

**STUART CROSSING  
COMMUNITY DEVELOPMENT  
DISTRICT**

**April 1, 2024**

**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**

March 25, 2024

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 April 1, 2024 at 11:00 a.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. Consideration of Appointment of Mel Wang to Fill Unexpired Term of Seat 2; *Term Expires November 2024*
  - Administration of Oath of Office (*the following will also be provided in a separate package*)
    - A. Required Ethics Training and Disclosure Filing
      - Sample Form 1 2023/Instructions
    - B. Membership, Obligation and Responsibilities
    - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees
    - D. Form 8B: Memorandum of Voting Conflict for County, Municipal and other Local Public Officers
4. Consideration of Resolution 2024-05, Appointing and Removing Officers of the District and Providing for an Effective Date
5. Presentation of Supplemental Engineer's Report (*for informational purposes*)
6. Presentation of Final First Supplemental Special Assessment Methodology Report (*for informational purposes*)
7. Consideration of Resolution 2024-07, Setting Forth the Specific Terms of the District's Special Assessment Bonds, Series 2024 (Assessment Area One Project) ("Series 2024 Bonds"); Making Certain Additional Findings and Confirming and/or Adopting a

**ATTENDEES:**

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

Supplemental Engineer’s Report and a Supplemental Assessment Report; Confirming the Maximum Assessment Lien Securing the Bonds; Addressing the Allocation and Collection of the Assessments Securing the Series 2024 Bonds; Addressing Prepayments; Addressing True-Up Payments; Providing for the Supplementation of the Improvement Lien Book; and Providing for Conflicts, Severability and an Effective Date

- 8. Consideration of Resolution 2024-02, Designating the Location of the Local District Records Office and Providing an Effective Date
- 9. Acceptance of Unaudited Financial Statements as of February 29, 2024
- 10. Approval of March 4, 2024 Regular Meeting Minutes
- 11. Staff Reports
  - A. District Counsel: *Kutak Rock LLP*
  - B. District Engineer: *Rayl Engineering & Surveying, LLC*
  - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: May 6, 2024 at 11:00 AM [Presentation of FY2025 Proposed Budget]

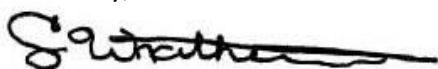
○ QUORUM CHECK

SEAT 1	GARTH NOBLE	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	MEL WANG	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	MARTHA SCHIFER	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	MEGAN GERMINO	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	JOHN KAKRIDAS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

- 12. Board Members’ Comments/Requests
- 13. Public Comments
- 14. 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**

# **3A**

## MEMORANDUM

**To: Board of Supervisors**

**From: District Manager**

**Re: Updates and Reminders: Ethics Training for Special District Supervisors and Form 1**

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The purpose of this memorandum is to remind our clients of new ethics training requirements applicable to Special District Supervisors. This requirement is the result of changes to Section 112.3142, Florida Statutes, which were passed during the 2023 Legislative Session. **The new requirements will apply in 2024.**

### **What is required and when is the deadline?**

Supervisors will be required to complete four (4) hours of training each calendar year. For those Supervisors seated on or before March 31, 2024, the four hours of training must be completed by December 31, 2024. For new Supervisors seated after March 31, 2024, training must be completed by December 31, 2025. The training must address, at a minimum, Article II of the State Constitution, the Code of Ethics for Public Officers and Employees, and Florida's public records and open meetings laws. It may be completed by taking a continuing legal education class or other continuing professional education class, seminar, or presentation, if the required information is covered. Compliance will be reported on Form 1 each year.

### **Where can I find training materials?**

The Florida Commission on Ethics has provided links to on-demand courses on their Ethics Training web page: <https://ethics.state.fl.us/Training/Training.aspx>. There are also many courses – both free and for a charge – available online and in-person. There may also be the ability to include training within your existing Board meeting schedule.

#### **Free Ethics Law Training**

The COE provides several videos for Ethics training, none of which are exactly two (2) hours in length. Please ensure you complete 120 minutes of Ethics training when choosing a combination of the below.

#### **State Ethics Laws for Constitutional Officers & Elected Municipal Officers (100 minutes)**

Click here: [Kinetic Ethics](#)

#### **Business and Employment Conflicts and Post-Public-Service (56 minutes) Restriction**

Click here: [Business and Employment Conflicts](#)

**Gifts (50 minutes)**

Click here: [Ethics Laws Governing Acceptance of Gifts](#)

**Voting Conflicts - Local Officers (58 minutes)<sup>1</sup>**

Click here: [Voting Vertigo](#)

**Free Sunshine/Public Records Law Training**

The Office of the Attorney General provides a two (2) hour online training course (audio only) that meets the requirements of the Sunshine Law and Public Records Law portion of Supervisors' annual training.

Click here to access: [Public Meeting and Public Records Law](#)

**Other Training Options****4- Hour Course**

Some courses will provide a certificate upon completion (not required), like the one found from the Florida State University, Florida Institute of Government, linked here: [4-Hour Ethics Course](#). This course meets all the ethics training requirements for the year, including Sunshine Law and Public Records training. This course is currently \$79.00

**CLE Course**

The COE's website includes a link to the Florida Bar's Continuing Legal Education online tutorial which also meets all the Ethics training requirements. However, this is a CLE course designed more specifically for attorneys. The 5 hours 18 minutes' long course exceeds the 4-hour requirement and its cost is significantly higher than the 4-Hour Ethics course provided by the Florida State University. The course is currently \$325.00. To access this course, click here: [Sunshine Law, Public Records and Ethics for Public Officers and Public Employees](#).

**Form 1 Submittal Changes.**

Beginning January 1, 2024, Form 1 will no longer be filed with your local Supervisor of Elections office. Instead, all Form 1s will be filed electronically with the Commission on Ethics. Please see detailed directions on filing here: <https://ethics.state.fl.us/>. Please note that Special District Supervisors are not required to file Form 6.

# 2023 Form 1 - Statement of Financial Interests

## General Information

Name: DISCLOSURE FILER

Address: SAMPLE ADDRESS

County: SAMPLE COUNTY

PID SAMPLE

## AGENCY INFORMATION

Organization	Suborganization	Title
SAMPLE	SAMPLE	SAMPLE

## Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

## Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500). (Major sources of income to the reporting person)  
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity

**Secondary Sources of Income**

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source

**Real Property**

REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/Description

**Intangible Personal Property**

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates

2023 Form 1 - Statement of Financial Interests

**Liabilities**

LIABILITIES (Major debts valued over \$10,000):  
(If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor

**Interests in Specified Businesses**

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)  
(If you have nothing to report, write "none" or "n/a")

Business Entity # 1

**Training**

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

E-FILED SAMPLE

**Signature of Filer**

Digitally signed:

**Filed with COE:**

**E-FILING SAMPLE**

# 2023 Form 1 - Statement of Financial Interests

Filed with COE: 01/05/2024

## General Information

Name: Mr Thomas Dean Zimmerman

Address: 6233 Dolostone Drive, Lakeland, FL 33811

PID 305031

County: Polk

## AGENCY INFORMATION

Organization	Suborganization	Title
Towne Park Community Development District	Board of Supervisors	Assistant Secretary

## Disclosure Period

THIS STATEMENT REFLECTS YOUR FINANCIAL INTERESTS FOR CALENDAR YEAR ENDING DECEMBER 31, 2023 .

## Primary Sources of Income

PRIMARY SOURCE OF INCOME (Over \$2,500) (Major sources of income to the reporting person)  
(If you have nothing to report, write "none" or "n/a")

Name of Source of Income	Source's Address	Description of the Source's Principal Business Activity
DFAS	8899 E 56th Street, Indianapolis, IN	Military Retired Pay
Social Security Administration	550 Commerce Dr., Lakeland FL 33813	Social Security Retired Pay



**Secondary Sources of Income**

SECONDARY SOURCES OF INCOME (Major customers, clients, and other sources of income to businesses owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Name of Business Entity	Name of Major Sources of Business' Income	Address of Source	Principal Business Activity of Source
N/A			

**Real Property**

REAL PROPERTY (Land, buildings owned by the reporting person) (If you have nothing to report, write "none" or "n/a")

Location/Description
N/A

**Intangible Personal Property**

INTANGIBLE PERSONAL PROPERTY (Stocks, bonds, certificates of deposit, etc. over \$10,000) (If you have nothing to report, write "none" or "n/a")

Type of Intangible	Business Entity to Which the Property Relates
Mutual Funds	Edward Jones
401K	General Dynamics Information Technology

**Liabilities**

LIABILITIES (Major debts valued over \$10,000):  
 (If you have nothing to report, write "none" or "n/a")

Name of Creditor	Address of Creditor
Lakeview Flagstar Bank	PO Box 619063, Dallas, TX 75261-9063

**Interests in Specified Businesses**

INTERESTS IN SPECIFIED BUSINESSES (Ownership or positions in certain types of businesses)  
 (If you have nothing to report, write "none" or "n/a")

Business Entity # 1
N/A

**Training**

Based on the office or position you hold, the certification of training required under Section 112.3142, F.S., is not applicable to you for this form year.

**Signature of Filer**

***Thomas Dean Zimmerman***

Digitally signed: 01/05/2024

Filed with COE: 01/05/2024

# 2023 Form 1 Instructions Statement of Financial Interests

## Notice

The annual Statement of Financial Interest is due July 1, 2024. If the annual form is not submitted via the electronic filing system created and maintained by the Commission September 3, 2024, an automatic fine of \$25 for each day late will be imposed, up to a maximum penalty of \$1,500. Failure to file also can result in removal from public office or employment. [s. 112.3145, F.S.]

In addition, failure to make any required disclosure constitutes grounds for and may be punished by one or more of the following: disqualification from being on the ballot, impeachment, removal or suspension from office or employment, demotion, reduction in salary, reprimand, or a civil penalty not exceeding \$10,000. [s. 112.317, F.S.]

## When To File:

**Initially**, each local officer/employee, state officer, and specified state employee must file **within 30 days** of the date of his or her appointment or of the beginning of employment. Appointees who must be confirmed by the Senate must file prior to confirmation, even if that is less than 30 days from the date of their appointment.

**Candidates** must file at the same time they file their qualifying papers.

**Thereafter**, file by July 1 following each calendar year in which they hold their positions.

**Finally**, file a final disclosure form (Form 1F) within 60 days of leaving office or employment. Filing a CE Form 1F (Final Statement of Financial Interests) does not relieve the filer of filing a CE Form 1 if the filer was in his or her position on December 31, 2023.

## Who Must File Form 1

1. Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
2. Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding those required to file full disclosure on Form 6 as well as members of solely advisory bodies, but including judicial nominating commission members; Directors of Enterprise Florida, Scripps Florida Funding Corporation, and Career Source Florida; and members of the Council on the Social Status of Black Men and Boys; the Executive Director, Governors, and senior managers of Citizens Property Insurance Corporation; Governors and senior managers of Florida Workers' Compensation Joint Underwriting Association; board members of the Northeast Fla. Regional Transportation Commission; board members of Triumph Gulf Coast, Inc; board members of Florida Is For Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.
3. The Commissioner of Education, members of the State Board of Education, the Board of Governors, the local Boards of Trustees and Presidents of state universities, and the Florida Prepaid College Board.
4. Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file Form 6.
5. Appointed members of the following boards, councils, commissions, authorities, or other bodies of county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; community college or junior college district boards of trustees; boards having the power to enforce local code provisions; boards of adjustment; community redevelopment agencies; planning or zoning boards having the power to recommend, create, or modify land planning or zoning within a political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, and except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; pension or retirement boards empowered to invest pension or retirement funds or determine entitlement to or amount of pensions or other retirement benefits, and the Pinellas County Construction Licensing Board.
6. Any appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
7. Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

8. Officers and employees of entities serving as chief administrative officer of a political subdivision.
9. Members of governing boards of charter schools operated by a city or other public entity.
10. Employees in the office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
11. The following positions in each state department, commission, board, or council: Secretary, Assistant or Deputy Secretary, Executive Director, Assistant or Deputy Executive Director, and anyone having the power normally conferred upon such persons, regardless of title.
12. The following positions in each state department or division: Director, Assistant or Deputy Director, Bureau Chief, and any person having the power normally conferred upon such persons, regardless of title.
13. Assistant State Attorneys, Assistant Public Defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel, Public Counsel, full-time state employees serving as counsel or assistant counsel to a state agency, administrative law judges, and hearing officers.
14. The Superintendent or Director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
15. State agency Business Managers, Finance and Accounting Directors, Personnel Officers, Grant Coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
16. The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.
17. Each member of the governing body of a "large-hub commercial service airport," as defined in Section 112.3144(1)(c), Florida Statutes, except for members required to comply with the financial disclosure requirements of s. 8, Article II of the State Constitution.

**ATTACHMENTS:** A filer may include and submit attachments or other supporting documentation when filing disclosure.

**PUBLIC RECORD:** The disclosure form is a public record and is required by law to be posted to the Commission's website. Your Social Security number, bank account, debit, charge, and credit card numbers, mortgage or brokerage account numbers, personal identification numbers, or taxpayer identification numbers are not required and should not be included. If such information is included in the filing, it may be made available for public inspection and copying unless redaction is required by the filer, without any liability to the Commission. If you are an active or former officer or employee listed in Section 119.071, F.S., whose home address or other information is exempt from disclosure, the Commission will maintain that confidentiality *if you submit a written and notarized request.*

**QUESTIONS** about this form or the ethics laws may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709; physical address: 325 John Knox Road, Building E, Suite 200, Tallahassee, FL 32303; telephone (850) 488-7864.

## Instructions for Completing Form 1

### Primary Sources of Income

[Required by s. 112.3145(3)(b)1, F.S.]

This section is intended to require the disclosure of your principal sources of income during the disclosure period. You do not have to disclose any public salary or public position(s). The income of your spouse need not be disclosed; however, if there is joint income to you and your spouse from property you own jointly (such as interest or dividends from a bank account or stocks), you should disclose the source of that income if it exceeded the threshold.

Please list in this part of the form the name, address, and principal business activity of each source of your income which exceeded \$2,500 of gross income received by you in your own name or by any other person for your use or benefit.

"Gross income" means the same as it does for income tax purposes, even if the income is not actually taxable, such as interest on tax-free bonds. Examples include: compensation for services, income from business, gains from property dealings, interest, rents, dividends, pensions, IRA distributions, social security, distributive share of partnership gross income, and alimony if considered gross income under federal law, but not child support.

Examples:

- If you were employed by a company that manufactures computers and received more than \$2,500, list the name of the company, its address, and its principal business activity (computer manufacturing).
- If you were a partner in a law firm and your distributive share of partnership gross income exceeded \$2,500, list the name of the firm, its address, and its principal business activity (practice of law).
- If you were the sole proprietor of a retail gift business and your gross income from the business exceeded \$2,500, list the name of the business, its address, and its principal business activity (retail gift sales).
- If you received income from investments in stocks and bonds, list each individual company from which you derived more than \$2,500. Do not aggregate all of your investment income.

- If more than \$2,500 of your gross income was gain from the sale of property (not just the selling price), list as a source of income the purchaser's name, address and principal business activity. If the purchaser's identity is unknown, such as where securities listed on an exchange are sold through a brokerage firm, the source of income should be listed as "sale of (name of company) stock," for example.
- If more than \$2,500 of your gross income was in the form of interest from one particular financial institution (aggregating interest from all CD's, accounts, etc., at that institution), list the name of the institution, its address, and its principal business activity.

## Secondary Sources of Income

[Required by s. 112.3145(3)(b)2, F.S.]

This part is intended to require the disclosure of major customers, clients, and other sources of income to businesses in which you own an interest. It is not for reporting income from second jobs. That kind of income should be reported in "Primary Sources of Income," if it meets the reporting threshold. You will not have anything to report unless, during the disclosure period:

1. You owned (either directly or indirectly in the form of an equitable or beneficial interest) more than 5% of the total assets or capital stock of a business entity (a corporation, partnership, LLC, limited partnership, proprietorship, joint venture, trust, firm, etc., doing business in Florida); **and**,
2. You received more than \$5,000 of your gross income during the disclosure period from that business entity.

If your interests and gross income exceeded these thresholds, then for that business entity you must list every source of income to the business entity which exceeded 10% of the business entity's gross income (computed on the basis of the business entity's most recently completed fiscal year), the source's address, and the source's principal business activity.

Examples:

- You are the sole proprietor of a dry cleaning business, from which you received more than \$5,000. If only one customer, a uniform rental company, provided more than 10% of your dry cleaning business, you must list the name of the uniform rental company, its address, and its principal business activity (uniform rentals).
- You are a 20% partner in a partnership that owns a shopping mall and your partnership income exceeded the above thresholds. List each tenant of the mall that provided more than 10% of the partnership's gross income and the tenant's address and principal business activity.

## Real Property

[Required by s. 112.3145(3)(b)3, F.S.]

In this part, list the location or description of all real property in Florida in which you owned directly or indirectly at any time during the disclosure period in excess of 5% of the property's value. You are not required to list your residences. You should list any vacation homes if you derive income from them.

Indirect ownership includes situations where you are a beneficiary of a trust that owns the property, as well as situations where you own more than 5% of a partnership or corporation that owns the property. The value of the property may be determined by the most recently assessed value for tax purposes, in the absence of a more accurate fair market value.

The location or description of the property should be sufficient to enable anyone who looks at the form to identify the property. A street address should be used, if one exists.

## Intangible Personal Property

[Required by s. 112.3145(3)(b)3, F.S.]

Describe any intangible personal property that, at any time during the disclosure period, was worth more than \$10,000 and state the business entity to which the property related. Intangible personal property includes things such as cash on hand, stocks, bonds, certificates of deposit, vehicle leases, interests in businesses, beneficial interests in trusts, money owed you (including, but not limited to, loans made as a candidate to your own campaign), Deferred Retirement Option Program (DROP) accounts, the Florida Prepaid College Plan, and bank accounts in which you have an ownership interest. Intangible personal property also includes investment products held in IRAs, brokerage accounts, and the Florida College Investment Plan. Note that the product contained in a brokerage account, IRA, or the Florida College Investment Plan is your asset—not the account or plan itself. Things like automobiles and houses you own, jewelry, and paintings are not intangible property. Intangibles relating to the same business entity may be aggregated; for example, CDs and savings accounts with the same bank. Property owned as tenants by the entirety or as joint tenants with right of survivorship, including bank accounts owned in such a manner, should be valued at 100%. The value of a leased vehicle is the vehicle's present value minus the lease residual (a number found on the lease document).

## Liabilities

[Required by s. 112.3145(3)(b)4, F.S.]

List the name and address of each creditor to whom you owed more than \$10,000 at any time during the disclosure period. The amount of the liability of a vehicle lease is the sum of any past-due payments and all unpaid prospective lease payments. You are not required to list the amount of any debt. You do not have to disclose credit card and retail installment accounts, taxes owed (unless reduced to a judgment), indebtedness on a life insurance policy owed to the company of issuance, or contingent liabilities. A "contingent liability" is one that will become an actual liability only when one or more future events occur or fail to occur, such as where you are liable only as a guarantor, surety, or endorser on a promissory note. If you are a "co-maker" and are jointly liable or jointly and severally liable, then it is not a contingent liability.

### **Interests in Specified Businesses**

[Required by s. 112.3145(7), F.S.]

The types of businesses covered in this disclosure include: state and federally chartered banks; state and federal savings and loan associations; cemetery companies; insurance companies; mortgage companies; credit unions; small loan companies; alcoholic beverage licensees; pari-mutuel wagering companies, utility companies, entities controlled by the Public Service Commission; and entities granted a franchise to operate by either a city or a county government.

Disclose in this part the fact that you owned during the disclosure period an interest in, or held any of certain positions with the types of businesses listed above. You must make this disclosure if you own or owned (either directly or indirectly in the form of an equitable or beneficial interest) at any time during the disclosure period more than 5% of the total assets or capital stock of one of the types of business entities listed above. You also must complete this part of the form for each of these types of businesses for which you are, or were at any time during the disclosure period, an officer, director, partner, proprietor, or agent (other than a resident agent solely for service of process).

If you have or held such a position or ownership interest in one of these types of businesses, list the name of the business, its address and principal business activity, and the position held with the business (if any). If you own(ed) more than a 5% interest in the business, indicate that fact and describe the nature of your interest.

### **Training Certification**

[Required by s. 112.3142, F.S.]

If you are a Constitutional or elected municipal officer appointed school superintendent, a commissioner of a community redevelopment agency created under Part III, Chapter 163, or an elected local officers of independent special districts, including any person appointed to fill a vacancy on an elected special district board, whose service began on or before March 31 of the year for which you are filing, you are required to complete four hours of ethics training which addresses Article II, Section 8 of the Florida Constitution, the Code of Ethics for Public Officers and Employees, and the public records and open meetings laws of the state. You are required to certify on this form that you have taken such training.

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**3B**



# **BOARD OF SUPERVISORS**

## **MEMBERSHIP, OBLIGATIONS AND RESPONSIBILITIES**

A Community Development District (“District”) is a special-purpose unit of local government which is established pursuant to and governed by Chapter 190, Florida Statutes.

### **The Board**

The Community Development District (“District”) is governed by a five (5)-member Board of Supervisors (“Board”). Member of the Board “Supervisor(s)” are elected in accordance with Section 190.006, F.S., either upon a one (1)-vote per one (1)-acre basis (“landowner voting”) or through traditional elections (“resident voting”), depending upon the number of registered voters in the District and the length of time which has passed since the establishment of the District.

