	16	200	8%
Postage	-	-	250	0%
Printing & binding	42	42	500	8%
Legal advertising	-	-	6,500	0%
Annual special district fee	175	175	175	100%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	750	0%
Website hosting & maintenance	-	-	705	0%
Website ADA compliance	-	-	210	0%
Total professional & administrative	<u>2,233</u>	<u>2,233</u>	<u>100,290</u>	2%
Excess/(deficiency) of revenues over/(under) expenditures	(2,219)	(2,219)	-	
Fund balances - beginning	-	-	-	
Fund balances - ending	<u>\$ (2,219)</u>	<u>\$ (2,219)</u>	<u>\$ -</u>	

\*These items will be realized when bonds are issued

\*\*WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND  
FOR THE PERIOD ENDED OCTOBER 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>
<b>REVENUES</b>	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 <b>EXPENDITURES</b>		
<b>Debt service</b>	<u>-</u>	<u>-</u>
Total debt service	<u>-</u>	<u>-</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 - -	 - -
 Fund balances - beginning	 (922)	 (922)
Fund balances - ending	<u>\$ (922)</u>	<u>\$ (922)</u>



# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **MINUTES**

**DRAFT**

**MINUTES OF MEETING  
STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Stuart Crossing Community Development District held Multiple Public Hearings and a Regular Meeting on September 7, 2022 at 1:00 p.m., at the Hampton Inn Bartow, 205 Old Bartow Eagle Lake Rd., Bartow, Florida 33830.

**Present at the meeting were:**

Garth Noble	Chair
Chris Torres	Vice Chair
John Kakridas	Assistant Secretary
Jerry Tomberlin	Assistant Secretary

**Also present were:**

Kristen Suit	District Manager
Jere Earlywine (via telephone)	District Counsel
Pete Marovich	Resident

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 1:03 p.m. Supervisors Noble, Torres, Tomberlin and Kakridas, were present, in person. Supervisor Schiffer was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Elected Supervisors (*the following will be provided in a separate package*)**

36 Ms. Suit, a Notary of the State of Florida and duly authorized administered, the Oath of  
37 Office to Mr. Noble, Mr. Torres, Mr. Kakridas and Mr. Tomberlin. She provided and briefly  
38 explained the following items:

- 39 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 40 **B. Membership, Obligations and Responsibilities**
- 41 **C. Chapter 190, Florida Statutes**
- 42 **D. Financial Disclosure Forms**
  - 43 **I. Form 1: Statement of Financial Interests**
  - 44 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - 45 **III. Form 1F: Final Statement of Financial Interests**
- 46 **E. Form 8B: Memorandum of Voting Conflict**

47

48 **FOURTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-27,  
Canvassing and Certifying the Results of  
the Landowners’ Election of Supervisors  
Held Pursuant to Section 190.006(2),  
Florida Statutes, and Providing for an  
Effective Date**

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55 Ms. Suit recapped the results of the Landowners’ Election, as follows:

56	Seat 1	Garth Noble	160 votes	4-Year Term
57	Seat 2	Chris Torres	158 votes	2-Year Term
58	Seat 3	Martha Schiffer	158 votes	2-Year Term
59	Seat 4	Jerry Tomberlin	160 votes	4-Year Term
60	Seat 5	John Kakridas	158 votes	2-Year Term

61 Ms. Suit presented Resolution 2022-27.

62

63 **On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor,**  
 64 **Resolution 2022-27, Canvassing and Certifying the Results of the Landowners’**  
 65 **Election of Supervisors Held Pursuant to Section 190.006(2), Florida Statutes,**  
 66 **and Providing for an Effective Date, was adopted.**

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69 **FIFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-28, Designating Certain Officers of the District, and Providing for an Effective Date**

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73 Ms. Suit presented Resolution 2022-28. Mr. Noble nominated the following slate:

- 74 Garth Noble Chair
- 75 Chris Torres Vice Chair
- 76 Craig Wrathell Secretary
- 77 Martha Schiffer Assistant Secretary
- 78 John Kakridas Assistant Secretary
- 79 Jerry Tomberlin Assistant Secretary
- 80 Kristen Suit Assistant Secretary

81 No other nominations were made. Prior appointments by the Board for Treasurer and  
82 Assistant Treasurer remain unaffected by this Resolution.