A CDD Board typically meets once per month, but may meet more often if necessary. Board meetings typically last from one (1) to three (3) hours, depending upon the business to be conducted by the Board. Prior to the meeting, each Supervisor is supplied with an agenda package which will contain the documents pertaining to the business to be considered by the Board at a particular meeting. A Supervisor should be willing to spend time reviewing these packages prior to each meeting, and may consult with District Staff (General Counsel, Management, Engineering, etc.) concerning the business to be addressed.

### **Qualifications of Supervisors**

Each Supervisor must be a resident of the state of Florida and a citizen of the United States. Once a District has transitioned to resident voting, Supervisors must also be residents of the District.

### **Compensation**

By statute, Board Members are entitled to be paid \$200 per meeting for their service, up to an annual cap of \$4,800 per year. To achieve the statutory cap, the District would have to meet twice each month, which is rare.

Sometimes Supervisors who are employees of the primary landowner waive their right to compensation, although this is not always the case.

### **Responsibilities of Supervisors**

The position of Supervisor is that of an elected local public official. It is important to always remember that serving as an elected public official of a District carries with it certain restrictions and obligations. Each Supervisor, upon taking office, must subscribe to an oath of office acknowledging that he/she is a public officer, and as a recipient of public funds, a supporter of the constitutions of the State of Florida and of the United States of America.

Each Supervisor is subject to the same financial disclosure requirements as any other local elected official and must file a Statement of Financial Interests disclosing

sources of income, assets, debts, and other financial data, with the Supervisor of Elections in the County where he/she resides.

A Supervisor must act in accordance with the Code of Ethics for Public Officers and Employees, codified at Part III, Chapter 112, F.S., which addresses acceptance of gifts, conflicts of interest, etc. By law, it is not a conflict of interest for an employee of the developer to serve on a CDD Board of Supervisors.

Since a District is a unit of local government, the Sunshine Law (Chapter 286, F.S.) applies to Districts and to the Supervisors who govern them. In brief, the Sunshine Law states that two(2) or more Supervisors may never meet outside of a publicly noticed meeting of the Board and/to discuss District business.

Florida's Public Records Law (Chapter 119, F.S.) also applies to Districts and Supervisors. All records of the District, and the records of each individual Supervisor relating to the District, are public records. As such, any member of the public may inspect them upon request. Supervisors are therefore urged to keep any District records or documents in a separate file to allow ease of access by the public or press.

### **Conclusion**

The position of Supervisor of a Community Development District is an important one, requiring both the time and the dedication to fulfill the responsibilities of a position of public trust. It should not be undertaken lightly. Each new Supervisor should enter office fully cognizant of the ethical, legal, and time requirements which are incumbent upon those who serve as Supervisors.

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**3C**

# FLORIDA COMMISSION ON ETHICS



GUIDE  
to the  
SUNSHINE AMENDMENT  
and  
CODE of ETHICS  
for Public Officers and Employees

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**2024**

State of Florida  
COMMISSION ON ETHICS

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Tallahassee

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Fort Walton Beach

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Coral Gables

**Wengay M. Newton, Sr.**  
St. Petersburg

**Kerrie Stillman**  
*Executive Director*  
P.O. Drawer 15709  
Tallahassee, FL 32317-5709  
[www.ethics.state.fl.us](http://www.ethics.state.fl.us)  
(850) 488-7864\*

\*Please direct all requests for information to this number.

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## **I. HISTORY OF FLORIDA'S ETHICS LAWS**

Florida has been a leader among the states in establishing ethics standards for public officials and recognizing the right of citizens to protect the public trust against abuse. Our state Constitution was revised in 1968 to require a code of ethics, prescribed by law, for all state employees and non-judicial officers prohibiting conflict between public duty and private interests.

Florida's first successful constitutional initiative resulted in the adoption of the Sunshine Amendment in 1976, providing additional constitutional guarantees concerning ethics in government. In the area of enforcement, the Sunshine Amendment requires that there be an independent commission (the Commission on Ethics) to investigate complaints concerning breaches of public trust by public officers and employees other than judges.

The Code of Ethics for Public Officers and Employees is found in Chapter 112 (Part III) of the Florida Statutes. Foremost among the goals of the Code is to promote the public interest and maintain the respect of the people for their government. The Code is also intended to ensure that public officials conduct themselves independently and impartially, not using their offices for private gain other than compensation provided by law. While seeking to protect the integrity of government, the Code also seeks to avoid the creation of unnecessary barriers to public service.

Criminal penalties, which initially applied to violations of the Code, were eliminated in 1974 in favor of administrative enforcement. The Legislature created the Commission on Ethics that year "to serve as guardian of the standards of conduct" for public officials, state and local. Five of the Commission's nine members are appointed by the Governor, and two each are appointed by the President of the Senate and Speaker of the House of Representatives. No more than five Commission members may be members of the same political party, and none may be lobbyists, or hold any public employment during their two-year terms of office. A chair is selected from among the members to serve a one-year term and may not succeed himself or herself.



## **II. ROLE OF THE COMMISSION ON ETHICS**

In addition to its constitutional duties regarding the investigation of complaints, the Commission:

- Renders advisory opinions to public officials;
- Prescribes forms for public disclosure;
- Prepares mailing lists of public officials subject to financial disclosure for use by Supervisors of Elections and the Commission in distributing forms and notifying delinquent filers;
- Makes recommendations to disciplinary officials when appropriate for violations of ethics and disclosure laws, since it does not impose penalties;
- Administers the Executive Branch Lobbyist Registration and Reporting Law;
- Maintains financial disclosure filings of constitutional officers and state officers and employees; and,
- Administers automatic fines for public officers and employees who fail to timely file required annual financial disclosure.

## **III. THE ETHICS LAWS**

The ethics laws generally consist of two types of provisions, those prohibiting certain actions or conduct and those requiring that certain disclosures be made to the public. The following descriptions of these laws have been simplified in an effort to provide notice of their requirements. Therefore, we suggest that you also review the wording of the actual law. Citations to the appropriate laws are in brackets.

The laws summarized below apply generally to all public officers and employees, state and local, including members of advisory bodies. The principal exception to this broad coverage is the exclusion of judges, as they fall within the jurisdiction of the Judicial Qualifications Commission.

Public Service Commission (PSC) members and employees, as well as members of the PSC Nominating Council, are subject to additional ethics standards that are enforced by the Commission on Ethics under Chapter 350, Florida Statutes. Further, members of the governing boards of charter schools are subject to some of the provisions of the Code of Ethics [Sec. 1002.33(26), Fla. Stat.], as are the officers, directors, chief executive officers and some employees of business entities that serve as the chief administrative or executive officer or employee of a political subdivision. [Sec. 112.3136, Fla. Stat.]

**A. PROHIBITED ACTIONS OR CONDUCT**

*1. Solicitation and Acceptance of Gifts*

Public officers, employees, local government attorneys, and candidates are prohibited from soliciting or accepting anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their vote, official action, or judgment would be influenced by such gift. [Sec. 112.313(2), Fla. Stat.]

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** any gift from a political committee, lobbyist who has lobbied the official or his or her agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist or from a vendor doing business with the official's agency. [Sec. 112.3148, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees are prohibited from directly or indirectly **accepting** a gift worth more than \$100 from such a lobbyist, from a partner, firm, employer, or principal of the lobbyist, or from a political committee or vendor doing business with their agency. [Sec.112.3148, Fla. Stat.]

**However**, notwithstanding Sec. 112.3148, Fla. Stat., no Executive Branch lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] Typically, this would include gifts valued at less than \$100 that formerly

were permitted under Section 112.3148, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

Also, persons required to file Form 1 or Form 6, and state procurement employees and members of their immediate families, are prohibited from accepting any gift from a political committee. [Sec. 112.31485, Fla. Stat.]

2. *Unauthorized Compensation*

Public officers or employees, local government attorneys, and their spouses and minor children are prohibited from accepting any compensation, payment, or thing of value when they know, or with the exercise of reasonable care should know, that it is given to influence a vote or other official action. [Sec. 112.313(4), Fla. Stat.]

3. *Misuse of Public Position*

Public officers and employees, and local government attorneys are prohibited from corruptly using or attempting to use their official positions or the resources thereof to obtain a special privilege or benefit for themselves or others. [Sec. 112.313(6), Fla. Stat.]

4. *Abuse of Public Position*

Public officers and employees are prohibited from abusing their public positions in order to obtain a disproportionate benefit for themselves or certain others. [Article II, Section 8(h), Florida Constitution.]

5. *Disclosure or Use of Certain Information*

Public officers and employees and local government attorneys are prohibited from disclosing or using information not available to the public and obtained by reason of their public position, for the personal benefit of themselves or others. [Sec. 112.313(8), Fla. Stat.]

6. *Solicitation or Acceptance of Honoraria*

Persons required to file financial disclosure FORM 1 or FORM 6 (see Part III F of this brochure), and state procurement employees, are prohibited from **soliciting** honoraria related to their public offices or duties. [Sec. 112.3149, Fla. Stat.]

Persons required to file FORM 1 or FORM 6, and state procurement employees, are prohibited from knowingly **accepting** an honorarium from a political committee, lobbyist who has lobbied the person's agency within the past 12 months, or the partner, firm, employer, or principal of such a lobbyist, or from a vendor doing business with the official's agency. However, they may accept the payment of expenses related to an honorarium event from such individuals or entities, provided that the expenses are disclosed. See Part III F of this brochure. [Sec. 112.3149, Fla. Stat.]

Lobbyists and their partners, firms, employers, and principals, as well as political committees and vendors, are prohibited from **giving** an honorarium to persons required to file FORM 1 or FORM 6 and to state procurement employees. Violations of this law may result in fines of up to \$5,000 and prohibitions against lobbying for up to two years. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no Executive Branch or legislative lobbyist or principal shall make, directly or indirectly, and no Executive Branch agency official who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.] This may include honorarium event related expenses that formerly were permitted under Sec. 112.3149, Fla. Stat. Similar rules apply to members and employees of the Legislature. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.]

**B. PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS**

1. *Doing Business With One's Agency*

- a) A public employee acting as a purchasing agent, or public officer acting in an official capacity, is prohibited from purchasing, renting, or leasing any realty, goods, or

services for his or her agency from a business entity in which the officer or employee or his or her spouse or child owns more than a 5% interest. [Sec. 112.313(3), Fla. Stat.]

- b) A public officer or employee, acting in a private capacity, also is prohibited from renting, leasing, or selling any realty, goods, or services to his or her own agency if the officer or employee is a state officer or employee, or, if he or she is an officer or employee of a political subdivision, to that subdivision or any of its agencies. [Sec. 112.313(3), Fla. Stat.]

2. *Conflicting Employment or Contractual Relationship*

- a) A public officer or employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with his or her public agency. [Sec. 112.313(7), Fla. Stat.]
- b) A public officer or employee also is prohibited from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the official's private interests and public duties or which will impede the full and faithful discharge of the official's public duties. [Sec. 112.313(7), Fla. Stat.]
- c) Limited exceptions to this prohibition have been created in the law for legislative bodies, certain special tax districts, drainage districts, and persons whose professions or occupations qualify them to hold their public positions. [Sec. 112.313(7)(a) and (b), Fla. Stat.]

3. *Exemptions*—Pursuant to Sec. 112.313(12), Fla. Stat., the prohibitions against doing business with one's agency and having conflicting employment may not apply:

- a) When the business is rotated among all qualified suppliers in a city or county.
- b) When the business is awarded by sealed, competitive bidding and neither the official nor his or her spouse or child have attempted to persuade agency personnel to enter

the contract. NOTE: Disclosure of the interest of the official, spouse, or child and the nature of the business must be filed prior to or at the time of submission of the bid on Commission FORM 3A with the Commission on Ethics or Supervisor of Elections, depending on whether the official serves at the state or local level.

- c) When the purchase or sale is for legal advertising, utilities service, or for passage on a common carrier.
- d) When an emergency purchase must be made to protect the public health, safety, or welfare.
- e) When the business entity is the only source of supply within the political subdivision and there is full disclosure of the official's interest to the governing body on Commission FORM 4A.
- f) When the aggregate of any such transactions does not exceed \$500 in a calendar year.
- g) When the business transacted is the deposit of agency funds in a bank of which a county, city, or district official is an officer, director, or stockholder, so long as agency records show that the governing body has determined that the member did not favor his or her bank over other qualified banks.
- h) When the prohibitions are waived in the case of ADVISORY BOARD MEMBERS by the appointing person or by a two-thirds vote of the appointing body (after disclosure on Commission FORM 4A).
- i) When the public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.
- j) When the public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency where the price and terms of the transaction are available to similarly situated members of

the general public and the officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

4. *Additional Exemptions*

No elected public officer is in violation of the conflicting employment prohibition when employed by a tax exempt organization contracting with his or her agency so long as the officer is not directly or indirectly compensated as a result of the contract, does not participate in any way in the decision to enter into the contract, abstains from voting on any matter involving the employer, and makes certain disclosures. [Sec. 112.313(15), Fla. Stat.]

5. *Legislators Lobbying State Agencies*

A member of the Legislature is prohibited from representing another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals. [Art. II, Sec. 8(e), Fla. Const., and Sec. 112.313(9), Fla. Stat.]

6. *Additional Lobbying Restrictions for Certain Public Officers and Employees*

A statewide elected officer; a member of the legislature; a county commissioner; a county officer pursuant to Article VIII or county charter; a school board member; a superintendent of schools; an elected municipal officer; an elected special district officer in a special district with ad valorem taxing authority; or a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the federal government, the legislature, any state government body or agency, or any political subdivision of this state, during his or her term of office. [Art. II Sec 8(f)(2), Fla. Const. and Sec. 112.3121, Fla. Stat.]

7. *Employees Holding Office*

A public employee is prohibited from being a member of the governing body which serves as his or her employer. [Sec. 112.313(10), Fla. Stat.]

8. *Professional and Occupational Licensing Board Members*

An officer, director, or administrator of a state, county, or regional professional or occupational organization or association, while holding such position, may not serve as a member of a state examining or licensing board for the profession or occupation. [Sec. 112.313(11), Fla. Stat.]

9. *Contractual Services: Prohibited Employment*

A state employee of the executive or judicial branch who participates in the decision-making process involving a purchase request, who influences the content of any specification or procurement standard, or who renders advice, investigation, or auditing, regarding his or her agency's contract for services, is prohibited from being employed with a person holding such a contract with his or her agency. [Sec. 112.3185(2), Fla. Stat.]

10. *Local Government Attorneys*

Local government attorneys, such as the city attorney or county attorney, and their law firms are prohibited from representing private individuals and entities before the unit of local government which they serve. A local government attorney cannot recommend or otherwise refer to his or her firm legal work involving the local government unit unless the attorney's contract authorizes or mandates the use of that firm. [Sec. 112.313(16), Fla. Stat.]

11. *Dual Public Employment*

Candidates and elected officers are prohibited from accepting public employment if they know or should know it is being offered for the purpose of influence. Further, public employment may not be accepted unless the position was already in existence or was created without the anticipation of the official's interest, was publicly advertised, and the officer had to meet the same qualifications and go through the same hiring process as other applicants. For elected public officers already holding public employment, no promotion given for the purpose of influence may be accepted, nor may promotions that are inconsistent with those given other similarly situated employees. [Sec. 112.3125, Fla. Stat.]



**C. RESTRICTIONS ON APPOINTING, EMPLOYING, AND CONTRACTING WITH RELATIVES**

*1. Anti-Nepotism Law*

A public official is prohibited from seeking for a relative any appointment, employment, promotion, or advancement in the agency in which he or she is serving or over which the official exercises jurisdiction or control. No person may be appointed, employed, promoted, or advanced in or to a position in an agency if such action has been advocated by a related public official who is serving in or exercising jurisdiction or control over the agency; this includes relatives of members of collegial government bodies. NOTE: This prohibition does not apply to school districts (except as provided in Sec. 1012.23, Fla. Stat.), community colleges and state universities, or to appointments of boards, other than those with land-planning or zoning responsibilities, in municipalities of fewer than 35,000 residents. Also, the approval of budgets does not constitute “jurisdiction or control” for the purposes of this prohibition. This provision does not apply to volunteer emergency medical, firefighting, or police service providers. [Sec. 112.3135, Fla. Stat.]

*2. Additional Restrictions*

A state employee of the executive or judicial branch or the PSC is prohibited from directly or indirectly procuring contractual services for his or her agency from a business entity of which a relative is an officer, partner, director, or proprietor, or in which the employee, or his or her spouse, or children own more than a 5% interest. [Sec. 112.3185(6), Fla. Stat.]

**D. POST OFFICE HOLDING AND EMPLOYMENT (REVOLVING DOOR) RESTRICTIONS**

*1. Lobbying by Former Legislators, Statewide Elected Officers, and Appointed State Officers*

A member of the Legislature or a statewide elected or appointed state official is prohibited for two years following vacation of office from representing another person or entity for compensation before the government body or agency of which the individual was an officer or member. Former members of the Legislature are also prohibited for two years from lobbying the executive branch. [Art. II, Sec. 8(e), Fla. Const. and Sec. 112.313(9), Fla. Stat.]

## 2. *Lobbying by Former State Employees*

Certain employees of the executive and legislative branches of state government are prohibited from personally representing another person or entity for compensation before the agency with which they were employed for a period of two years after leaving their positions, unless employed by another agency of state government. [Sec. 112.313(9), Fla. Stat.] These employees include the following:

- a) Executive and legislative branch employees serving in the Senior Management Service and Selected Exempt Service, as well as any person employed by the Department of the Lottery having authority over policy or procurement.
- b) serving in the following position classifications: the Auditor General; the director of the Office of Program Policy Analysis and Government Accountability (OPPAGA); the Sergeant at Arms and Secretary of the Senate; the Sergeant at Arms and Clerk of the House of Representatives; the executive director and deputy executive director of the Commission on Ethics; an executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, legislative analyst, or attorney serving in the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, the Senate Minority Party Office, the House Majority Party Office, or the House Minority Party Office; the Chancellor and Vice-Chancellors of the State University System; the general counsel to the Board of Regents; the president, vice presidents, and deans of each state university; any person hired on a contractual basis and having the power normally conferred upon such persons, by whatever title; and any person having the power normally conferred upon the above positions.

This prohibition does not apply to a person who was employed by the Legislature or other agency prior to July 1, 1989; who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994; or who reached normal retirement age and retired by July 1, 1991. It does apply to OPS employees.

PENALTIES: Persons found in violation of this section are subject to the penalties contained in the Code (see PENALTIES, Part V) as well as a civil penalty in an amount equal to the compensation which the person received for the prohibited conduct. [Sec. 112.313(9)(a)5, Fla. Stat.]

3. *6-Year Lobbying Ban*

For a period of six years after vacation of public position occurring on or after December 31, 2022, a statewide elected officer or member of the legislature shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature or any state government body or agency. [Art. II Sec 8(f)(3)a., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a person serving as a secretary, an executive director, or other agency head of a department of the executive branch of state government shall not lobby for compensation on issues of policy, appropriations, or procurement before the legislature, the governor, the executive office of the governor, members of the cabinet, a department that is headed by a member of the cabinet, or his or her former department. [Art. II Sec 8(f)(3)b., Fla. Const. and Sec. 112.3121, Fla. Stat.]

For a period of six years after vacation of public position occurring on or after December 31, 2022, a county commissioner, a county officer pursuant to Article VIII or county charter, a school board member, a superintendent of schools, an elected municipal officer, or an elected special district officer in a special district with ad valorem taxing authority shall not lobby for compensation on issues of policy, appropriations, or procurement before his or her former agency or governing body. [Art. II Sec 8(f)(3)c., Fla. Const. and Sec. 112.3121, Fla. Stat.]

4. *Additional Restrictions on Former State Employees*

A former executive or judicial branch employee or PSC employee is prohibited from having employment or a contractual relationship, at any time after retirement or termination of employment, with any business entity (other than a public agency) in connection with a contract in which the employee participated personally and substantially by recommendation or decision while a public employee. [Sec. 112.3185(3), Fla. Stat.]

A former executive or judicial branch employee or PSC employee who has retired or terminated employment is prohibited from having any employment or contractual relationship for two years with any business entity (other than a public agency) in connection with a contract for services which was within his or her responsibility while serving as a state employee. [Sec.112.3185(4), Fla. Stat.]

Unless waived by the agency head, a former executive or judicial branch employee or PSC employee may not be paid more for contractual services provided by him or her to the former agency during the first year after leaving the agency than his or her annual salary before leaving. [Sec. 112.3185(5), Fla. Stat.]

These prohibitions do not apply to PSC employees who were so employed on or before Dec. 31, 1994.

5. *Lobbying by Former Local Government Officers and Employees*

A person elected to county, municipal, school district, or special district office is prohibited from representing another person or entity for compensation before the government body or agency of which he or she was an officer for two years after leaving office. Appointed officers and employees of counties, municipalities, school districts, and special districts may be subject to a similar restriction by local ordinance or resolution. [Sec. 112.313(13) and (14), Fla. Stat.]

**E. VOTING CONFLICTS OF INTEREST**

State public officers are prohibited from voting in an official capacity on any measure which they know would inure to their own special private gain or loss. A state public officer who abstains, or who votes on a measure which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, must make every reasonable effort to file a memorandum of voting conflict with the recording secretary in advance of the vote. If that is not possible, it must be filed within 15 days after the vote occurs. The memorandum must disclose the nature of the officer's interest in the matter.

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer knows would inure to the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter. However, members of community redevelopment agencies and district officers elected on a one-acre, one-vote basis are not required to abstain when voting in that capacity.

No appointed state or local officer shall participate in any matter which would inure to the officer's special private gain or loss, the special private gain or loss of any principal by whom he or she is retained, of the parent organization or subsidiary or sibling of a corporate principal by which he or she is retained, of a relative, or of a business associate, without first disclosing the nature of his or her interest in the matter. The memorandum of voting conflict (Commission Form 8A or 8B) must be filed with the meeting's recording officer, be provided to the other members of the agency, and be read publicly at the next meeting.

If the conflict is unknown or not disclosed prior to the meeting, the appointed official must orally disclose the conflict at the meeting when the conflict becomes known. Also, a written memorandum of voting conflict must be filed with the meeting's recording officer within 15 days of the disclosure being made and must be provided to the other members of the agency, with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

## **F. DISCLOSURES**

Conflicts of interest may occur when public officials are in a position to make decisions that affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

All public officials and candidates do not file the same degree of disclosure; nor do they all file at the same time or place. Thus, care must be taken to determine which disclosure forms a particular official or candidate is required to file.

The following forms are described below to set forth the requirements of the various disclosures and the steps for correctly providing the information in a timely manner.

1. *FORM 1 - Limited Financial Disclosure*

Who Must File:

Persons required to file FORM 1 include all state officers, local officers, candidates for local elective office, and specified state employees as defined below (other than those officers who are required by law to file FORM 6).

STATE OFFICERS include:

- 1) Elected public officials not serving in a political subdivision of the state and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies; but including judicial nominating commission members; directors of Enterprise Florida, Scripps Florida Funding Corporation, and CareerSource Florida, and members of the Council on the Social Status of Black Men and Boys; the Executive Director, governors, and senior managers of Citizens Property Insurance Corporation; governors and senior managers of Florida Workers' Compensation Joint Underwriting Association, board members of the Northeast Florida Regional Transportation Commission, and members of the board of Triumph Gulf Coast, Inc.; members of the board of Florida is

for Veterans, Inc.; and members of the Technology Advisory Council within the Agency for State Technology.

- 3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, local boards of trustees and presidents of state universities, and members of the Florida Prepaid College Board.

LOCAL OFFICERS include:

- 1) Persons elected to office in any political subdivision (such as municipalities, counties, and special districts) and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6.
- 2) Appointed members of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision: the governing body of the subdivision; a community college or junior college district board of trustees; a board having the power to enforce local code provisions; a planning or zoning board, board of adjustments or appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and similar groups who only have the power to make recommendations to planning or zoning boards, except for representatives of a military installation acting on behalf of all military installations within that jurisdiction; a pension board or retirement board empowered to invest pension or retirement funds or to determine entitlement to or amount of a pension or other retirement benefit.
- 3) Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.
- 4) Persons holding any of these positions in local government: county or city manager; chief administrative employee or finance director of a county, municipality, or other

political subdivision; county or municipal attorney; chief county or municipal building inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; appointed district school superintendent; community college president; district medical examiner; purchasing agent (regardless of title) having the authority to make any purchase exceeding \$35,000 for the local governmental unit.

- 5) Members of governing boards of charter schools operated by a city or other public entity.
- 6) The officers, directors, and chief executive officer of a corporation, partnership, or other business entity that is serving as the chief administrative or executive officer or employee of a political subdivision, and any business entity employee who is acting as the chief administrative or executive officer or employee of the political subdivision. [Sec. 112.3136, Fla. Stat.]

SPECIFIED STATE EMPLOYEE includes:

- 1) Employees in the Office of the Governor or of a Cabinet member who are exempt from the Career Service System, excluding secretarial, clerical, and similar positions.
- 2) The following positions in each state department, commission, board, or council: secretary or state surgeon general, assistant or deputy secretary, executive director, assistant or deputy executive director, and anyone having the power normally conferred upon such persons, regardless of title.
- 3) The following positions in each state department or division: director, assistant or deputy director, bureau chief, assistant bureau chief, and any person having the power normally conferred upon such persons, regardless of title.



- 4) Assistant state attorneys, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, public counsel, full-time state employees serving as counsel or assistant counsel to a state agency, judges of compensation claims, administrative law judges, and hearing officers.
- 5) The superintendent or director of a state mental health institute established for training and research in the mental health field, or any major state institution or facility established for corrections, training, treatment, or rehabilitation.
- 6) State agency business managers, finance and accounting directors, personnel officers, grant coordinators, and purchasing agents (regardless of title) with power to make a purchase exceeding \$35,000.
- 7) The following positions in legislative branch agencies: each employee (other than those employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house); and each employee of the Commission on Ethics.

**What Must Be Disclosed:**

FORM 1 requirements are set forth fully on the form. In general, this includes the reporting person's sources and types of financial interests, such as the names of employers and addresses of real property holdings. NO DOLLAR VALUES ARE REQUIRED TO BE LISTED. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

**When to File:**

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

STATE and LOCAL OFFICERS and SPECIFIED STATE EMPLOYEES are required to file disclosure by July 1 of each year. They also must file within thirty days from the date of appointment or the beginning of employment. Those appointees requiring Senate confirmation must file prior to confirmation.

Where to File:

File with the Commission on Ethics. [Sec. 112.3145, Fla. Stat.]

Beginning January 1, 2024, all Form 1 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name or organization on the Commission's website.

2. *FORM 1F - Final Form 1 Limited Financial Disclosure*

FORM 1F is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 1 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

3. *FORM 2 - Quarterly Client Disclosure*

The state officers, local officers, and specified state employees listed above, as well as elected constitutional officers, must file a FORM 2 if they or a partner or associate of their professional firm represent a client for compensation before an agency at their level of government.

A FORM 2 disclosure includes the names of clients represented by the reporting person or by any partner or associate of his or her professional firm for a fee or commission before agencies at the reporting person's level of government. Such representations do not include appearances in ministerial matters, appearances before judges of compensation claims, or representations on behalf of one's agency in one's official capacity. Nor does the term include the preparation and filing of forms and applications merely for the purpose of obtaining or transferring a license, so long as the

issuance of the license does not require a variance, special consideration, or a certificate of public convenience and necessity.

#### When to File:

This disclosure should be filed quarterly, by the end of the calendar quarter following the calendar quarter during which a reportable representation was made. FORM 2 need not be filed merely to indicate that no reportable representations occurred during the preceding quarter; it should be filed ONLY when reportable representations were made during the quarter.

#### Where To File:

File with the Commission on Ethics. [Sec. 112.3145(4), Fla. Stat.]

Beginning January 1, 2024, all Form 2 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable on the Commission's website.

#### 4. *FORM 6 - Full and Public Disclosure*

#### Who Must File:

Persons required by law to file FORM 6 include all elected constitutional officers and candidates for such office; the mayor and members of a city council and candidates for these offices; the Duval County Superintendent of Schools; judges of compensation claims (pursuant to Sec. 440.442, Fla. Stat.); members of the Florida Housing Finance Corporation Board and members of expressway authorities, transportation authorities (except the Jacksonville Transportation Authority), bridge authority, or toll authorities created pursuant to Ch. 348 or 343, or 349, or other general law.

## What Must be Disclosed:

FORM 6 is a detailed disclosure of assets, liabilities, and sources of income over \$1,000 and their values, as well as net worth. Officials may opt to file their most recent income tax return in lieu of listing sources of income but still must disclose their assets, liabilities, and net worth. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.

## When and Where To File:

Officials must file FORM 6 annually by July 1 with the Commission on Ethics.

Beginning January 1, 2023, all Form 6 disclosures must be filed electronically through the Commission's electronic filing system. These disclosures will be published and searchable by name and organization on the Commission's website.

CANDIDATES who do not currently hold a position requiring the filing of a Form 1 or Form 6 must register and use the electronic filing system to complete the Form 6, then print and file the disclosure with the officer before whom they qualify at the time of qualifying. [Art. II, Sec. 8(a) and (i), Fla. Const., and Sec. 112.3144, Fla. Stat.]

### 5. *FORM 6F - Final Form 6 Full and Public Disclosure*

This is the disclosure form required to be filed within 60 days after a public officer or employee required to file FORM 6 leaves his or her public position. The form covers the disclosure period between January 1 and the last day of office or employment within that year.

### 6. *FORM 9 - Quarterly Gift Disclosure*

Each person required to file FORM 1 or FORM 6, and each state procurement employee, must file a FORM 9, Quarterly Gift Disclosure, with the Commission on Ethics on the last day of any calendar quarter following the calendar quarter in which he or she received a gift worth more than \$100, other

than gifts from relatives, gifts prohibited from being accepted, gifts primarily associated with his or her business or employment, and gifts otherwise required to be disclosed. FORM 9 NEED NOT BE FILED if no such gift was received during the calendar quarter.

Information to be disclosed includes a description of the gift and its value, the name and address of the donor, the date of the gift, and a copy of any receipt for the gift provided by the donor. [Sec. 112.3148, Fla. Stat.]

7. *FORM 10 - Annual Disclosure of Gifts from Government Agencies and Direct-Support Organizations and Honorarium Event Related Expenses*

State government entities, airport authorities, counties, municipalities, school boards, water management districts, and the South Florida Regional Transportation Authority, may give a gift worth more than \$100 to a person required to file FORM 1 or FORM 6, and to state procurement employees, if a public purpose can be shown for the gift. Also, a direct-support organization for a governmental entity may give such a gift to a person who is an officer or employee of that entity. These gifts are to be reported on FORM 10, to be filed by July 1.

The governmental entity or direct-support organization giving the gift must provide the officer or employee with a statement about the gift no later than March 1 of the following year. The officer or employee then must disclose this information by filing a statement by July 1 with his or her annual financial disclosure that describes the gift and lists the donor, the date of the gift, and the value of the total gifts provided during the calendar year. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3148, Fla. Stat.]

In addition, a person required to file FORM 1 or FORM 6, or a state procurement employee, who receives expenses or payment of expenses related to an honorarium event from someone who is prohibited from giving him or her an honorarium, must disclose annually the name, address, and affiliation of the donor, the amount of the expenses, the date of the event, a description of the expenses paid or provided, and the total value of the expenses on FORM 10. The donor paying the expenses must provide the officer or employee with a statement about the expenses within 60 days of the honorarium event.

The disclosure must be filed by July 1, for expenses received during the previous calendar year, with the officer's or employee's FORM 1 or FORM 6. State procurement employees file their statements with the Commission on Ethics. [Sec. 112.3149, Fla. Stat.]

However, notwithstanding Sec. 112.3149, Fla. Stat., no executive branch or legislative lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts or honorarium event related expenses that formerly were permitted under Sections 112.3148 and 112.3149. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts, which include anything not primarily related to political activities authorized under ch. 106, are prohibited from political committees. [Sec. 112.31485 Fla. Stat.]

#### *8. FORM 30 - Donor's Quarterly Gift Disclosure*

As mentioned above, the following persons and entities generally are prohibited from giving a gift worth more than \$100 to a reporting individual (a person required to file FORM 1 or FORM 6) or to a state procurement employee: a political committee; a lobbyist who lobbies the reporting individual's or procurement employee's agency, and the partner, firm, employer, or principal of such a lobbyist; and vendors. If such person or entity makes a gift worth between \$25 and \$100 to a reporting individual or state procurement employee (that is not accepted in behalf of a governmental entity or charitable organization), the gift should be reported on FORM 30. The donor also must notify the recipient at the time the gift is made that it will be reported.

The FORM 30 should be filed by the last day of the calendar quarter following the calendar quarter in which the gift was made. If the gift was made to an individual in the legislative branch, FORM 30 should be filed with the Lobbyist Registrar. [See page 35 for address.] If the gift was to any other reporting individual or state procurement employee, FORM 30 should be filed with the Commission on Ethics.

However, notwithstanding Section 112.3148, Fla. Stat., no executive branch lobbyist or principal shall make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 shall knowingly accept, directly or indirectly, any expenditure made for the purpose of lobbying. This may include gifts that formerly were permitted under Section 112.3148. [Sec. 112.3215, Fla. Stat.] Similar prohibitions apply to legislative officials and employees. However, these laws are not administered by the Commission on Ethics. [Sec. 11.045, Fla. Stat.] In addition, gifts from political committees are prohibited. [Sec. 112.31485, Fla. Stat.]

9. *FORM 1X AND FORM 6X - Amendments to Form 1 and Form 6*

These forms are provided for officers or employees to amend their previously filed Form 1 or Form 6.

#### **IV. AVAILABILITY OF FORMS**

Beginning January 1, 2024, LOCAL OFFICERS and EMPLOYEES, and OTHER STATE OFFICERS, and SPECIFIED STATE EMPLOYEES who must file FORM 1 annually must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

ELECTED CONSTITUTIONAL OFFICERS and other officials who must file Form 6 annually, including City Commissioners and Mayors, must file electronically via the Commission's Electronic Financial Disclosure Management System (EFDMS). Paper forms will not be promulgated. Communications regarding the annual filing requirement will be sent via email to filers no later than June 1. Filers must maintain an updated email address in their User Profile in EFDMS.

## V. PENALTIES

### A. *Non-criminal Penalties for Violation of the Sunshine Amendment and the Code of Ethics*

There are no criminal penalties for violation of the Sunshine Amendment and the Code of Ethics. Penalties for violation of these laws may include: impeachment, removal from office or employment, suspension, public censure, reprimand, demotion, reduction in salary level, forfeiture of no more than one-third salary per month for no more than twelve months, a civil penalty not to exceed \$10,000\*, and restitution of any pecuniary benefits received, and triple the value of a gift from a political committee.

### B. *Penalties for Candidates*

CANDIDATES for public office who are found in violation of the Sunshine Amendment or the Code of Ethics may be subject to one or more of the following penalties: disqualification from being on the ballot, public censure, reprimand, or a civil penalty not to exceed \$10,000\*, and triple the value of a gift received from a political committee.

### C. *Penalties for Former Officers and Employees*

FORMER PUBLIC OFFICERS or EMPLOYEES who are found in violation of a provision applicable to former officers or employees or whose violation occurred prior to such officer's or employee's leaving public office or employment may be subject to one or more of the following penalties: public censure and reprimand, a civil penalty not to exceed \$10,000\*, and restitution of any pecuniary benefits received, and triple the value of a gift received from a political committee.

\*Conduct occurring after May 11, 2023, will be subject to a recommended civil penalty of up to \$20,000. [Ch. 2023-49, Laws of Florida.]



*D. Penalties for Lobbyists and Others*

An executive branch lobbyist who has failed to comply with the Executive Branch Lobbying Registration law (see Part VIII) may be fined up to \$5,000, reprimanded, censured, or prohibited from lobbying executive branch agencies for up to two years. Lobbyists, their employers, principals, partners, and firms, and political committees and committees of continuous existence who give a prohibited gift or honorarium or fail to comply with the gift reporting requirements for gifts worth between \$25 and \$100, may be penalized by a fine of not more than \$5,000 and a prohibition on lobbying, or employing a lobbyist to lobby, before the agency of the public officer or employee to whom the gift was given for up to two years. Any agent or person acting on behalf of a political committee giving a prohibited gift is personally liable for a civil penalty of up to triple the value of the gift.

Executive Branch lobbying firms that fail to timely file their quarterly compensation reports may be fined \$50 per day per report for each day the report is late, up to a maximum fine of \$5,000 per report.

*E. Felony Convictions: Forfeiture of Retirement Benefits*

Public officers and employees are subject to forfeiture of all rights and benefits under the retirement system to which they belong if convicted of certain offenses. The offenses include embezzlement or theft of public funds; bribery; felonies specified in Chapter 838, Florida Statutes; impeachable offenses; and felonies committed with intent to defraud the public or their public agency. [Sec. 112.3173, Fla. Stat.]

*F. Automatic Penalties for Failure to File Annual Disclosure*

Public officers and employees required to file either Form 1 or Form 6 annual financial disclosure are subject to automatic fines of \$25 for each day late the form is filed after September 1, up to a maximum penalty of \$1,500. [Sec. 112.3144 and 112.3145, Fla. Stat.]

## VI. ADVISORY OPINIONS

Conflicts of interest may be avoided by greater awareness of the ethics laws on the part of public officials and employees through advisory assistance from the Commission on Ethics.

### A. *Who Can Request an Opinion*

Any public officer, candidate for public office, or public employee in Florida who is in doubt about the applicability of the standards of conduct or disclosure laws to himself or herself, or anyone who has the power to hire or terminate another public employee, may seek an advisory opinion from the Commission about himself or herself or that employee.

### B. *How to Request an Opinion*

Opinions may be requested by letter presenting a question based on a real situation and including a detailed description of the situation. Opinions are issued by the Commission and are binding on the conduct of the person who is the subject of the opinion, unless material facts were omitted or misstated in the request for the opinion. Published opinions will not bear the name of the persons involved unless they consent to the use of their names; however, the request and all information pertaining to it is a public record, made available to the Commission and to members of the public in advance of the Commission's consideration of the question.

### C. *How to Obtain Published Opinions*

All of the Commission's opinions are available for viewing or download at its website:  
[www.ethics.state.fl.us](http://www.ethics.state.fl.us).

## VII. COMPLAINTS

### A. *Citizen Involvement*

The Commission on Ethics cannot conduct investigations of alleged violations of the Sunshine Amendment or the Code of Ethics unless a person files a sworn complaint with the Commission alleging such violation has occurred, or a referral is received, as discussed below.

If you have knowledge that a person in government has violated the standards of conduct or disclosure laws described above, you may report these violations to the Commission by filing a sworn complaint on the form prescribed by the Commission and available for download at [www.ethics.state.fl.us](http://www.ethics.state.fl.us). The Commission is unable to take action based on learning of such misdeeds through newspaper reports, telephone calls, or letters.

You can download a complaint form (FORM 50) from the Commission's website: [www.ethics.state.fl.us](http://www.ethics.state.fl.us), or contact the Commission office at the address or phone number shown on the inside front cover of this booklet.

### B. *Referrals*

The Commission may accept referrals from: the Governor, the Florida Department of Law Enforcement, a State Attorney, or a U.S. Attorney. A vote of six of the Commission's nine members is required to proceed on such a referral.

### C. *Confidentiality*

The complaint or referral, as well as all proceedings and records relating thereto, is confidential until the accused requests that such records be made public or until the matter reaches a stage in the Commission's proceedings where it becomes public. This means that unless the Commission receives a written waiver of confidentiality from the accused, the Commission is not free to release any documents or to comment on a complaint or referral to members of the public or press, so long as the complaint or referral remains in a confidential stage.

A COMPLAINT OR REFERRAL MAY NOT BE FILED WITH RESPECT TO A CANDIDATE ON THE DAY OF THE ELECTION, OR WITHIN THE 30 CALENDAR DAYS PRECEDING THE ELECTION DATE, UNLESS IT IS BASED ON PERSONAL INFORMATION OR INFORMATION OTHER THAN HEARSAY.

*D. How the Complaint Process Works*

Complaints which allege a matter within the Commission's jurisdiction are assigned a tracking number and Commission staff forwards a copy of the original sworn complaint to the accused within five working days of its receipt. Any subsequent sworn amendments to the complaint also are transmitted within five working days of their receipt.

Once a complaint is filed, it goes through three procedural stages under the Commission's rules. The first stage is a determination of whether the allegations of the complaint are legally sufficient: that is, whether they indicate a possible violation of any law over which the Commission has jurisdiction. If the complaint is found not to be legally sufficient, the Commission will order that the complaint be dismissed without investigation, and all records relating to the complaint will become public at that time.

In cases of very minor financial disclosure violations, the official will be allowed an opportunity to correct or amend his or her disclosure form. Otherwise, if the complaint is found to be legally sufficient, a preliminary investigation will be undertaken by the investigative staff of the Commission. The second stage of the Commission's proceedings involves this preliminary investigation and a decision by the Commission as to whether there is probable cause to believe that there has been a violation of any of the ethics laws. If the Commission finds no probable cause to believe there has been a violation of the ethics laws, the complaint will be dismissed and will become a matter of public record. If the Commission finds probable cause to believe there has been a violation of the ethics laws, the complaint becomes public and usually enters the third stage of proceedings. This stage requires the Commission to decide whether the law was actually violated and, if so, whether a penalty should be recommended. At this stage, the accused has the right to request a public hearing (trial) at which evidence is presented, or the Commission may order that such a hearing be held. Public hearings usually are held in or near the area where the alleged violation occurred.

When the Commission concludes that a violation has been committed, it issues a public report of its findings and may recommend one or more penalties to the appropriate disciplinary body or official.

When the Commission determines that a person has filed a complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations, the complainant will be liable for costs plus reasonable attorney's fees incurred by the person complained against. The Department of Legal Affairs may bring a civil action to recover such fees and costs, if they are not paid voluntarily within 30 days.

*E. Dismissal of Complaints At Any Stage of Disposition*

The Commission may, at its discretion, dismiss any complaint at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the Commission will issue a public report stating with particularity its reasons for the dismissal. [Sec. 112.324(12), Fla. Stat.]

*F. Statute of Limitations*

All sworn complaints alleging a violation of the Sunshine Amendment or the Code of Ethics must be filed with the Commission within five years of the alleged violation or other breach of the public trust. Time starts to run on the day AFTER the violation or breach of public trust is committed. The statute of limitations is tolled on the day a sworn complaint is filed with the Commission. If a complaint is filed and the statute of limitations has run, the complaint will be dismissed. [Sec. 112.3231, Fla. Stat.]