83

84 **On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor,**  
85 **Resolution 2022-28, Designating Certain Officers of the District, as nominated,**  
86 **and Providing for an Effective Date, was adopted.**

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88

89 **SIXTH ORDER OF BUSINESS**

**Public Hearing Confirming the Intent of the District to Use the Uniform Method of Levy, Collection and Enforcement of Non-Ad Valorem Assessments as Authorized and Permitted by Section 197.3632, Florida Statutes; Expressing the Need for the Levy of Non-Ad Valorem Assessments and Setting Forth the Legal Description of the Real Property Within the District’s Jurisdictional Boundaries that May or Shall Be Subject to the Levy of District Non-Ad Valorem Assessments; Providing for Severability; Providing for Conflict and Providing for an Effective Date**

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104 **A. Affidavit/Proof of Publication**

105 The affidavit of publication was included for informational purposes.

106 B. Consideration of Resolution 2022-29, Expressing its Intent to Utilize the Uniform  
 107 Method of Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which  
 108 May Be Levied by the Stuart Crossing Community Development District in Accordance  
 109 with Section 197.3632, Florida Statutes; Providing a Severability Clause; and Providing  
 110 an Effective Date

111

112 On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor,  
 113 the Public Hearing was opened.

114

115

116 No members of the public spoke.

117

118 On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor, the  
 119 Public Hearing was closed.

120

121

122 Ms. Suit presented Resolution 2022-29 and read the title.

123

124 On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor,  
 125 Resolution 2022-29, Expressing its Intent to Utilize the Uniform Method of  
 126 Levying, Collecting, and Enforcing Non-Ad Valorem Assessments Which May Be  
 127 Levied by the Stuart Crossing Community Development District in Accordance  
 128 with Section 197.3632, Florida Statutes; Providing a Severability Clause; and  
 129 Providing an Effective Date, was adopted.

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132 SEVENTH ORDER OF BUSINESS

Public Hearing to Consider the Adoption of  
 an Assessment Roll and the Imposition of  
 Special Assessments Relating to the  
 Financing and Securing of Certain Public  
 Improvements

133

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- 138 • *Hear testimony from the affected property owners as to the propriety and advisability*
- 139 *of making the improvements and funding them with special assessments on the*
- 140 *property.*

- 141 • *Thereafter, the governing authority shall meet as an equalizing board to hear any and*  
142 *all complaints as to the special assessments on a basis of justice and right.*

143 These items occurred below.

144 A. **Affidavit/Proof of Publication**

145 B. **Mailed Notice to Property Owner(s)**

146 C. **Master Engineer's Report *(for informational purposes)***

147 D. **Master Special Assessment Methodology Report *(for informational purposes)***

148 These items were included for informational purposes.

149 E. **Consideration of Resolution 2022-30, Making Certain Findings; Authorizing a Capital**  
150 **Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of**  
151 **Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming**  
152 **and Levying Debt Assessments; Addressing the Finalization of Special Assessments;**  
153 **Addressing the Payment of Debt Assessments and the Method of Collection; Providing**  
154 **for the Allocation of Debt Assessments and True-Up Payments; Addressing**  
155 **Government Property, and Transfers of Property to Units of Local, State and Federal**  
156 **Government; Authorizing an Assessment Notice; and Providing for Severability,**  
157 **Conflicts and an Effective Date**

- 158 • *Hear testimony from the affected property owners as to the propriety and advisability*  
159 *of making the improvements and funding them with special assessments on the*  
160 *property.*

161

162 **On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor,**  
163 **the Public Hearing was opened.**

164

165

166 Resident Pete Marovich asked how bonds are issued to build developments.

167 Mr. Earlywine explained the CDD was recently established and the Board is currently  
168 holding an assessment public hearing and going through the prerequisites to line itself up to  
169 issue bonds. The intent is to have a bond closing in October, a bond validation hearing in  
170 January and issue bonds after the project is under construction, which would be in the second

171 quarter of 2023. Assessments will only be imposed on the lands within the CDD and will not  
 172 affect anyone outside of the CDD.

173 Ms. Suit discussed pertinent information in the Engineer's Report and the Master  
 174 Special Assessment Methodology Report.