## **VIII. EXECUTIVE BRANCH LOBBYING**

Any person who, for compensation and on behalf of another, lobbies an agency of the executive branch of state government with respect to a decision in the area of policy or procurement may be required to register as an executive branch lobbyist. Registration is required before lobbying an agency and is renewable annually. In addition, each lobbying firm must file a compensation report

with the Commission for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. As noted above, no executive branch lobbyist or principal can make, directly or indirectly, and no executive branch agency official or employee who files FORM 1 or FORM 6 can knowingly accept, directly or indirectly, **any expenditure** made for the purpose of lobbying. [Sec. 112.3215, Fla. Stat.]

Paying an executive branch lobbyist a contingency fee based upon the outcome of any specific executive branch action, and receiving such a fee, is prohibited. A violation of this prohibition is a first degree misdemeanor, and the amount received is subject to forfeiture. This does not prohibit sales people from receiving a commission. [Sec. 112.3217, Fla. Stat.]

Executive branch departments, state universities, community colleges, and water management districts are prohibited from using public funds to retain an executive branch (or legislative branch) lobbyist, although these agencies may use full-time employees as lobbyists. [Sec. 11.062, Fla. Stat.]

Online registration and filing is available at [www.floridalobbyist.gov](http://www.floridalobbyist.gov). Additional information about the executive branch lobbyist registration system may be obtained by contacting the Lobbyist Registrar at the following address:

Executive Branch Lobbyist Registration  
Room G-68, Claude Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1425  
Phone: 850/922-4990

## **IX. WHISTLE-BLOWER'S ACT**

In 1986, the Legislature enacted a "Whistle-blower's Act" to protect employees of agencies and government contractors from adverse personnel actions in retaliation for disclosing information in a sworn complaint alleging certain types of improper activities. Since then, the Legislature has revised this law to afford greater protection to these employees.

While this language is contained within the Code of Ethics, the Commission has no jurisdiction or authority to proceed against persons who violate this Act. Therefore, a person who has disclosed information alleging improper conduct governed by this law and who may suffer adverse consequences as a result should contact one or more of the following: the Office of the Chief Inspector General in the Executive Office of the Governor; the Department of Legal Affairs; the Florida Commission on Human Relations; or a private attorney. [Sec. 112.3187 - 112.31895, Fla. Stat.]

## **X. ADDITIONAL INFORMATION**

As mentioned above, we suggest that you review the language used in each law for a more detailed understanding of Florida's ethics laws. The "Sunshine Amendment" is Article II, Section 8, of the Florida Constitution. The Code of Ethics for Public Officers and Employees is contained in Part III of Chapter 112, Florida Statutes.

Additional information about the Commission's functions and interpretations of these laws may be found in Chapter 34 of the Florida Administrative Code, where the Commission's rules are published, and in The Florida Administrative Law Reports, which until 2005 published many of the Commission's final orders. The Commission's rules, orders, and opinions also are available at [www.ethics.state.fl.us](http://www.ethics.state.fl.us).

If you are a public officer or employee concerned about your obligations under these laws, the staff of the Commission will be happy to respond to oral and written inquiries by providing information about the law, the Commission's interpretations of the law, and the Commission's procedures.

## **XI. TRAINING**

Constitutional officers, elected municipal officers, commissioners of community redevelopment agencies (CRAs), and commissioners of community development districts are required to receive a total of four hours training, per calendar year, in the area of ethics, public

records, and open meetings. The Commission on Ethics does not track compliance or certify providers. Officials indicate their compliance with the training requirement when they file their annual Form 1 or Form 6.

Visit the training page on the Commission's website for up-to-date rules, opinions, audio/video training, and opportunities for live training conducted by Commission staff.



# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **3D**

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY <span style="float: right;">COUNTY</span>	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input checked="" type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION:
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a “relative” includes only the officer’s father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A “business associate” means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

\* \* \* \* \*

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

\* \* \* \* \*

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, \_\_\_\_\_, hereby disclose that on \_\_\_\_\_, 20 \_\_\_\_ :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_ ;
- inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

\_\_\_\_\_ Date Filed

\_\_\_\_\_ Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**4**

**RESOLUTION 2024-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT APPOINTING AND REMOVING OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the District’s Board of Supervisors desires to appoint and remove Officers of the District.

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

**SECTION 1.** The following is/are appointed as Officer(s) of the District effective April 1, 2024:

\_\_\_\_\_ is appointed Chair

\_\_\_\_\_ is appointed Vice Chair

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

\_\_\_\_\_ is appointed Assistant Secretary

**SECTION 2.** The following Officer(s) shall be removed as Officer(s) as of April 1, 2024:

\_\_\_\_\_

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

**SECTION 3.** The following prior appointments by the Board remain unaffected by this Resolution:

Craig Wrathell is Secretary

Kristen Suit is Assistant Secretary

Craig Wrathell is Treasurer

Jeff Pinder is Assistant Treasurer

**PASSED AND ADOPTED THIS 1ST DAY OF APRIL, 2024.**

ATTEST:

**STUART CROSSING COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**5**

*March 1, 2024*

*Supplemental Engineer's Report*



# *Stuart Crossing Community Development District*

---

*Ernest Smith Blvd , Polk County, Florida*

*Prepared for:*

*The District*

**Kimley»»Horn**

*March 1, 2024*

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**FIRST SUPPLEMENTAL ENGINEER'S REPORT FOR THE  
STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT  
March 2024**

**1. PURPOSE**

This report supplements the *Engineer's Report*, dated July 22, 2022 ("**Master Report**") in order to address the first phase of the District's CIP to be known as the "**2024 Project**" a/k/a "**Assessment Area One Project.**" All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Master Report.

**2. 2024 PROJECT**

The District's 2024 Project includes the portion of the CIP that is necessary for the development of what is known as "Phase 1" (together, "**Assessment Area One**") of the District. A legal description and sketch for Assessment Area One are shown in **Exhibit A**.

**Product Mix**

The table below shows the product types that will be part of the 2024 Project:

**PRODUCT TYPES FOR 2024 PROJECT**

<b>Product Type</b>	<b>2024 Project / Assessment Area One Units</b>
SF 40'	77
SF 50'	107
SF 60'	55
<b>TOTAL</b>	<b>239</b>

**List of 2024 Project Improvements**

The various improvements that are part of the overall CIP – including those that are part of the 2024 Project – are described in detail in the Master Report, and those descriptions are incorporated herein. The 2024 Project includes, generally stated, the following items relating to Assessment Area One: public roadways, stormwater management, utilities, hardscape/landscape/irrigation, amenities, conservation, the differential cost of undergrounding electrical conduit, soft costs, etc. Also, the 2024 Project includes the development of 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. 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. 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. 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. 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.

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.

**Permits**

The status of the applicable permits necessary for the 2024 Project is as shown below. All permits and approvals necessary for the development of the 2024 Project have been obtained or are reasonably expected to be obtained in due course.

**PERMIT TABLE FOR 2024 PROJECT**

<b>Permits Required for 2024 Project</b>	<b>Status</b>
City of Bartow	Issued 2023
Polk County	Issued 2023
Southwest Florida Water Management District	Issued 2022
Federal Emergency Management Agency	Pending Grading
Florida Department of Environmental Protection	Issued 2023
Florida Department of Health	Issued 2023

**Estimated Costs / Benefits**

The table below shows the costs that are necessary for delivery of the Assessment Area One lots for the 2024 Project, which includes the roads, utilities, and other improvements specific to Assessment Area One as well as "master" improvements as described above.

### ESTIMATED COSTS OF DELIVERING THE 2024 PROJECT

Improvement	2024 Project Estimated Cost	Operation & Maintenance Entity
Stormwater System	\$4,100,000	CDD
On-Site Roadways	\$3,600,000	CDD
Utilities (Water, Sewer)	\$3,300,000	City
Undergrounding of Electric Conduit	\$150,000	CDD
Landscape/Hardscape/Irrigation	\$250,000	CDD
Recreational Amenities	\$4,500,000	CDD or Developer
Off-Site Improvements	\$1,000,000	City
Professional Fees	\$750,000	n/a
Contingency	\$1,000,000	As above
<b>TOTAL</b>	<b>\$18,650,000</b>	

- a. The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated CDD expenditures that may be incurred.
- b. The developer reserves the right to finance any of the improvements outlined above, and have such improvements owned and maintained by a property owner's or homeowner's association, in which case such items would not be part of the CIP.
- c. The District may enter into an agreement with a third-party, or an applicable property owner's or homeowner's association, to maintain any District-owned improvements, subject to the approval of the District's bond counsel.
- d. Because the CIP is a system of improvements, future bonds, secured by special assessments levied on lands outside of the 2024 Project area, may be issued to finance certain master improvements that were constructed as part of the 2024 Project.

### 3. CONCLUSION

The 2024 Project will be designed in accordance with current governmental regulations and requirements. The 2024 Project 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 2024 Project as set forth herein is reasonable based on prices currently being experienced in the jurisdiction in which the District is located, and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- all of the improvements comprising the 2024 Project are required by applicable development approvals issued pursuant to Section 380.06, Florida Statutes;
- the 2024 Project is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the 2024 Project, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course; and
- the assessable property within Assessment Area One of the District will receive a special benefit from the 2024 Project that is at least equal to the costs of the 2024 Project.

As described above, this report identifies the benefits from the 2024 Project to the lands within Assessment Area One of the District. The general public, property owners, and property outside



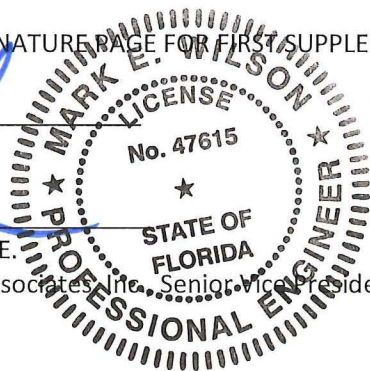
Assessment Area One of the District will benefit from the provisions of the 2024 Project; however, these are incidental to the 2024 Project, which is designed solely to provide special benefits peculiar to property within Assessment Area One of the District. Special and peculiar benefits accrue to property within Assessment Area One of the District and enable properties within its boundaries to be developed.

The 2024 Project will be owned by the District or other governmental units and such 2024 Project 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 2024 Project is or will be located on lands owned or to be owned by the District or another governmental entity or on perpetual easements in favor of the District or other governmental entity. The 2024 Project, and any cost estimates set forth herein, do not include any earthwork, grading or other improvements on private lots or property. The District will pay the lesser of the cost of the components of the 2024 Project or the fair market value.

Please note that the 2024 Project as presented herein is based on current plans and market conditions which are subject to change. Accordingly, the 2024 Project, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, 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.

[SIGNATURE PAGE FOR FIRST SUPPLEMENTAL ENGINEER'S REPORT]

  
By: \_Mark E. Wilson, P.E.  
Its: Kimley-Horn and Associates, Inc., Senior Vice President  
Date: Mach 1, 2024



**EXHIBIT A:** Legal Descriptions and Sketch of 2024 Project Area a/k/a Assessment Area One (a/k/a Phase 1)

# Exhibit A

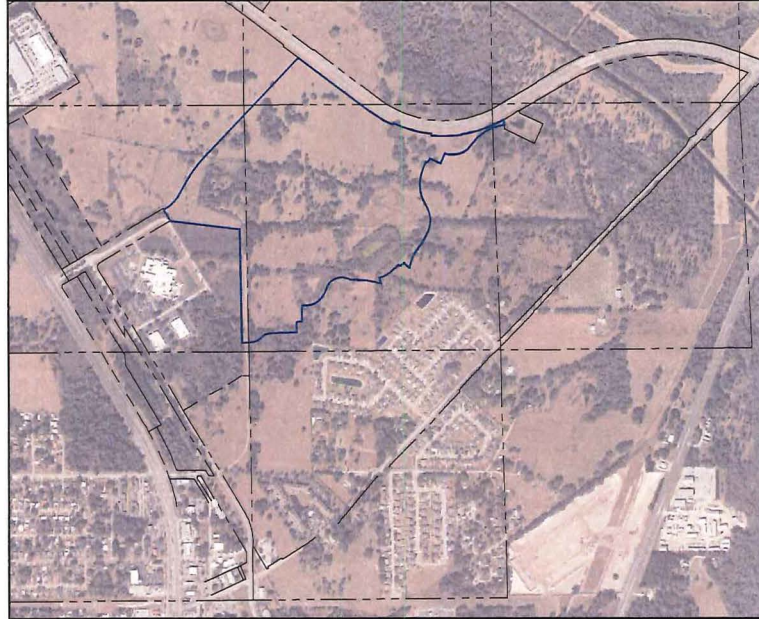
## BOUNDARY SURVEY OF A PORTION OF SECTIONS 29, 31 & 32, TOWNSHIP 29 SOUTH, RANGE 25 EAST PASCO COUNTY, FLORIDA

**DESCRIPTION:**

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

For a POINT OF REFERENCE commence at the Northwest corner of said Section 32; thence N.84°45'52"E, along the North boundary of the Northwest 1/4 of said Section 32, a distance of 101.00 feet to a POINT OF BEGINNING; thence N.45°10'04"E, a distance of 897.00 feet to the Southerly right-of-way line of Ernest K. Smith Boulevard as described in Official Records Book 8527, Page 1500 of the Public Records of Pasco County, Florida; thence along said Southerly right-of-way line the following nine (9) courses: (1) S.67°04'04"E, a distance of 961.57 feet; (2) N.87°00'08"E, a distance of 2.50 feet to a non-tangent point of curvature; (3) Southeastery 273.82 feet along the arc of a curve to the left, said curve having a radius of 1,288.00 feet, a central angle of 18°10'29", and a chord bearing and distance of S.85°09'10"E, 572.71 feet; (4) S.24°50'10"E, a distance of 281.00 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 1,288.00 feet, a central angle of 19°00'13", and a chord bearing and distance of S.74°04'54"E, 419.88 feet; (6) S.85°05'00"E, a distance of 30.00 feet to a non-tangent point of curvature; (7) Easterly 319.50 feet along the arc of a curve to the left, said curve having a radius of 1,288.00 feet, a central angle of 14°15'10", and a chord bearing and distance of N.85°47'23"E, 319.05 feet; (8) N.09°00'10"E, 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 1,288.00 feet, a central angle of 21°35'35", and a chord bearing and distance of N.70°52'20"E, 489.20 feet; thence S.02°24'49"E, a distance of 81.00 feet to a non-tangent point of curvature; thence Southwesterly 461.69 feet along the arc of a curve to the left, said curve having a radius of 470.00 feet, a central angle of 01°23'38", and a chord bearing and distance of S.09°04'20"E, 407.69 feet; thence to a point of reverse curvature; thence Westerly 350.00 feet along the arc of a curve to the right, said curve having a radius of 300.00 feet, a central angle of 70°00'29", and a chord bearing and distance of S.72°23'45"W, 295.91 feet; thence S.07°51'58"W, a distance of 120.00 feet to a non-tangent point of curvature; thence Northwesterly 500.00 feet along the arc of a curve to the left, said curve having a radius of 500.00 feet, a central angle of 09°09'38", and a chord bearing and distance of N.54°41'24"W, 502.62 feet; thence to a point of reverse curvature; thence Westerly 250.00 feet along the arc of a curve to the left, said curve having a radius of 570.00 feet, a central angle of 05°31'41", and a chord bearing and distance of N.52°30'28"E, 76.80 feet; thence S.00°31'49"W, a distance of 51.95 feet to a non-tangent point of curvature; thence Westerly 19.97 feet along the arc of a curve to the left, said curve having a radius of 22.00 feet, a central angle of 50°10'01", and a chord bearing and distance of S.85°43'00"W, 18.88 feet; thence S.22°28'00"W, a distance of 81.17 feet to a point of curvature; thence Southerly 394.04 feet along the arc of a curve to the left, said curve having a radius of 420.00 feet, a central angle of 05°04'14", and a chord bearing and distance of S.04°24'37"E, 378.74 feet; thence to a point of reverse curvature; thence Southerly 353.89 feet along the arc of a curve to the right, said curve having a radius of 330.00 feet, a central angle of 07°48'15", and a chord bearing and distance of S.02°19'21"E, 319.83 feet to a point of compound curvature; thence Southwesterly 177.57 feet along the arc of a curve to the left, said curve having a radius of 380.00 feet, a central angle of 10°22'24", and a chord bearing and distance of S.31°52'27"W, 177.33 feet to a point of reverse curvature; thence Southwesterly 227.14 feet along the arc of a curve to the left, said curve having a radius of 470.00 feet, a central angle of 07°41'22", and a chord bearing and distance of S.22°10'13"E, 254.00 feet to a non-tangent point of curvature; thence Northwesterly 86.89 feet along the arc of a curve to the right, said curve having a radius of 300.00 feet, a central angle of 15°45'29", and a chord bearing and distance of N.40°25'18"W, 86.05 feet; thence S.42°31'35"W, a distance of 14.37 feet; thence S.48°48'25"W, a distance of 58.13 feet to a point of curvature; thence Westerly 37.85 feet along the arc of a curve to the left, said curve having a radius of 26.00 feet, a central angle of 00°22'49", and a chord bearing and distance of S.06°09'51"W, 33.50 feet; thence S.49°20'27"W, a distance of 73.28 feet to a point of curvature; thence Southwesterly 183.82 feet along the arc of a curve to the right, said curve having a radius of 360.00 feet, a central angle of 02°00'06", and a chord bearing and distance of S.50°53'28"W, 182.43 feet; thence S.22°11'12"E, a distance of 68.10 feet to a non-tangent point of curvature; thence Westerly 129.89 feet along the arc of a curve to the left, said curve having a radius of 545.00 feet, a central angle of 07°48'50", and a chord bearing and distance of N.77°49'13"W, 359.28 feet; thence N.88°15'08"W, a distance of 90.33 feet to a point of curvature; thence Westerly 39.47 feet along the arc of a curve to the left, said curve having a radius of 440.00 feet, a central angle of 06°00'30", and a chord bearing and distance of N.89°46'00"W, 38.48 feet to a point of reverse curvature; thence Westerly 64.91 feet along the arc of a curve to the right, said curve having a radius of 160.00 feet, a central angle of 24°47'49", and a chord bearing and distance of N.78°50'23"W, 64.41 feet to a point of reverse curvature; thence Southwesterly 318.89 feet along the arc of a curve to the left, said curve having a radius of 178.00 feet, a central angle of 100°00'10", and a chord bearing and distance of S.87°33'23"W, 272.72 feet to a point of reverse curvature; thence Southwesterly 64.91 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a central angle of 24°47'49", and a chord bearing and distance of S.29°10'07"E, 64.41 feet to a point of reverse curvature; thence Southwesterly 22.27 feet along the arc of a curve to the left, said curve having a radius of 440.00 feet, a central angle of 02°04'01", and a chord bearing and distance of S.84°04'00"W, 22.27 feet to a point of reverse curvature; thence Southwesterly 187.17 feet along the arc of a curve to the right, said curve having a radius of 500.00 feet, a central angle of 03°07'11", and a chord bearing and distance of S.02°15'05"W, 180.41 feet; thence S.85°04'10"W, a distance of 82.28 feet; thence S.10°00'00"W, a distance of 170.00 feet; thence S.85°04'10"W, a distance of 41.81 feet to a point of curvature; thence Southwesterly 54.03 feet along the arc of a curve to the left, said curve having a radius of 82.00 feet, a central angle of 09°00'00", and a chord bearing and distance of S.44°04'10"W, 31.11 feet; thence S.07°05'00"E, a distance of 99.00 feet; thence S.89°04'10"W, a distance of 281.92 feet to a point of curvature; thence Southwesterly 119.89 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet, a central angle of 46°49'04", and a chord bearing and distance of S.06°09'38"W, 119.76 feet to a point of reverse curvature; thence Southwesterly 148.16 feet along the arc of a curve to the right, said curve having a radius of 178.00 feet, a central angle of 45°48'01", and a chord bearing and distance of S.05°03'06"W, 158.43 feet; thence S.89°01'00"W, a distance of 63.45 feet; thence N.07°05'30"W, along a line being 70.00 feet of and parallel with the East boundary of said Section 31, a distance of 1,261.15 feet; thence N.88°28'58"W, along the North boundary of that parcel described as Parcel 2 in Warranty Deed Recorded in Official Records Book 9057, Page 36 of the Public Records of Pasco County, Florida, a distance of 744.17 feet; thence N.07°08'06"W, along the Northeastly boundary of Osprey Boulevard right-of-way parcel described in Warranty Deed recorded in Official Records Book 7548, Page 2248 of the Public Records of Pasco County, Florida, a distance of 134.99 feet to a non-tangent point of curvature; thence Northeastly 272.00 feet along the arc of a curve to the left, said curve having a radius of 474.00 feet, a central angle of 02°02'01", and a chord bearing and distance of N.42°41'12"E, 288.20 feet to a point of reverse curvature; thence Northeastly 479.21 feet along the arc of a curve to the right, said curve having a radius of 1,810.00 feet, a central angle of 17°04'16", and a chord bearing and distance of N.64°26'56"E, 477.94 feet; thence N.48°19'04"E, a distance of 783.64 feet to the POINT OF BEGINNING.

Containing 111.813 acres, more or less.




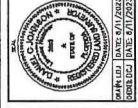
**SURVEYOR'S NOTES:**

- Use of this survey for purposes other than intended, without written verification, will be at the user's sole risk and without liability to the surveyor. Nothing herein shall be construed to give any rights or benefits to anyone other than those certified to. This survey meets the "Standards of Practice" set forth by the Florida Board of Land Surveyors in Chapter 64-17 Florida Administrative Code.
- Surveyor has reviewed Property Information Report, File Number 7282-8444148, issued by First American Title Insurance Company, dated 0/6/2023. All encumbrances and matters affecting title disclosed in said Property Information Report have been shown or noted hereon. Surveyor has relied solely on said Property information report for encumbrances and matters affecting title of the subject property.
- No instruments of record reflecting easements, right-of-ways and/or ownership were furnished to the undersigned except as shown.
- No underground installations, improvements or encroachments, have been located, except those shown hereon.
- Heardings shown hereon are based on the Florida State Plane Coordinate System, 72-Feet Projection, with the North boundary of Section 32, Township 29 South, Range 25 East, Pasco County, Florida having a grid bearing of N.89°41'00"E.
- Heardings and distances shown hereon are field measured, unless otherwise indicated.
- The lack for ties to improvements indicates the direction they lie in relation to the boundary.
- Subject property may contain lands that are subject to jurisdiction or restriction by one or more of the following agencies: Army Corp. of Engineers, Southwest Florida Water Management District (S.W.F.W.M.D.) or Florida Department of Environmental Protection (F.D.E.P.).

EASEMENTS & ENCUMBRANCES	
1920 CASENO'15)	
A. DEED BOOK 290, PG. 170) DOES NOT AFFECT THE SUBJECT PROPERTY	
B. DEED BOOK 813, PG. 204, AMENDED BY DEED BOOK 802, PG. 466) DOES NOT AFFECT THE SUBJECT PROPERTY	
C. D.E. PG. 129) DOES NOT AFFECT THE SUBJECT PROPERTY	
D. D.E. 1233, PG. 102) DOES NOT AFFECT THE SUBJECT PROPERTY	
COLUMBIA/SANTO HEALTHCARE SYSTEM, LTD EASEMENT (D.R. 4099, PG. 179) AFFECTS THE SUBJECT PROPERTY AND HAS BEEN SHOWN HEREON	
INDICATION OF EASEMENT (D.R. 3827, PG. 803) DOES NOT AFFECT ANY PORTION OF SAID EASEMENT WITH THE SUBJECT PROPERTY	
CITY OF BARTOW UTILITY EASEMENT (D.R. 3812, PG. 813) AFFECTS THE SUBJECT PROPERTY AND HAS BEEN SHOWN HEREON	
SOVEREIGNTY SUBMERGED LANDS EASEMENT (D.R. 8508, PG. 130) DOES NOT AFFECT THE SUBJECT PROPERTY	
DECLARATION OF COVENANTS AND RESTRICTIONS (D.R. 8887, PG. 42) AFFECTS THE SUBJECT PROPERTY (BLANKET)	
TEMPORARY CONSTRUCTION EASEMENT (D.R. 13473, PG. 1513) AFFECTS THE SUBJECT PROPERTY (BLANKET)	
EASEMENTS AND POOL CLOSING AGREEMENT (D.R. 13497, PG. 401) AFFECTS THE SUBJECT PROPERTY. EASEMENTS ESTABLISHED IN SAID AGREEMENT HAVE BEEN SHOWN HEREON	
DECLARATION OF COVENANTS AND RESTRICTIONS (D.R. BOOK 4998, PG. 1003) AFFECTS THAT PORTION OF THE SUBJECT PROPERTY LYING WITHIN SECTION 29-29-25 AND IN THE NORTH 1/4 OF SECTION 32-29-25 SHOWN HEREON IN GRAY SCALED CROSS-HATCHING	
RESTRICTIONS IN OUTLINED DEED (D.R. 8043, PG. 898) AFFECT THAT PORTION OF THE PROPERTY LYING SOUTH OF THE NORTH 1/4 OF SECTION 32-29-25, SHOWN HEREON IN GRAY SCALED "X" MATCHING	
COVENANTS, CONDITIONS, RESTRICTIONS & DRAINAGE DITCHES IN DEED (D.R. 8177, PG. 1137) AFFECT THAT PORTION OF THE PROPERTY LYING SOUTH OF THE NORTH 1/4 OF SECTION 32-29-25, SHOWN HEREON IN GRAY SCALED DOT DOTTING	
SUBJECT PROPERTY LIES WITHIN THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT PER NOTICE OF ESTABLISHMENT (D.R. 1291, PG. 1332)	
DECLARATION OF COVENANTS AND RESTRICTIONS (D.R. 13462, PG. 595) AFFECTS THE SUBJECT PROPERTY (BLANKET)	

DATE	REVISION

  
 David L. Johnson  
 State of Florida  
 License No. 12345  
 Surveyor  
 This survey conforms to the "Standards of Practice" set forth by the Florida Board of Land Surveyors in Chapter 64-17 Florida Administrative Code.  
 Date: 07/21/2023  
 File No.: 7282-8444148  
 Surveyor's Seal: 12345  
 Date of Field Survey: 7/21/2023



**JOHNSON ASSOCIATES**  
 SURVEYING AND MAPPING  
 11111 E. US HWY 90, SUITE 101  
 TAMPA, FL 33613  
 Phone: (813) 262-2778  
 Fax: (813) 262-2779  
 www.johnsonassoc.com



BOUNDARY SURVEY  
 MERRITAGE HOMES OF FLORIDA, INC.  
 GROVE AT STUART CROSSING  
 PHASE ONE  
 PROJECT NO. 2023-094016200005  
 SEC. 11 WY. 288 IRIG. 29E COUNTY, FLORIDA

SCALE	N/A
SHEET NO.	1 of 2





# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**6**

# STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT

Final First Supplemental Special Assessment  
Methodology Report

March 12, 2024



Provided by:

**Wrathell, Hunt and Associates, LLC**  
2300 Glades Road, Suite 410W  
Boca Raton, FL 33431  
Phone: 561-571-0010  
Fax: 561-571-0013  
Website: [www.whhassociates.com](http://www.whhassociates.com)



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## **1.0 Introduction**

### **1.1 Purpose**

This Final First Supplemental Special Assessment Methodology Report (the "Final First Supplemental Report") was developed to supplement the Master Special Assessment Methodology Report (the "Master Report") dated July 25, 2022 and to provide a supplemental financing plan and a supplemental special assessment methodology for the Stuart Crossing Community Development District (the "District") located entirely within the City of Bartow, Polk County, Florida. This Final First Supplemental Report was developed in relation to funding by the District of a portion of the costs of public infrastructure improvements (the "Capital Improvement Plan" or "CIP") contemplated to be provided by the District within a designated assessment area referred to as "Assessment Area One".

### **1.2 Scope of the Final First Supplemental Report**

This Final First Supplemental Report presents the projections for financing a portion of the Capital Improvement Plan (the "Series 2024 Project") described in the Engineer's Report prepared by Kimley-Horn and Associates, Inc. dated March 1, 2024 (the "Supplemental 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 Partial funding of the Series 2024 Project.

### **1.3 Special Benefits and General Benefits**

Public infrastructure improvements undertaken and funded by the District as part of the Series 2024 Project create special and peculiar benefits, different in kind and degree than general benefits to the lands within Assessment Area One, for properties within its borders but outside of Assessment Area One as well as general benefits to the public at large. However, as discussed within this Final Supplemental Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within Assessment Area One within the District. The District's Series 2024 Project enables properties within Assessment Area One to be developed.

There is no doubt that the general public, property owners, and property outside Assessment Area One will benefit from the provision of the Series 2024 Project. However, these benefits are

only incidental since the Series 2024 Project is designed solely to provide special benefits peculiar to property within Assessment Area One of the District. Properties outside Assessment Area One are not directly served by the Series 2024 Project and do not depend upon the Series 2024 Project to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties within Assessment Area One receive compared to those lying outside Assessment Area One and outside of the District's boundaries.

The Series 2024 Project will provide public infrastructure improvements which are all necessary in order to make the lands within Assessment Area One developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within Assessment Area One to increase by more than the sum of the financed cost of the individual components of the Series 2024 Project. Even though the exact value of the benefits provided by the Series 2024 Project is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Final First Supplemental Report**

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

*Section Three* provides a summary of the Series 2024 Project as determined by the District Engineer.

*Section Four* discusses the supplemental financing program for the District.

*Section Five* discusses the supplemental 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 entirely within the City of Bartow, Polk County, Florida. The land within the District consists of approximately 259.10 +/- acres and is generally located south of Ernest Smith boulevard,

west of US 17 and east of the Bartow Regional Medical Center and US Highway 98.

## **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 most current development plan envisions a total of 591 residential units developed within the boundaries of the District (the “District”) in two (2) or more phases, although land use types and unit numbers may change throughout the development period. Of the aforementioned residential units, 239 residential units are anticipated to be developed within Assessment Area One. Table 1 in the *Appendix* illustrates the development plan for Assessment Area One.

## **3.0 Capital Improvement Plan**

### **3.1 Overview**

The public infrastructure costs to be funded by the District are described by the District Engineer in the Supplemental 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 The 2024 Project**

The 2024 Project needed to serve the District is projected to consist of stormwater management system, roadways, utilities (water, sewer), undergrounding of conduit, hardscape/landscape/irrigation, recreational amenities, off-site improvements, professional services, and contingencies all as set forth in more detail in the Supplemental Engineer’s Report.

Even though the Series 2024 Project is anticipated to coincide with and support the development of the land within the District, all of the infrastructure included in the Series 2024 Project 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 Series 2024 Project are estimated at \$18,650,000. Table 2 in the *Appendix* illustrates the specific components of the Series 2024 Project and their costs.

## **4.0 Financing Program**

### **4.1 Overview**

As noted above, the District is embarking on a program of public 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 District may either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

The District intends to issue Special Assessment Bonds, Series 2024 (Assessment Area One) in the total principal amount of \$4,325,000 (the "Series 2024 Bonds") to fund an estimated \$3,743,062.80 in 2024 Project costs, with the balance of the costs in the estimated amount of \$14,906,937.20 anticipated to be financed by the Developer and contributed to the District at no cost.

### **4.2 Types of Bonds Proposed**

The Series 2024 Bonds as projected under this supplemental financing plan are structured to be amortized in 30 annual installments following an approximately 6-month capitalized interest period. Interest payments on the Series 2024 Bonds would be made every May 1 and November 1, and annual principal payments on the Series 2024 Bonds would be made on every May 1.

In order to finance a portion of the costs of the 2024 Project, the District would need to borrow more funds and incur indebtedness in the total amount of \$4,325,000. The difference is comprised of funding a debt service reserve, funding capitalized interest, and costs of issuance, including the underwriter's discount. Final sources and uses of funding for the Series 2024 Bonds are presented in Table 3 in the *Appendix*.

## **5.0 Assessment Methodology**

### **5.1 Overview**

The issuance of the Series 2024 Bonds provides the District with a portion of funds necessary to construct/acquire the public infrastructure improvements which are part of the Series 2024 Project outlined in Section 3.2 and described in more detail by the

District Engineer in the Supplemental Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to properties within Assessment Area One. General benefits accrue to areas outside of Assessment Area One and outside of 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 Series 2024 Project. All properties within Assessment Area One that receive special benefits from the Series 2024 Project will be assessed for their fair share of the debt issued in order to finance the Series 2024 Project.

## **5.2 Benefit Allocation**

The current development plan envisions a total of 591 residential units developed within the lands currently contained within the boundaries of the District. Of the aforementioned residential units, 239 residential units are anticipated to be developed within Assessment Area One, although unit numbers and land use types may change throughout the development period.

The public infrastructure included in the Series 2024 Project will comprise an interrelated system of improvements, which means that all of the improvements will serve Assessment Area One 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 Assessment Area One will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within Assessment Area One and benefit all land within Assessment Area One as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Series 2024 Project have a logical connection to the special and peculiar benefits received by the land within Assessment Area One, as without such improvements, the development of the properties within Assessment Area One would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within Assessment Area One within the District, the District can assign or allocate 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.

In following the Master Report, this Final First Supplemental Report proposes to allocate the benefit associated with the Series 2024 Project to the different product types proposed to be developed within Assessment Area One 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 Assessment Area One 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 Series 2024 Project 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 Series 2024 Project.

Based on the ERU benefit allocation illustrated in Table 4, Table 5 in the *Appendix* presents the allocation of the amount of the Series 2024 Project costs allocated to the various unit types proposed to be developed within Assessment Area One based on the ERU benefit allocation factors present in Table 4. Further, Table 5 illustrates the approximate costs that are projected to be financed with the Series 2024 Bonds, and the allocation of the costs of the Series 2024 Project costs to be contributed by the Developer, as the case may be. With the Series 2024 Bonds funding approximately \$3,743,062.80 in costs of the CIP, the Developer is anticipated to fund improvements valued at an estimated cost of \$14,906,937.20 which will not be funded with proceeds of the Series 2024 Bonds.



Finally, Table 6 in the *Appendix* presents the apportionment of the bond assessments securing the Series 2024 Bonds (the "Series 2024 Bond Assessments") to residential units contemplated to be developed within Assessment Area One within the District and also presents the annual levels of the debt service on the Series 2024 Bonds per unit.

**Amenities** - No Series 2024 Bond Assessments are allocated herein to any private amenities or other common areas planned for the development. If owned by a homeowner's association, the amenities and common areas would be considered a common element for the exclusive benefit of property owners. Accordingly, any benefit to the amenities and common areas would directly benefit all platted lots in the District. If the amenities are owned by the District, then they would be governmental property not subject to the Series 2024 Bond Assessments and would be open to the general public, subject to District rules and policies.

**Governmental Property** - If at any time, any portion of the property contained in the District is sold or otherwise transferred to a unit of local, state, or federal government, or similarly exempt entity (without consent of such governmental unit to the imposition of Series 2024 Bond Assessments thereon), all future unpaid Series 2024 Bond Assessments for such tax parcel shall become due and payable immediately prior to such transfer.

**New Product Types** - Generally stated, the Series 2024 Bond Assessments have been established based on an ERU value per front foot for the anticipated product types as set forth in Table 4. However, as noted herein and in the Master Report, additional product types may be developed throughout the development period. In such an event, the District's Assessment Consultant will determine ERU allocations, and the resulting Series 2024 Bond Assessment, for the added product types based on the underlying ERU values per front foot set forth in Table 4, which allocation may be considered and finalized by the Board after due notice and public hearing.

### **5.3 Assigning Series 2024 Bond Assessments**

At the time of writing of this Supplemental Report, the 239 lots within Assessment Area One have been platted, as a final plat was recorded on December 6, 2023. Consequently, the Series 2024 Bond Assessments will be levied on all platted units within the Series 2024 Project Area based on the planned use for each platted parcel as reflected in Table 6 in the *Appendix*.



#### **5.4 Lienability Test: Special and Peculiar Benefit to the Property**

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

Public infrastructure improvements undertaken by the District can be shown to be creating special benefits to the properties 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 public infrastructure improvements which are part of the Capital Improvement Plan make the land in the District developable and saleable and when implemented as part of the Capital Improvement Plan, 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 benefits received by the various product types from the public infrastructure improvements is delineated in Table 4 (expressed as the ERU factors).

The apportionment of the Series 2024 Bond 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 benefits derived from the Capital Improvement Plan.

Accordingly, no acre or parcel of property within the District will be liened for the payment of Series 2024 Bond Assessments more than the determined special benefit peculiar to that property.

## **5.6 True-Up Mechanism**

The District's assessment program is predicated on the development of lots in a manner sufficient to include all of the planned Equivalent Residential Units ("ERUs") as set forth in Table 4 in the *Appendix* ("Development Plan"). As the land in the Assessment Area One has already been platted, the provisions of this section would apply only should the land in the District be re-platted in the future. At such time as lands are to be re-platted or site plans are to be approved (or re-approved), the plat or site plan (either, herein, "Proposed Plat") shall be presented to the District for a "true-up" review as follows:

a. If a Proposed Plat within the District results in the same amount of ERUs (and thus Series 2024 Bond Assessments) able to be imposed on the "Remaining Unplatted Developable Lands" within the District (i.e., those remaining unplatted developable lands after the Proposed Plat is recorded) as compared to what was originally contemplated under the Development Plan, then the District shall allocate the Series 2024 Bond Assessments to the product types being platted and the remaining property in accordance with this Report, and cause the Series 2024 Bond Assessments to be recorded in the District's Improvement Lien Book.

b. If a Proposed Plat within the District has more than the anticipated ERUs (and Series 2024 Bond Assessments) such that the Remaining Unplatted Developable Lands would be assigned fewer ERUs (and Series 2024 Bond Assessments) than originally contemplated in the Development Plan, then the District may undertake a pro rata reduction of Series 2024 Bond Assessments for all unplatted assessed properties within the District, or may otherwise address such net decrease as permitted by law.

c. If a Proposed Plat within the District has fewer than the anticipated ERUs (and Series 2024 Bond Assessments) such that the Remaining Unplatted Developable Lands would have to be assigned more ERUs (and Series 2024 Bond Assessments) in order to fully assign all of the ERUs originally contemplated in the Development Plan, then the District shall require the landowner(s) of the lands encompassed by the Proposed Plat to pay a "True-Up Payment" equal to the difference between: (i) the Series 2024 Bond Assessments originally contemplated to be imposed on the lands subject to the Proposed Plat, and (ii) the Series 2024 Bond

Assessments able to be imposed on the lands subject to the Proposed Plat, (plus applicable interest, collection costs, penalties, etc.).

With respect to the foregoing true-up analysis, the District's Assessment Consultant, in consultation with the District Engineer and District Counsel, shall determine in his or her sole discretion what amount of ERUs (and thus Series 2024 Bond Assessments) are able to be imposed on the Remaining Unplatted Developable Lands within the District, taking into account the Proposed Plat, by reviewing: a) the original, overall Development Plan showing the number and type of units reasonably planned for the District, b) the revised, overall Development Plan showing the number and type of units reasonably planned for within the District, c) proof of the amount of entitlements for the Remaining Unplatted Developable Lands within the District, d) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised Development Plan, and e) documentation that shows the feasibility of implementing the proposed Development Plan. Prior to any decision by the District not to impose a true-up payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Series 2024 Bond Assessments to pay debt service on the Series 2024 Bonds and the District will conduct new proceedings under Chapters 170, 190 and 197, Florida Statutes upon the advice of District Counsel.

Any True-Up Payment shall become due and payable by the landowner of the lands subject to the Proposed Plat within the District prior to platting, shall be in addition to the regular assessment installment payable for such lands, and shall constitute part of the debt assessment liens imposed against the Proposed Plat property until paid. A True-Up Payment shall include accrued interest on the Series 2024 Bonds to the interest payment date that occurs at least 45 days after the True-Up Payment (or the second succeeding interest payment date if such True-Up Payment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indentures for the applicable bond series)).

All Series 2024 Bond Assessments levied run with the land, and such assessment liens include any True-Up Payments. The District will not release any liens on property for which True-Up Payments are due, until payment has been satisfactorily made. Further, upon the District's review of the final plat for the developable acres within the District, any unallocated Series 2024 Bond Assessments shall become due and payable and must be paid prior to the District's

approval of that plat. This true-up process applies for both plats and/or re-plats.

Such review shall be limited solely to the function and the enforcement of the District's assessment liens and/or the need for any True-Up Payments. Nothing herein shall in any way operate to or be construed as providing any other plat approval or disapproval powers to the District. For further detail on the true-up process, please refer to the True-Up Agreement to be entered into by and between the District and the Developer and applicable assessment resolution(s).

## **5.7 Assessment Roll**

The Series 2024 Bond Assessments in the principal amount of \$4,325,000 are proposed to be levied to the platted residential parcels as illustrated in Exhibit "A". Excluding any capitalized interest period, debt service assessment shall be paid in thirty (30) annual installments.