175

176 **On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor, the**  
 177 **Public Hearing was closed.**

178

179

- 180 • ***Thereafter, the governing authority shall meet as an equalizing board to hear any and***  
 181 ***all complaints as to the special assessments on a basis of justice and right.***

182 The Board, sitting as the Equalizing Board, made no changes to the assessments.

183 Ms. Suit presented Resolution 2022-30 and read the title.

184

185 **On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor,**  
 186 **Resolution 2022-30, Making Certain Findings; Authorizing a Capital**  
 187 **Improvement Plan; Adopting an Engineer's Report; Providing an Estimated**  
 188 **Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving,**  
 189 **Confirming and Levying Debt Assessments; Addressing the Finalization of**  
 190 **Special Assessments; Addressing the Payment of Debt Assessments and the**  
 191 **Method of Collection; Providing for the Allocation of Debt Assessments and**  
 192 **True-Up Payments; Addressing Government Property, and Transfers of**  
 193 **Property to Units of Local, State and Federal Government; Authorizing an**  
 194 **Assessment Notice; and Providing for Severability, Conflicts and an Effective**  
 195 **Date, was adopted.**

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198 **EIGHTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
 2021/2022 Budget**

199

200

201 **A. Affidavit of Publication**

202 The proof of publication was included for informational purposes.

203 **B. Consideration of Resolution 2022-31, Relating to the Annual Appropriations and**  
 204 **Adopting the Budget for the Remainder of the Fiscal Year Beginning May 5, 2022 and**

205 Ending September 30, 2022; Authorizing Budget Amendments; and Providing an  
206 Effective Date

207 Ms. Suit presented the proposed Fiscal Year 2022 Landowner-funded budget.

208

209 **On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor,**  
210 **the Public Hearing was opened.**

211

212

213 No members of the public spoke.

214

215 **On MOTION by Mr. Kakridas and seconded by Mr. Tomberlin, with all in favor,**  
216 **the Public Hearing was closed.**

217

218

219 Ms. Suit presented Resolution 2022-31 and read the title.

220

221 **On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor,**  
222 **Resolution 2022-31, Relating to the Annual Appropriations and Adopting the**  
223 **Budget for the Remainder of the Fiscal Year Beginning May 5, 2022 and Ending**  
224 **September 30, 2022; Authorizing Budget Amendments; and Providing an**  
225 **Effective Date, was adopted.**

226

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228 **NINTH ORDER OF BUSINESS**

**Public Hearing on Adoption of Fiscal Year  
2022/2023 Budget**

229

230

231 **A. Affidavit of Publication**

232 The proof of publication was included for informational purposes.

233 **B. Consideration of Resolution 2022-32, Relating to the Annual Appropriations and**  
234 **Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending**  
235 **September 30, 2023; Authorizing Budget Amendments; and Providing an Effective**  
236 **Date**

237 Ms. Suit presented the proposed Fiscal Year 2023 budget.

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**On MOTION by Mr. Noble and seconded by Mr. Kakridas, with all in favor, the Public Hearing was opened.**

Mr. Noble asked if any of the \$100,290 budget is reimbursable once bonds are issued.

Ms. Suit stated the Professional and Administrative fees will not be paid from the bond proceeds but any Engineering expenses can be. Asked how the Operation and Maintenance (O&M) will be handled in October, Ms. Suit stated Staff will send the Estoppel and Meritage will collect at closing.

Mr. Earlywine suggested that Board Members coordinate with Management during the closing process and ensure they have a number to put on the closing statement for collection.

**On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor, the Public Hearing was closed.**

Ms. Suit presented Resolution 2022-32 and read the title.

**On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor, Resolution 2022-32, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.**

**TENTH ORDER OF BUSINESS**

**Public Hearing to Hear Public Comments and Objections to the Adoption of the Rules of Procedure, Pursuant to Sections 120.54 and 190.035, Florida Statutes**

**A. Affidavits of Publication**

The proofs of publication were included for informational purposes.

**B. Consideration of Resolution 2022-33, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date**

273 Ms. Suit stated the Rules of Procedure were unchanged since presented at the  
274 Organizational meeting.

275

**On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor, the Public Hearing was opened.**

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No members of the public spoke.