## **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 Series 2024 Project. 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 Final Supplemental Report. For additional information on the structure of the Series 2024 Bonds 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 - 2024 Project

Product Type	Total Number of Units
Single Family 40'	77
Single Family 50'	107
Single Family 60'	55
<b>Total</b>	<b>239</b>

Table 2

### Stuart Crossing Community Development District

Project Costs - 2024 Project

Improvement	Total 2024 Project Costs
Stormwater Management System	\$4,100,000.00
Roadways	\$3,600,000.00
Utilities (Water, Sewer)	\$3,300,000.00
Undergrounding of Conduit	\$150,000.00
Hardscape/Landscape/Irrigation	\$250,000.00
Recreational Amenities	\$4,500,000.00
Offsite Improvements	\$1,000,000.00
Professional Services	\$750,000.00
Contingency	\$1,000,000.00
<b>Total</b>	<b>\$18,650,000.00</b>

Table 3

# Stuart Crossing

## Community Development District

### Final Sources and Uses of Funds

<u>Sources</u>	<b>Series 2024 Bonds</b>
Bond Proceeds:	
Par Amount	\$4,325,000.00
Original Issue Discount	-\$22,864.05
<b>Total Sources</b>	<b>\$4,302,135.95</b>

<u>Uses</u>	
Project Fund Deposits:	
Project Fund	\$3,743,062.80
Other Fund Deposits:	
Debt Service Reserve Fund	\$146,615.63
Capitalized Interest Fund	\$136,252.52
	<hr/>
	\$282,868.15
Delivery Date Expenses:	
Costs of Issuance	\$276,205.00
<b>Total Uses</b>	<b>\$4,302,135.95</b>

Table 4

# Stuart Crossing

## Community Development District

### Benefit Allocation

Product Type	Total Number of Units	ERU Weight	Total ERU
Single Family 40'	77	0.80	61.60
Single Family 50'	107	1.00	107.00
Single Family 60'	55	1.20	66.00
<b>Total</b>	<b>239</b>		<b>234.60</b>

Table 5

# Stuart Crossing

## Community Development District

### Capital Improvement Plan Cost Allocation

Product Type	Capital Improvement Plan Costs Allocation Based on ERU Method	Capital Improvement Plan Costs Contributed by the Developer*	Capital Improvement Plan Costs Funded with Series 2024 Bonds
Single Family 40'	\$4,897,016.20	\$3,914,183.00	\$982,833.20
Single Family 50'	\$8,506,180.73	\$6,798,986.70	\$1,707,194.03
Single Family 60'	\$5,246,803.07	\$4,193,767.50	\$1,053,035.57
<b>Total</b>	<b>\$18,650,000.00</b>	<b>\$14,906,937.20</b>	<b>\$3,743,062.80</b>

Table 6

# Stuart Crossing

## Community Development District

### Series 2024 Bond Assessments Apportionment

Product Type	Total Number of Units	Total Cost Allocation*	Total Series 2024 Bond Assessments Apportionment	Series 2024 Bond Assessments Apportionment per Unit	Annual Debt Service Payment per Unit**
Single Family 40'	77	\$982,833.20	\$1,135,635.12	\$14,748.51	\$999.94
Single Family 50'	107	\$1,707,194.03	\$1,972,612.96	\$18,435.64	\$1,249.92
Single Family 60'	55	\$1,053,035.57	\$1,216,751.92	\$22,122.76	\$1,499.90
<b>Total</b>	<b>239</b>	<b>\$3,743,062.80</b>	<b>\$4,325,000.00</b>		

\* 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”**

At the time of issuance of the Series 2024 Bonds, Series 2024 Special Assessments in the original par amount of the Series 2024 Bonds will be assigned to the platted lots in the following plat in the amounts set forth in Table 6 hereof.



INSTR # 2023284598  
BK 203 Pgs 18-25 PG(s)8  
RECORDED 12/06/2023 09:26:51 AM  
STACY M. BUTTERFIELD, CLERK OF COURT  
POLK COUNTY  
RECORDING FEES \$135.00  
RECORDED BY militarr

**Plat Name: Grove at Stuart Crossing Phase One  
(Bartow)**

**Section      29, 31 & 32  
Township    29S  
Range        25E**

STATE OF FLORIDA  
COUNTY OF POLK

**FILED FOR RECORD this 6<sup>th</sup> Day of December 2023**  
Recorded in Plat Book: 203  
Page(s) ----- 18-25

**Record verified 12/6/2023.**

Stacy M. Butterfield  
Clerk of Circuit Court

By: *Yolanda Harris*  
Yolanda Harris  
Deputy Clerk



# GROVE AT STUART CROSSING PHASE ONE

## SECTIONS 29, 31 & 32, TOWNSHIP 29 SOUTH, RANGE 25 EAST, CITY OF BARTOW, POLK COUNTY, FLORIDA

**DESCRIPTION:**

A parcel of land lying within Sections 29, 31 and 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 5282, Page 1650 of the Public Records of Polk County, Florida; thence along said Southerly right-of-way line the following nine (9) courses: (1) S.52°54'24"E, a distance of 961.27 feet; (2) N.73°05'36"E, a distance of 2.00 feet to a non-tangent point of curvature; (3) Southwesterly 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°59'58"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 419.80 feet along the arc of a curve to the left, said curve having a radius of 1,286.00 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; thence S.02°46'49"E, a distance of 61.00 feet to a non-tangent point of curvature; thence Southwesterly 421.59 feet along the arc of a curve to the left, said curve having a radius of 470.00 feet, a central angle of 51°23'38", and a chord bearing and distance of S.59°04'20"W, 407.59 feet to a point of reverse curvature; thence Westerly 320.09 feet along the arc of a curve to the right, said curve having a radius of 235.00 feet, a central angle of 78°02'26", and a chord bearing and distance of S.72°23'45"W, 285.91 feet; thence S.20°51'56"W, a distance of 15.34 feet to a non-tangent point of curvature; thence Northwesterly 50.56 feet along the arc of a curve to the right, said curve having a radius of 355.00 feet, a central angle of 08°09'36", and a chord bearing and distance of N.64°41'24"W, 50.52 feet to a point of reverse curvature; thence Northwesterly 76.34 feet along the arc of a curve to the left, said curve having a radius of 670.00 feet, a central angle of 06°31'41", and a chord bearing and distance of N.63°52'26"W, 76.30 feet; thence S.35°31'49"W, a distance of 51.35 feet to a non-tangent point of curvature; thence Westerly 15.27 feet along the arc of a curve to the left, said curve having a radius of 22.00 feet, a central angle of 50°10'51", and a chord bearing and distance of S.86°43'50"W, 18.66 feet; thence S.22°28'00"W, a distance of 81.17 feet to a point of curvature; thence Southwesterly 334.04 feet along the arc of a curve to the left, said curve having a radius of 420.00 feet, a central angle of 53°45'14", and a chord bearing and distance of S.0424'37"E, 379.74 feet to a point of reverse curvature; thence Southerly 333.89 feet along the arc of a curve to the right, said curve having a radius of 330.00 feet, a central angle of 37°58'33", and a chord bearing and distance of S.02°18'07"E, 319.83 feet to a point of compound curvature; thence Southwesterly 177.57 feet along the arc of a curve to the right, said curve having a radius of 980.00 feet, a central angle of 10°44'10", and a chord bearing and distance of S.31°32'27"W, 177.33 feet to a point of reverse curvature; thence Southwesterly 227.14 feet along the arc of a curve to the left, said curve having a radius of 470.00 feet, a central angle of 27°41'22", and a chord bearing and distance of S.23°31'31"W, 224.93 feet to a non-tangent point of curvature; thence Northwesterly 66.80 feet along the arc of a curve to the right, said curve having a radius of 300.00 feet, a central angle of 12°45'29", and a chord bearing and distance of N.49°34'19"W, 66.66 feet; thence N.43°31'15"W, a distance of 14.57 feet; thence S.48°46'35"W, a distance of 50.12 feet to a point of curvature; thence Westerly 37.25 feet along the arc of a curve to the left, said curve having a radius of 20.00 feet, a central angle of 85°22'49", and a chord bearing and distance of S.89°09'51"W, 33.90 feet; thence S.48°28'27"W, a distance of 73.28 feet to a point of curvature; thence Southwesterly 163.92 feet along the arc of a curve to the right, said curve having a radius of 350.00 feet, a central angle of 26°50'02", and a chord bearing and distance of S.50°32'28"W, 162.42 feet; thence S.21°12'11"E, a distance of 66.10 feet to a non-tangent point of curvature; thence Westerly 159.93 feet along the arc of a curve to the left, said curve having a radius of 545.00 feet, a central angle of 16°48'50", and a chord bearing and distance of N.77°46'13"W, 159.36 feet; thence N.87°33'59"W, a distance of 150.00 feet to a point of curvature; thence Southwesterly 187.17 feet along the arc of a curve to the left, said curve having a radius of 440.00 feet, a central angle of 05°00'36", and a chord bearing and distance of N.88°43'36"W, 38.46 feet to a point of reverse curvature; thence Westerly 64.91 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a central angle of 24°47'43", and a chord bearing and distance of N.78°50'23"W, 64.41 feet to a point of reverse curvature; thence Southwesterly 310.68 feet along the arc of a curve to the left, said curve having a radius of 178.00 feet, a central angle of 10°00'00", and a chord bearing and distance of S.63°33'23"W, 272.72 feet to a point of reverse curvature; thence Southwesterly 64.91 feet along the arc of a curve to the right, said curve having a radius of 150.00 feet, a central angle of 24°47'43", and a chord bearing and distance of S.25°25'09"W, 64.41 feet to a point of reverse curvature; thence Southwesterly 22.27 feet along the arc of a curve to the left, said curve having a radius of 200.00 feet, a central angle of 53°37'11", and a chord bearing and distance of S.62°19'35"W, 180.41 feet; thence S.89°04'10"W, a distance of 52.98 feet; thence S.00°55'50"E, a distance of 170.00 feet; thence S.89°04'10"W, a distance of 45.61 feet to a point of curvature; thence Southwesterly 34.95 feet along the arc of a curve to the left, said curve having a radius of 22.00 feet, a central angle of 90°00'00", and a chord bearing and distance of S.4404'10"W, 31.11 feet; thence S.00°55'50"E, a distance of 98.00 feet; thence S.89°04'10"W, a distance of 261.83 feet to a point of curvature; thence Southwesterly 119.95 feet along the arc of a curve to the left, said curve having a radius of 150.00 feet, a central angle of 45°49'04", and a chord bearing and distance of S.66°03'38"W, 116.78 feet to a point of reverse curvature; thence Southwesterly 142.18 feet along the arc of a curve to the right, said curve having a radius of 178.00 feet, a central angle of 45°48'01", and a chord bearing and distance of S.66°03'38"W, 136.43 feet; thence S.89°01'06"W, a distance of 83.45 feet; thence S.00°55'58"W, along a line being 70.00 feet west and parallel with the East boundary of said Section 31, a distance of 1,214.15 feet; thence N.82°38'58"W along the North boundary of that parcel described as Parcel 2 in Warranty Deed recorded in Official Records Book 9987-2, Page 35 of the Public Records of Polk County, Florida, a distance of 744.17 feet; thence N.30°58'55"W, along the Northwesterly boundary of Ogprey Boulevard right-of-way parcel described in Warranty Deed recorded in Official Records Book 7349, Page 2242 of the Public Records of Polk County, Florida, a distance of 134.99 feet to a non-tangent point of curvature; thence Northwesterly 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°22'51", and a chord bearing and distance of N.42°41'12"E, 268.30 feet to a point of reverse curvature; thence Northwesterly 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.

**SURVEYOR'S NOTES:**

- Bearings shown hereon are based on the Florida State Plane Coordinate System - FL-West projection, and referenced to the North American Datum of 1983 (NAD 83) - 2011 Adjustment, with the North boundary of Section 32, Township 29 South, Range 25 East, Polk County, Florida having a grid bearing of N.89°41'55"E.
- NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described hereon and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the Public Records of Polk County, Florida.
- All platted utility easements are public and shall also be easements for the construction, installation, maintenance and operation of cable television services; provided, however, no such construction, installation, maintenance and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This note shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as accepted by the Florida Public Service Commission. Individual lot owners will be responsible for maintenance of any drainage easement lying within the lot.
- All lot corners are 5/8" iron rods with a cap stamped "DC JOHNSON LB 4514", with the exception of those falling in solid surfaces which are a nail with disk stamped "LB 4514".
- Side lot lines along lots with curved front or rear lot lines are radial to front and/or rear lot line unless otherwise noted.
- Walls and landscaping shall not interfere with utility or drainage easements.
- Grades within this plat are subject to or benefited by the following easements and encumbrances:
  - Deed Restrictions and Drainage Ditches set forth in Deed recorded in O.R. Book 3117, Pg. 1137 of the Public Records of Polk County, Florida
  - Declaration of Covenants and Restrictions recorded in O.R. Book 4099, Pg. 1790, as modified in O.R. Book 5827, Pg. 805 of the Public Records of Polk County, Florida
  - Declaration of Covenants and Restrictions recorded in O.R. Book 4099, Pg. 1803 of the Public Records of Polk County, Florida.
  - Utility Easement recorded in O.R. Book 5912, Pg. 913 of the Public Records of Polk County, Florida
  - Restrictions set forth in Quit-Claim Deed recorded in O.R. Book 8042, Pg. 898 of the Public Records of Polk County, Florida.
  - Temporary Construction Easement recorded in O.R. Book 12473, Pg. 1513 of the Public Records of Polk County, Florida.
  - Declaration of Covenants and Restrictions recorded in O.R. Book 9967, Pg. 40 of the Public Records of Polk County, Florida.
  - Easements and Easement Agreement recorded in O.R. Book 12492, Page 601 of the Public Records of Polk County, Florida.
  - Subject property lies within the Stuart Crossing Community Development District per Notice of Establishment recorded in O.R. Book 12291, Pg. 1232.
- Bounds within this plat are subject to the jurisdictions of the Southwest Florida Water Management District.

**DEDICATION:**

Know by all these presents that MERITAGE HOMES OF FLORIDA, INC., a Florida corporation, as owner of the lands shown hereon, has caused this plat of GROVE AT STUART CROSSING PHASE ONE to be made and hereby makes the following dedications:

Owner hereby conveys in fee simple title TRACT R-1 to the City of Bartow as shown and depicted hereon for the perpetual use of the public for purposes of ingress and egress and for the construction, maintenance and operation of public utilities and public storm water drainage facilities.

Owner hereby conveys in fee simple title TRACT UT-1 to the City of Bartow as shown and depicted hereon for purposes of construction, maintenance and operation of a sanitary lift station and associated utilities.

Owner hereby conveys in fee simple title TRACTS R-2 and R-3 to Stuart Crossing Community Development District as shown and depicted hereon for purposes of public ingress and egress and for the construction, maintenance and operation of public and private utilities and storm water drainage facilities.

Owner further grants to the City of Bartow and to all public and private providers of utilities, fire protection, law enforcement, emergency medical and other emergency services, parcel and delivery services, and other governmental entities a perpetual, non-exclusive easement over, under and across said TRACTS R-2 and R-3 for the purposes of ingress and egress and for the construction, maintenance and operation of utilities and storm water facilities in accordance with the provision of services and the performance of official duties.

Owner further grants to the owner(s) of lots, their successors and assigns, and their guests and invites a perpetual, non-exclusive easement for the purposes of ingress and egress over and across said TRACTS R-2 and R-3.

Owner hereby conveys in fee simple title TRACT AM-1 to Stuart Crossing Community Development District as shown and depicted hereon for purposes of common elements and amenities.

Owner hereby conveys in fee simple title TRACTS SW-1, SW-2, SW-3, SW-4, SW-5, SW-18, SW-19, SW-20, SW-22, and SW-23 to Stuart Crossing Community Development District for the purposes of storm water drainage and retention and open space preservation.

Owner further grants to the City of Bartow an easement over TRACTS SW-1, SW-2, SW-3, SW-4, SW-5, SW-18, SW-19, SW-20, SW-22, and SW-23 for the purposes of stormwater drainage and retention of storm water originating from TRACT R-1.

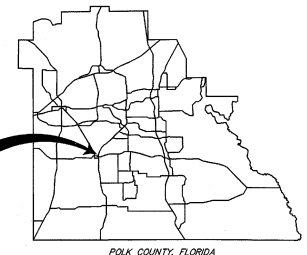
Owner hereby conveys in fee simple title TRACTS OS-1, OS-4, OS-6 and OS-7 to Stuart Crossing Community Development District for the purpose of open space preservation.

Owner hereby conveys in fee simple title TRACTS W-3, W-4 and W-12 to Stuart Crossing Community Development District for the purposes of wetland conservation. Owner further dedicates to the Southwest Florida Water Management District a perpetual conservation easement over said tracts. Such easement shall prohibit any encroachment(s), excavation, construction and/or any material alteration or change in the use and/or physical appearance of said tracts. The entirety of said tracts/conservation easements must remain in their natural condition and activities that would be detrimental to the native vegetation, drainage or flood control, water quality, erosion control or soil conservation, and/or impact the fish and wildlife habitat are prohibited.

Owner hereby grants to Stuart Crossing Community Development District and to the City of Bartow an easement for the purposes of construction, maintenance and operation of public and private utility facilities in all areas shown and identified hereon as "Utility Easement".

Owner hereby grants to Stuart Crossing Community Development District an easement for the purposes of construction, maintenance and operation of storm water drainage and retention facilities in all areas shown and identified hereon as "Drainage Easement".

**SUBJECT PROPERTY**



MERITAGE HOMES OF FLORIDA, INC.  
A Florida corporation

*[Signature]* Witness 1 Signature  
*[Signature]* Witness 2 Printed Name  
*[Signature]* Witness 3 Printed Name

**ACKNOWLEDGEMENT**  
STATE OF FLORIDA  
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of physical presence or online notarization on this 09 day of November, 2023, by Steve Harding as online Notary Public of Meritage Homes of Florida, Inc., a Florida Corporation, who is  personally known to me or  produced as identification.

(Notary Seal)

*[Signature]*  
Notary Public  
**Katrina De Jesus**  
Printed Name  
My Commission expires: March 7, 2025

**CITY SURVEYOR'S APPROVAL (CONSULTANT):**  
STATE OF FLORIDA  
COUNTY OF POLK

This Plat has been reviewed and found to be substantially in compliance with the provisions of Chapter 177, Part 1, Florida Statutes, relating to the making of maps and plats.

*[Signature]* 11/8/2023  
City Surveyor (Consultant) Date  
**Kenneth W Thompson L.S. 4000**  
Printed Name & Registration Number

**SURVEYOR'S CERTIFICATE**  
STATE OF FLORIDA  
COUNTY OF POLK

I hereby certify that this plat is a true and correct representation of the hereon described land which was recently surveyed and plotted under my direction and supervision, and that Permanent Reference Monuments and Permanent Control Points are set in accordance with Chapter 177, Part 1, Florida Statutes. This plat complies with all the requirements of Chapter 177, Part 1, Florida Statutes.

Date: 11-9-2023  
*[Signature]*  
Florida Professional Land Surveyor License No. 7043  
D.C. Johnson & Associates, Inc. LB 4514  
11911 S. Curlew Street  
San Antonio, Florida 33576

**CLERK OF CIRCUIT COURT:**  
STATE OF FLORIDA  
COUNTY OF POLK

I, Stacy M. Butterfield, Clerk of Circuit Court of Polk County, Florida, do hereby certify that this plat has been approved for recording on this 09 day of December, 2023.

*[Signature]*  
Stacy M. Butterfield  
Clerk of Circuit Court *[Signature]*  
Deputy Clerk



**BARTOW CITY COMMISSION APPROVAL:**  
STATE OF FLORIDA  
COUNTY OF POLK

This Plat of THE GROVE AT STUART CROSSING PHASE ONE is hereby approved for filing by the Bartow City Commission this 11th day of December, 2023.

*[Signature]*  
Jacqueline Poole  
Jacqueline Poole, City Clerk

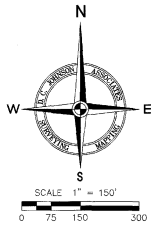
*[Signature]*  
Robert E. Weigers, Planning Director

*[Signature]*  
Leo E. Longworth, Mayor

*[Signature]*  
Mike Parr, City Manager

# GROVE AT STUART CROSSING PHASE ONE

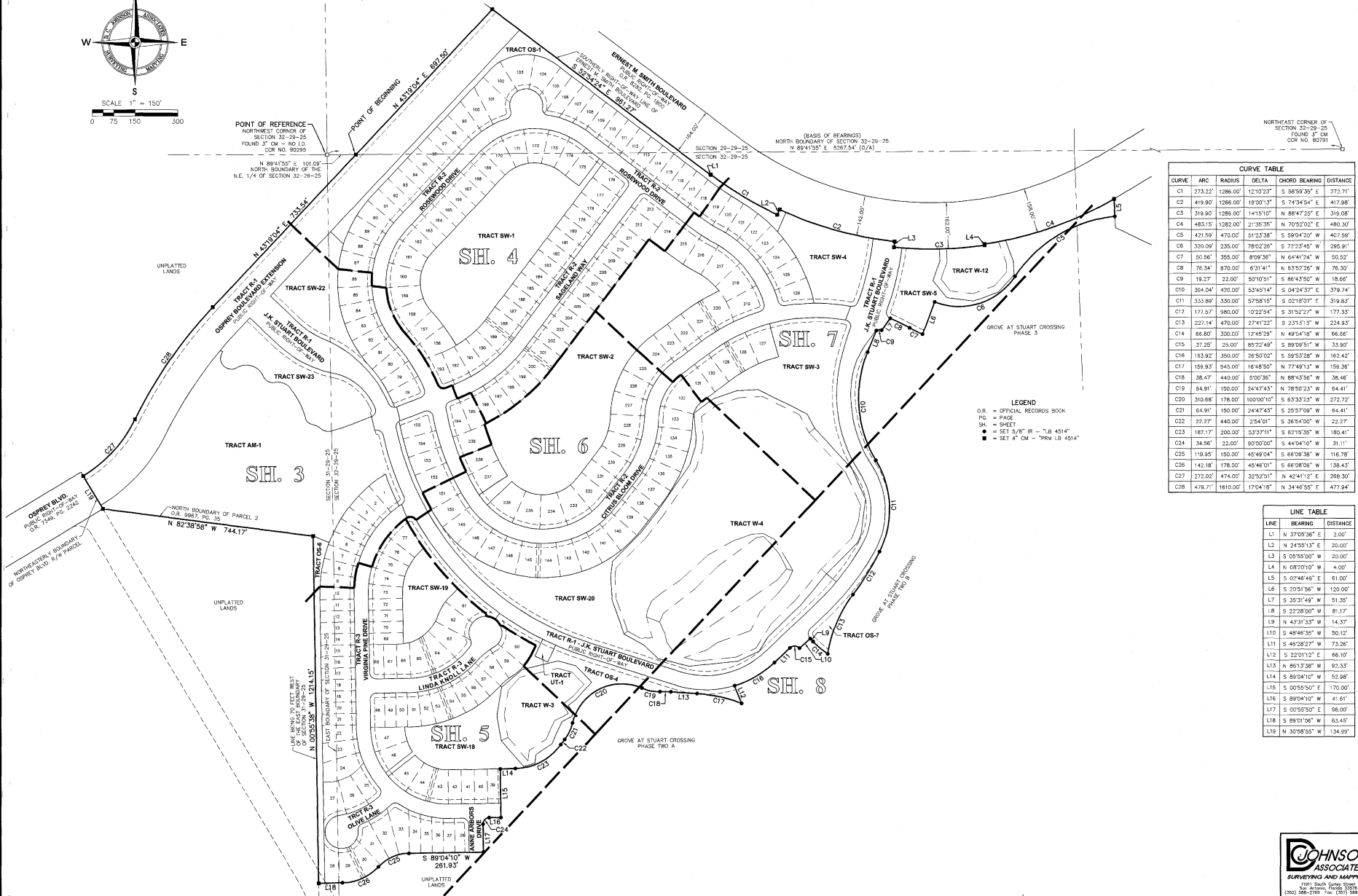
## SECTIONS 29, 31 & 32, TOWNSHIP 29 SOUTH, RANGE 25 EAST, CITY OF BARTOW, POLK COUNTY, FLORIDA



POINT OF REFERENCE  
NORTHWEST CORNER OF  
SECTION 32-29-25  
FOUND 3" O.M. - NO. 135  
CCR NO. 90295

(BASIS OF BEARINGS)  
NORTH BOUNDARY OF SECTION 32-29-25  
N 88°41'35" E 5767.74' (O/A)

NORTHEAST CORNER OF  
SECTION 32-29-25  
FOUND 3" O.M.  
CCR NO. 80791



CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C1	273.22	1286.02	121°0'23"	S 58°50'36" E	272.71
C2	419.90	1286.00	19°00'13"	S 74°34'54" E	417.98
C3	318.90	1286.00	14°15'10"	N 88°47'50" E	319.08
C4	483.15	1282.00	21°35'35"	N 70°52'02" E	480.30
C5	421.59	470.00	51°23'38"	S 59°04'20" W	407.99
C6	320.09	235.00	78°02'38"	S 72°23'45" W	285.91
C7	50.56	355.00	8°09'36"	N 64°41'24" W	50.52
C8	76.34	670.00	6°31'41"	N 63°52'26" W	76.30
C9	19.27	22.00	5°01'01"	S 86°43'50" W	18.66
C10	394.04	420.00	53°42'14"	S 04°24'37" E	379.74
C11	333.89	330.00	57°58'15"	S 02°18'07" E	319.83
C12	177.57	980.00	10°22'54"	S 31°52'27" W	177.33
C13	222.14	470.00	27°47'22"	S 23°11'5" W	224.93
C14	68.80	320.00	12°48'29"	N 49°41'18" W	66.82
C15	37.20	23.00	88°25'49"	S 89°09'51" W	33.90
C16	163.92	350.00	28°50'02"	S 59°53'28" W	163.42
C17	158.93	543.00	18°48'30"	N 77°49'13" W	156.34
C18	38.47	440.00	5°00'38"	N 88°43'56" W	38.46
C19	64.91	150.00	24°47'43"	N 78°50'23" W	64.41
C20	310.68	178.00	100°00'10"	S 63°33'23" W	272.72
C21	64.91	150.00	24°47'43"	S 25°07'09" W	64.41
C22	22.77	440.00	2°54'01"	S 36°54'00" W	22.77
C23	187.17	200.00	53°37'11"	S 62°15'35" W	180.41
C24	34.56	22.00	90°00'00"	S 44°04'10" W	31.11
C25	119.95	150.00	45°46'04"	S 66°08'38" W	116.78
C26	142.18	178.00	45°46'01"	S 66°08'06" W	138.43
C27	272.02	474.00	32°57'01"	N 42°41'12" E	268.30
C28	478.71	1810.00	17°04'18"	N 34°40'55" E	477.94

**LEGEND**  
O.R. = OFFICIAL RECORDS BOOK  
P.G. = PAGE  
SH. = SHEET  
● = SET 3/8" IR - "LB 4514"  
■ = SET 4" CM - "RW LB 4514"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 37°05'36" E	2.00'
L2	N 24°59'13" E	20.00'
L3	S 09°50'00" W	20.00'
L4	N 08°29'01" W	4.00'
L5	S 07°48'49" E	51.00'
L6	S 20°51'58" W	120.00'
L7	S 35°34'49" W	51.30'
L8	S 22°28'00" W	81.17'
L9	N 43°31'33" W	14.37'
L10	S 48°48'36" W	50.12'
L11	S 48°28'27" W	73.26'
L12	S 22°01'12" E	66.10'
L13	N 86°13'38" W	92.33'
L14	S 89°04'10" W	52.88'
L15	S 00°55'50" E	170.00'
L16	S 89°04'10" W	41.61'
L17	S 00°55'50" E	88.00'
L18	S 89°01'06" W	83.45'
L19	N 30°58'55" W	134.99'



# GROVE AT STUART CROSSING PHASE ONE

## SECTIONS 29, 31 & 32, TOWNSHIP 29 SOUTH, RANGE 25 EAST, CITY OF BARTOW, POLK COUNTY, FLORIDA

PLAT BOOK 203 PAGE 20  
SHEET 3 OF 8

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C27	272.00'	474.00'	32°52'31"	N 42°41'12" E	268.30'
C28	479.71'	1510.00'	17°04'18"	N 34°46'55" E	477.94'
C29	309.34'	534.00'	32°02'07"	N 42°40'50" E	302.15'
C30	461.83'	1550.00'	17°04'18"	N 34°46'55" E	460.12'
C31	175.53'	352.00'	28°31'52"	S 62°57'39" E	173.72'
C32	158.28'	240.00'	37°46'47"	S 58°20'12" E	155.40'
C33	144.60'	405.00'	20°27'23"	S 27°13'07" E	143.83'
C34	39.03'	455.00'	5°29'50"	S 14°19'00" E	38.02'
C35	1085.83'	1025.00'	60°41'43"	S 41°57'28" E	1035.77'
C43	281.59'	1025.00'	15°41'08"	S 19°27'07" E	279.72'
C44	405.24'	1025.00'	45°00'42"	S 48°24'01" E	764.69'
C50	285.37'	840.00'	20°08'48"	N 21°41'04" W	293.82'
C51	68.87'	590.00'	0°41'59"	N 14°57'19" W	68.94'
C52	246.15'	590.00'	23°54'14"	N 30°59'08" W	244.37'
C53	440.27'	295.00'	85°30'38"	N 02°33'05" E	400.53'
C62	383.60'	345.00'	63°42'23"	S 30°51'09" W	364.14'
C68	340.66'	594.00'	32°51'32"	N 42°40'32" E	336.01'
C69	443.95'	1490.00'	17°04'18"	N 34°46'55" E	442.31'
C70	224.43'	405.00'	31°45'01"	S 62°34'13" E	221.57'
C71	181.31'	200.00'	51°56'28"	S 52°38'30" E	175.16'
C72	16.80'	280.00'	2°31'59"	S 25°41'17" E	16.80'
C73	35.64'	22.00'	92°49'14"	S 22°29'19" W	31.89'
C74	37.87'	22.00'	98°37'08"	S 01°50'30" E	33.56'
C75	238.55'	1500.00'	12°19'15"	S 18°25'51" E	229.15'
C76	91.33'	22.00'	81°30'07"	S 18°54'17" W	78.75'
C77	372.65'	370.00'	57°42'23"	S 27°51'09" W	353.19'
C85	311.93'	320.00'	55°50'44"	N 36°55'19" E	299.70'
C86	36.55'	22.00'	95°11'54"	S 77°33'22" E	32.49'
C122	477.58'	370.00'	85°30'38"	S 00°23'05" W	434.47'
C123	189.23'	565.00'	19°11'24"	S 32°38'31" E	188.35'
C124	35.27'	22.00'	91°51'45"	S 22°55'04" W	31.61'
C125	33.70'	22.00'	87°45'59"	N 67°16'04" W	30.50'
C126	329.42'	430.00'	43°53'35"	N 45°13'53" W	321.42'
C127	107.77'	300.00'	20°34'58"	N 56°59'12" W	107.19'
C128	33.95'	22.00'	88°24'44"	N 66°56'41" W	30.68'
C129	208.93'	615.00'	19°27'53"	N 32°28'16" W	207.93'
C130	402.86'	270.00'	85°30'38"	N 00°33'05" E	366.59'
C134	28.91'	615.00'	2°39'21"	N 12°86'20" W	28.51'
C135	39.91'	22.00'	83°06'27"	N 27°17'28" E	29.19'
C145	288.58'	815.00'	20°08'48"	N 21°41'04" W	285.10'
C146	30.23'	22.00'	80°32'44"	N 28°34'34" E	28.44'
C147	37.66'	22.00'	98°04'59"	S 62°06'34" E	33.23'
C148	14.37'	565.00'	12°27'52"	S 12°20'22" E	14.37'
C149	304.18'	865.00'	20°08'48"	S 21°41'04" E	302.59'
C160	1057.84'	1000.00'	60°36'34"	N 42°00'04" W	1009.20'
C161	93.30'	1400.00'	3°35'16"	N 41°31'28" E	93.29'
C162	350.65'	1490.00'	13°29'02"	N 32°59'17" E	349.84'
C163	105.31'	35.00'	158°46'53"	S 40°48'02" E	74.70'
C164	111.49'	66.00'	96°47'10"	S 71°47'54" E	88.70'
C165	46.88'	35.00'	76°44'21"	S 61°48'29" E	43.45'
C168	63.29'	60.00'	60°29'53"	S 69°55'43" E	60.36'
C167	117.87'	284.95'	25°29'23"	S 28°58'05" E	116.90'
C168	31.88'	30.00'	64°07'43"	S 46°17'19" E	31.85'
C169	36.25'	75.79'	27°26'09"	S 64°38'02" E	35.95'
C170	38.11'	46.00'	54°50'39"	S 78°12'47" E	36.89'
C171	11.10'	370.00'	1°43'02"	N 35°52'46" E	11.10'
C172	1121.17'	1080.00'	67°38'41"	S 22°24'24" E	123.25'
C173	315.62'	490.00'	36°14'18"	N 59°31'40" E	310.18'
C174	188.81'	490.00'	22°04'41"	N 10°22'18" E	187.65'
C175	29.07'	22.00'	70°22'51"	S 23°29'38" W	25.36'
C194	19.28'	445.00'	2°28'47"	N 12°51'03" W	19.26'
C195	345.35'	985.00'	20°08'48"	N 21°41'04" W	344.57'
C203	26.92'	72.00'	70°06'20"	S 58°28'14" E	25.27'
C204	166.83'	445.00'	21°28'40"	N 31°27'50" W	165.85'
C205	459.93'	440.00'	59°53'22"	N 12°15'32" E	439.27'
C228	71.71'	490.00'	8°23'04"	S 53°47'19" W	71.64'
C230	50.26'	490.00'	5°32'30"	S 48°39'29" E	50.23'
C231	50.26'	490.00'	5°32'30"	S 40°48'54" W	50.23'
C232	50.26'	490.00'	5°32'30"	S 34°54'19" W	50.23'
C233	50.26'	490.00'	5°32'30"	S 29°01'43" W	50.23'
C234	50.26'	490.00'	5°32'30"	S 23°08'08" W	50.23'
C235	50.26'	490.00'	5°32'30"	S 17°14'33" E	50.23'
C236	50.26'	490.00'	5°32'30"	S 11°23'57" E	50.23'
C237	50.26'	490.00'	5°32'30"	S 05°31'22" E	50.23'
C266	37.95'	370.00'	5°32'30"	N 09°31'22" E	37.93'
C267	37.95'	370.00'	5°32'30"	N 11°23'57" E	37.93'
C268	37.95'	370.00'	5°32'30"	N 17°18'33" E	37.93'
C269	37.95'	370.00'	5°32'30"	N 23°08'08" E	37.93'
C270	37.95'	370.00'	5°32'30"	N 29°01'43" E	37.93'
C271	37.95'	370.00'	5°32'30"	N 34°54'19" E	37.93'
C272	37.95'	370.00'	5°32'30"	N 40°46'54" E	37.93'
C273	37.95'	370.00'	5°32'30"	N 46°39'29" E	37.93'
C274	34.81'	370.00'	5°32'30"	N 52°17'29" E	34.80'

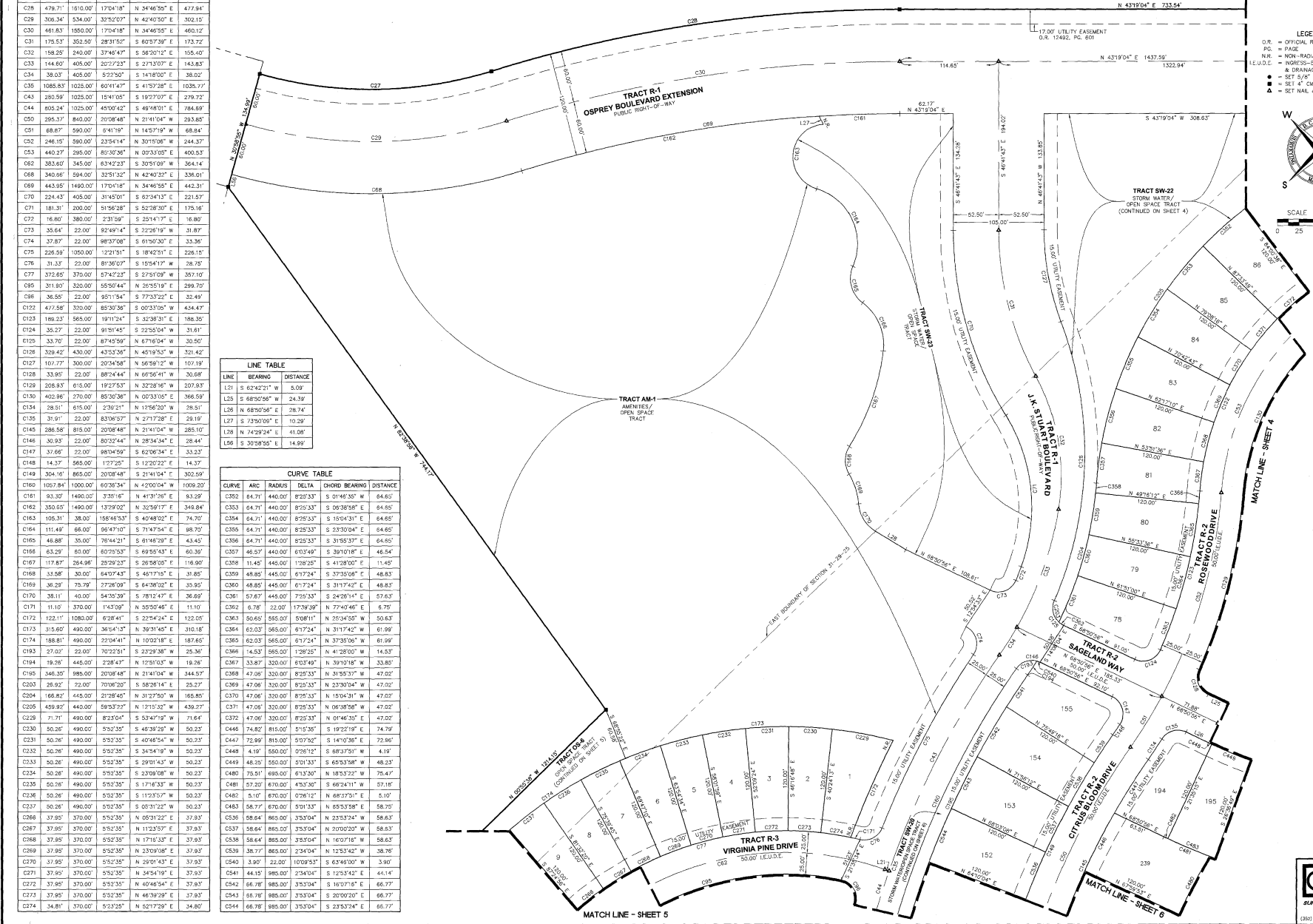
LINE TABLE		
LINE	BEARING	DISTANCE
L21	S 62°42'21" W	5.09
L25	S 68°50'58" W	24.39
L26	S 62°42'21" W	5.09
L27	S 72°50'09" E	10.29
L28	N 74°29'24" E	41.08
L56	S 30°38'55" E	14.89

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C352	64.71'	440.00'	8°23'33"	S 01°46'35" W	64.65'
C353	64.71'	440.00'	8°23'33"	S 00°38'58" E	64.65'
C354	64.71'	440.00'	8°23'33"	S 15°04'31" E	64.65'
C355	64.71'	440.00'	8°23'33"	S 33°30'04" E	64.65'
C356	64.71'	440.00'	8°23'33"	S 31°55'37" E	64.65'
C357	46.57'	440.00'	6°03'49"	S 28°01'18" E	46.54'
C358	11.45'	440.00'	1°28'25"	S 41°28'00" E	11.45'
C359	48.85'	445.00'	6°17'24"	S 37°35'08" E	48.83'
C360	48.85'	445.00'	6°17'24"	S 31°17'42" E	48.83'
C361	57.87'	445.00'	7°25'53"	S 24°26'14" E	57.83'
C362	8.78'	22.00'	17°59'59"	N 77°40'46" E	8.75'
C363	50.45'	555.00'	5°08'11"	N 28°36'58" E	50.63'
C364	63.03'	565.00'	4°17'24"	N 31°17'42" W	61.99'
C365	62.03'	565.00'	4°17'24"	N 37°30'36" W	61.99'
C366	145.53'	565.00'	12°02'55"	N 41°28'00" W	145.53'
C367	33.87'	320.00'	6°03'49"	N 39°10'18" W	33.80'
C368	47.08'	320.00'	8°23'33"	N 31°55'37" W	47.02'
C369	47.08'	320.00'	8°23'33"	N 23°30'04" W	47.02'
C370	47.08'	320.00'	8°23'33"	N 15°04'31" W	47.02'
C371	47.08'	320.00'	8°23'33"	N 06°38'58" W	47.02'
C372	47.08'	320.00'	8°23'33"	N 01°46'35" E	47.02'
C446	74.82'	815.00'	5°15'30"	S 19°22'19" E	74.79'
C447	72.89'	815.00'	5°07'50"	S 14°07'36" E	72.86'
C448	4.19'	550.00'	0°28'12"	S 68°37'51" W	4.19'
C449	48.25'	550.00'	5°01'35"	S 65°33'38" W	48.23'
C480	75.51'	695.00'	6°15'30"	N 65°13'27" W	75.47'
C481	13.25'	670.00'	4°33'30"	S 66°14'11" W	13.18'
C482	5.10'	670.00'	0°26'12"	N 68°37'51" W	5.10'
C483	58.77'	670.00'	5°01'35"	N 65°13'27" W	58.75'
C536	58.64'	865.00'	3°53'04"	N 23°24'32" W	58.63'
C537	58.64'	865.00'	3°53'04"	N 20°02'20" W	58.63'
C538	58.64'	865.00'	3°53'04"	N 16°07'16" W	58.63'
C539	38.77'	865.00'	2°34'04"	N 12°53'42" W	38.76'
C540	3.90'	22.00'	10°09'53"	S 63°46'00" W	3.90'
C541	44.15'	985.00'	2°34'04"	S 12°53'42" E	44.14'
C542	64.78'	985.00'	3°53'04"	S 16°07'16" E	64.77'
C543	64.78'	985.00'	3°53'04"	S 20°02'20" E	64.77'
C544	64.78'	985.00'	3°53'04"	S 23°24'32" E	64.77'

**LEGEND**

- O.R. = OFFICIAL RECORDS BOOK
- P.S. = PAGE
- N.R. = NON-RADIAL LINE
- I.E.U.D.E. = INGRESS-EGRESS, UTILITY & DRAINAGE EASEMENT
- = SET 5/8" R - "18 451'4"
- = SET 1/4" O.W. - "TRIM LB 451'4"
- ▲ = SET NAIL & DISK - "POP LB 451'4"