281

**On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor, the Public Hearing was closed.**

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Ms. Suit presented Resolution 2022-33 and read the title.

287

**On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor, Resolution 2022-33, Adopting Rules of Procedure; Providing a Severability Clause; and Providing an Effective Date, was adopted.**

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**ELEVENTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date**

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This item was deferred.

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**TWELFTH ORDER OF BUSINESS**

**Consideration of Resolution 2022-14, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date**

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Ms. Suit presented Resolution 2022-14 and read the title.

307

The following will be inserted into the Fiscal Year 2023 Meeting Schedule:

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309 DATES: First Tuesday of each month except November, which will be the second  
310 Tuesday

311 TIME: 12:00 PM

312 LOCATION: Hampton Inn Bartow, 205 Old Bartow Eagle Lake Road, Bartow, Florida  
313 33830

314

315 **On MOTION by Mr. Torres and seconded by Mr. Kakridas, with all in favor,**  
316 **Resolution 2022-14, Designating Dates, Times and Locations for Regular**  
317 **Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023**  
318 **and Providing for an Effective Date, was adopted.**

319

320

321 **THIRTEENTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial**  
322 **Statements as of July 31, 2022**

323

324 Ms. Suit presented the Unaudited Financial Statements as of July 31, 2022.

325

326 **On MOTION by Mr. Kakridas and seconded by Mr. Torres, with all in favor, the**  
327 **Unaudited Financial Statements as of July 31, 2022, were accepted.**

328

329

330 **FOURTEENTH ORDER OF BUSINESS** **Approval of Minutes**

331

332 Ms. Suit presented the following:

- 333 **A. July 8, 2022 Organizational Meeting**
- 334 **B. July 25, 2022 Special Meeting**
- 335 **C. August 16, 2022 Landowners' Meeting**

336

337 **On MOTION by Mr. Torres and seconded by Mr. Tomberlin, with all in favor,**  
338 **the July 8, 2022 Organizational Meeting, July 25, 2022 Special Meeting and the**  
339 **August 16, 2022 Landowners' Meeting Minutes, as presented, were approved.**

340

341

342 **FIFTEENTH ORDER OF BUSINESS** **Staff Reports**

343

344 **A. District Counsel: *KE Law Group, PLLC***

345 Mr. Earlywine reiterated the bond closing is set for October, the bond validation hearing  
346 is set for January and the bonds should be issued in 2023.

347 **B. District Engineer (Interim): *Kimley-Horn & Associates, Inc.***

348 There was no report.

349 **C. District Manager: *Wrathell, Hunt and Associates, LLC***350 • **NEXT MEETING DATE: TBD**351 ○ **QUORUM CHECK**

352 Ms. Suit stated the October meeting will be cancelled.

353 **▪ Board Members' Comments/Requests**

354 **This item was an addition to the agenda.**

355 There were no Board Members' comments or requests.

356 **▪ Public Comments**

357 **This item was an addition to the agenda.**

358 Mr. Marovich asked how the CDD operates.

359 Mr. Noble stated it is early in the development process and, as the CDD gets further  
360 along, the amounts that were discussed will increase. When bonds are issued, the assessments  
361 to the lots will be less and the homeowners' assessments will be added to the tax roll each  
362 year.

363 Discussion ensued regarding the maximum assessment amount, tax bills and Debt  
364 Service and O&M portions of the assessments.

365 **▪ Adjournment**

366 **This item was an addition to the agenda.**

367

368 **On MOTION by Mr. Kakridas and seconded by Mr. Tomberlin, with all in favor,**  
369 **the meeting adjourned at 1:40 p.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

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Secretary/Assistant Secretary

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Chair/Vice Chair

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **STAFF**

# **REPORTS**

**STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT**

**BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE**

**LOCATION**

*Hampton Inn Bartow, 205 Old Bartow Eagle Lake Rd., Bartow, Florida 33830*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 4, 2022 CANCELED</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>November 8, 2022 CANCELED</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>December 6, 2022</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>January 3, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>February 7, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>March 7, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>April 4, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>May 2, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>June 6, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>July 4, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>August 1, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>
<b>September 5, 2023</b>	<b>Regular Meeting</b>	<b>12:00 PM</b>