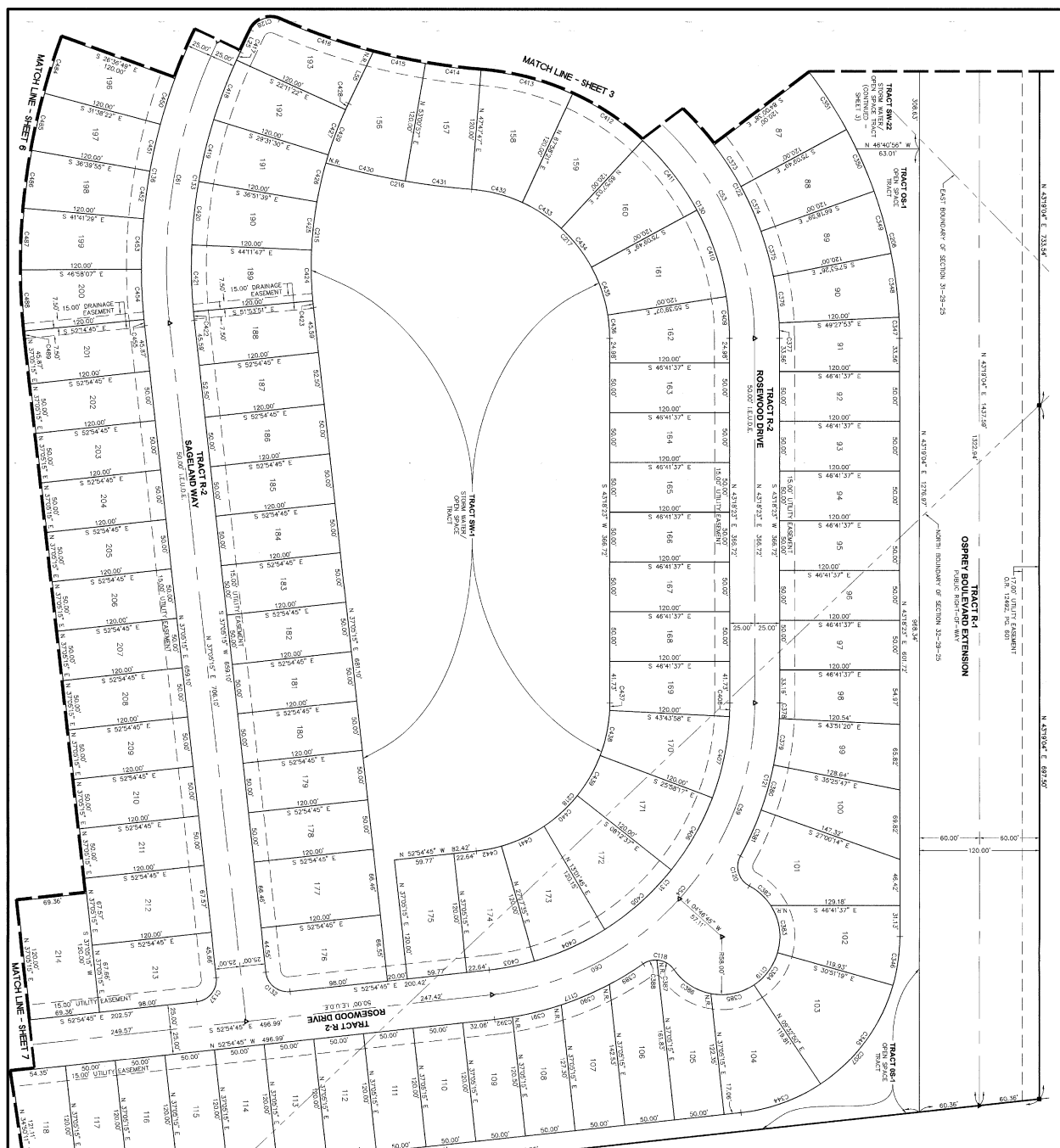
SCALE 1" = 50'  
0 25 50 100



# GROVE AT STUART CROSSING PHASE ONE

## SECTIONS 29, 31 & 32, TOWNSHIP 29 SOUTH, RANGE 25 EAST, CITY OF BARTOW, POLK COUNTY, FLORIDA

PLAT BOOK **203** PAGE **21**  
SHEET 4 OF 8



TRACT	LOT	AREA	OWNER
R-1	100	0.00	...
R-1	101	0.00	...
R-1	102	0.00	...
R-1	103	0.00	...
R-1	104	0.00	...
R-1	105	0.00	...
R-1	106	0.00	...
R-1	107	0.00	...
R-1	108	0.00	...
R-1	109	0.00	...
R-1	110	0.00	...
R-1	111	0.00	...
R-1	112	0.00	...
R-1	113	0.00	...
R-1	114	0.00	...
R-1	115	0.00	...
R-1	116	0.00	...
R-1	117	0.00	...
R-1	118	0.00	...
R-1	119	0.00	...
R-1	120	0.00	...
R-1	121	0.00	...
R-1	122	0.00	...
R-1	123	0.00	...
R-1	124	0.00	...
R-1	125	0.00	...
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R-1	136	0.00	...
R-1	137	0.00	...
R-1	138	0.00	...
R-1	139	0.00	...
R-1	140	0.00	...
R-1	141	0.00	...
R-1	142	0.00	...
R-1	143	0.00	...
R-1	144	0.00	...
R-1	145	0.00	...
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R-1	166	0.00	...
R-1	167	0.00	...
R-1	168	0.00	...
R-1	169	0.00	...
R-1	170	0.00	...
R-1	171	0.00	...
R-1	172	0.00	...
R-1	173	0.00	...
R-1	174	0.00	...
R-1	175	0.00	...
R-1	176	0.00	...
R-1	177	0.00	...
R-1	178	0.00	...
R-1	179	0.00	...
R-1	180	0.00	...
R-1	181	0.00	...
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R-1	189	0.00	...
R-1	190	0.00	...
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R-1	208	0.00	...
R-1	209	0.00	...
R-1	210	0.00	...
R-1	211	0.00	...
R-1	212	0.00	...
R-1	213	0.00	...
R-1	214	0.00	...

TRACT	LOT	AREA	OWNER
R-2	215	0.00	...
R-2	216	0.00	...
R-2	217	0.00	...
R-2	218	0.00	...
R-2	219	0.00	...
R-2	220	0.00	...
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R-2	225	0.00	...
R-2	226	0.00	...
R-2	227	0.00	...
R-2	228	0.00	...
R-2	229	0.00	...
R-2	230	0.00	...
R-2	231	0.00	...
R-2	232	0.00	...
R-2	233	0.00	...
R-2	234	0.00	...
R-2	235	0.00	...
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R-2	257	0.00	...
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R-2	261	0.00	...
R-2	262	0.00	...
R-2	263	0.00	...
R-2	264	0.00	...
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R-2	267	0.00	...
R-2	268	0.00	...
R-2	269	0.00	...
R-2	270	0.00	...
R-2	271	0.00	...
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R-2	273	0.00	...
R-2	274	0.00	...
R-2	275	0.00	...
R-2	276	0.00	...
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R-2	280	0.00	...
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R-2	288	0.00	...
R-2	289	0.00	...
R-2	290	0.00	...
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R-2	292	0.00	...
R-2	293	0.00	...
R-2	294	0.00	...
R-2	295	0.00	...
R-2	296	0.00	...
R-2	297	0.00	...
R-2	298	0.00	...
R-2	299	0.00	...
R-2	300	0.00	...

**LEGEND**

- OR - OFFICIAL RECORD BOOK
- NR - NON-ADJUDICATED
- LD - LITIGATED
- DR - DEED RECORD
- SR - SET OFF RECORD
- TR - TRUST RECORD
- MR - MORTGAGE RECORD
- AR - ADEPT FILE & BOOK - "TOP" LB 6014

SCALE: 1" = 50'

0 25 50 100

**JOHNSON ASSOCIATES**  
SURVEYING AND MAPPING

1200 N. W. 13th Ave., Suite 200, Ft. Lauderdale, FL 33304  
Phone: (954) 576-1234  
Fax: (954) 576-5678  
Email: info@johnsonassoc.com

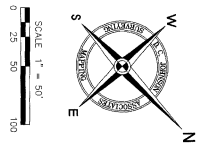
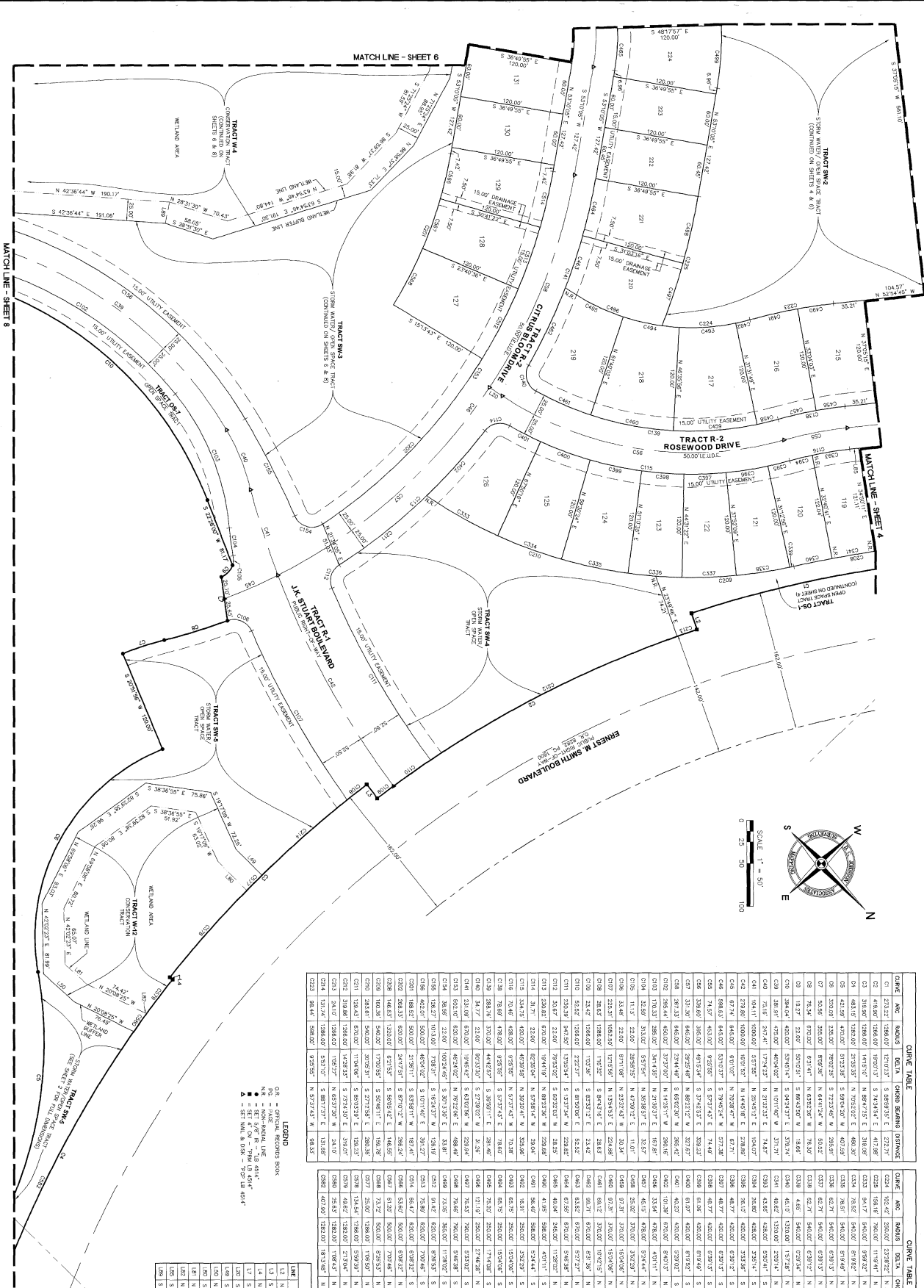




# GROVE AT STUART CROSSING PHASE ONE

SECTIONS 29, 31 & 32, TOWNSHIP 29 SOUTH, RANGE 25 EAST, CITY OF BARTOW, POLK COUNTY, FLORIDA

PLAT BOOK 213 PAGE 24  
SHEET 7 OF 8



CHAIN	NO.	BEARING	DETAILED BEARING	DISTANCE
C1	1.00	N 89°59'57\"/>		
C1	1.01	N 89°59'57\"/>		
C1	1.02	N 89°59'57\"/>		
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C1	1.07	N 89°59'57\"/>		
C1	1.08	N 89°59'57\"/>		
C1	1.09	N 89°59'57\"/>		
C1	1.10	N 89°59'57\"/>		
C1	1.11	N 89°59'57\"/>		
C1	1.12	N 89°59'57\"/>		
C1	1.13	N 89°59'57\"/>		
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C1	1.17	N 89°59'57\"/>		
C1	1.18	N 89°59'57\"/>		
C1	1.19	N 89°59'57\"/>		
C1	1.20	N 89°59'57\"/>		
C1	1.21	N 89°59'57\"/>		
C1	1.22	N 89°59'57\"/>		
C1	1.23	N 89°59'57\"/>		
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C1	1.79	N 89°59'57\"/>		
C1	1.80	N 89°59'57\"/>		
C1	1.81	N 89°59'57\"/>		
C1	1.82	N 89°59'57\"/>		
C1	1.83	N 89°59'57\"/>		
C1	1.84	N 89°59'57\"/>		
C1	1.85	N 89°59'57\"/>		
C1	1.86	N 89°59'57\"/>		
C1	1.87	N 89°59'57\"/>		
C1	1.88	N 89°59'57\"/>		
C1	1.89	N 89°59'57\"/>		
C1	1.90	N 89°59'57\"/>		
C1	1.91	N 89°59'57\"/>		
C1	1.92	N 89°59'57\"/>		
C1	1.93	N 89°59'57\"/>		
C1	1.94	N 89°59'57\"/>		
C1	1.95	N 89°59'57\"/>		
C1	1.96	N 89°59'57\"/>		
C1	1.97	N 89°59'57\"/>		
C1	1.98	N 89°59'57\"/>		
C1	1.99	N 89°59'57\"/>		
C1	2.00	N 89°59'57\"/>		





# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**7**

**RESOLUTION 2024-07**

**[SUPPLEMENTAL ASSESSMENT RESOLUTION, 2024 BONDS]**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT SETTING FORTH THE SPECIFIC TERMS OF THE DISTRICT'S SPECIAL ASSESSMENT BONDS, SERIES 2024 (ASSESSMENT AREA ONE PROJECT) ("SERIES 2024 BONDS"); MAKING CERTAIN ADDITIONAL FINDINGS AND CONFIRMING AND/OR ADOPTING A SUPPLEMENTAL ENGINEER'S REPORT AND A SUPPLEMENTAL ASSESSMENT REPORT; CONFIRMING THE MAXIMUM ASSESSMENT LIEN SECURING THE BONDS; ADDRESSING THE ALLOCATION AND COLLECTION OF THE ASSESSMENTS SECURING THE SERIES 2024 BONDS; ADDRESSING PREPAYMENTS; ADDRESSING TRUE-UP PAYMENTS; PROVIDING FOR THE SUPPLEMENTATION OF THE IMPROVEMENT LIEN BOOK; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

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

**WHEREAS**, on September 7, 2022, the District's Board of Supervisors ("**Board**") adopted, after notice and public hearing, Resolution No. 2022-30 ("**Master Assessment Resolution**"), relating to the imposition, levy, collection and enforcement of such special assessments; and

**WHEREAS**, on March 12, 2024, the District entered into a Bond Purchase Contract whereby it agreed to sell its \$4,325,000 Special Assessment Bonds, Series 2024 (Assessment Area One Project), (the "**Series 2024 Bonds**"); and

**WHEREAS**, the Master Assessment Resolution provides that as each series of bonds is issued to fund all or any portion of the District's improvements, a supplemental resolution would be adopted to set forth the specific terms of the bonds and certify the amount of the lien of the special assessments securing any portion of the bonds, including interest, costs of issuance, the number of payments due, and the application of receipt of any true-up proceeds; and

**WHEREAS**, pursuant to and consistent with the Master Assessment Resolution, the District desires to authorize the finalization of its "**Assessments**" securing the Series 2024 Bonds, among other items.

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

1. **INCORPORATION OF RECITALS.** All of the above representations, findings and determinations contained above are recognized as true and accurate and are expressly incorporated into this Resolution.

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

3. **ADDITIONAL FINDINGS; ADOPTION OF ENGINEER'S REPORT AND SUPPLEMENTAL ASSESSMENT REPORT.** The Board hereby finds and determines as follows:

- a. The *Supplemental Engineer's Report*, dated March 1, 2024, attached to this Resolution as **Exhibit A ("Engineer's Report")**, identifies and describes, among other things, the presently expected components of the 2024 Project. The Engineer's Report sets forth the estimated costs of the 2024 Project. The District hereby confirms that the 2024 Project serves a proper, essential and valid public purpose. The Engineer's Report is hereby approved, adopted, and confirmed. The District authorizes its use in connection with the sale of the Series 2024 Bonds.
- b. The *Final First Supplemental Special Assessment Methodology Report*, dated March 12, 2024, and attached to this Resolution as **Exhibit B ("Supplemental Assessment Report")** applies the *Master Special Assessment Methodology Report*, dated July 25, 2022, to the 2024 Project and the actual terms of the Series 2024 Bonds. The Supplemental Assessment Report is hereby approved, adopted and confirmed. The District authorizes its use in connection with the sale of the Series 2024 Bonds.
- c. Generally speaking, and subject to the terms of **Exhibit A** and **Exhibit B**, the 2024 Project benefits property within the District, as further described in **Exhibit C** attached hereto. Moreover, the benefits from the 2024 Project funded by the Series 2024 Bonds equal or exceed the amount of the special assessments ("**Assessments**"), as described in **Exhibit B**, and such Assessments are fairly and reasonably allocated across the District. It is reasonable, proper, just and right to assess the portion of the costs of the 2024 Project to be financed with the Series 2024 Bonds to the specially benefited properties within the District as set forth in Master Assessment Resolution and this Resolution.

4. **CONFIRMATION OF MAXIMUM ASSESSMENT LIEN SECURING THE SERIES 2024 BONDS.** As provided in the Master Assessment Resolution, this Resolution is intended to set forth the terms of the Series 2024 Bonds and the final amount of the lien of the Assessments. The Series 2024 Bonds, in a par amount of \$4,325,000, shall bear such rates of interest and maturity as shown on **Exhibit D**, attached hereto. The final payment on the Series 2024 Bonds shall be due on May 1, 2054. The estimated sources and uses of funds of the Series 2024 Bonds shall be as set forth in **Exhibit E**. The debt service due on the Series 2024 Bonds is set forth on **Exhibit F** attached hereto. The lien of the Assessments shall be the principal amount due on the Series 2024 Bonds, together with interest and collection costs, and other pledged revenues as set forth in the applicable indenture(s).

5. **ALLOCATION AND COLLECTION OF THE ASSESSMENTS.**

- a. The Assessments shall be allocated in accordance with **Exhibit B**. The Supplemental Assessment Report reflects the actual terms of the issuance of the Series 2024 Bonds. The estimated costs of collection of the Assessments for the Series 2024 Bonds are as set forth in the Supplemental Assessment Report.
- b. Section 8 of the Master Assessment Resolution sets forth the terms for collection and enforcement of the Assessments. The District hereby certifies the Assessments for collection to ensure payment of debt service as set forth in **Exhibit B** and **Exhibit F**. The District Manager is directed and authorized to take all actions necessary to collect special assessments on property using methods available to the District authorized by Florida law and the applicable trust indenture in order to provide for the timely payment of debt service (and after taking into account any capitalized interest period, if any). Among other things, the District Manager shall prepare or cause to be prepared each year an assessment roll for purposes of effecting the collection of the Assessments and present same to the Board as required by law.

6. **IMPACT FEE CREDITS.** Consistent with the Master Assessment Resolution, and in lieu of receiving impact fee credits (if any) from any public improvements financed by the District, the District may elect to receive a contribution of infrastructure, reduce the cost of acquiring the improvements, or otherwise address the credits, as set forth in an applicable *Acquisition Agreement* between the District and the project developer.

7. **PREPAYMENT OF ASSESSMENTS.** Any owner of property subject to the Assessments may, at its option, pre-pay the entire amount of the Assessments any time, or a portion of the amount of the Assessments up to 2 times (or as otherwise provided by the supplemental indenture for the Series 2024 Bonds), plus any applicable interest (as provided for in the supplemental indenture for the Series 2024 Bonds), attributable to the property subject to the Assessments owned by such owner. In connection with any prepayment of Assessments, the District may grant a discount equal to all or part of the payee's proportionate share of financing costs (e.g., reserves) to the extent such discounts are provided for under the applicable trust indenture. Except as otherwise set forth herein, Section 8 of the Master Assessment Resolution addresses prepayments for the Assessments.

8. **APPLICATION OF TRUE-UP PAYMENTS.** Section 9 of the Master Assessment Resolution, together with the Supplemental Assessment Report, shall govern true-up as it relates to the Assessments and Series 2024 Bonds.

9. **IMPROVEMENT LIEN BOOK.** Immediately following the adoption of this Resolution, the Assessments as reflected herein shall be recorded by the Secretary of the Board in the District's Improvement Lien Book. The Assessments shall be and shall remain a legal, valid and binding first lien against all benefitted property as described in **Exhibit B** until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

**10. CONFLICTS.** This Resolution is intended to supplement the Master Assessment Resolution, which remains in full force and effect and is applicable to the Series 2024 Bonds except as modified herein. This Resolution and the Master Assessment Resolution shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution, provided however that to the extent of any conflict, this Resolution shall control. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

**11. SEVERABILITY.** If any section or part of a section of this Resolution is 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.

**APPROVED and ADOPTED** this 1<sup>st</sup> day of April, 2024.

ATTEST:

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT**

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

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

- Exhibit A:** *Supplemental Engineer's Report, dated March 1, 2024*
- Exhibit B:** *Final First Supplemental Special Assessment Methodology Report, dated March 12, 2024*
- Exhibit C:** Legal Description
- Exhibit D:** Maturities and Coupon of Series 2024 Bonds
- Exhibit E:** Sources and Uses of Funds for Series 2024 Bonds
- Exhibit F:** Annual Debt Service Payment Due on Series 2024 Bonds

**EXHIBIT A**

*Supplemental Engineer's Report*, dated March 1, 2024

**EXHIBIT B**

*Final First Supplemental Special Assessment Methodology Report, dated March 12, 2024*



**EXHIBIT C**

Legal Description of Assessment Area One

LOTS 1 THROUGH 239, GROVE AT STUART CROSSING PHASE ONE, AS RECORDED IN PLAT BOOK 203, PAGES 18 – 25, OF THE OFFICIAL RECORDS OF POLK COUNTY, FLORIDA.

**EXHIBIT D**  
Maturities and Coupon of Series 2024 Bonds

Stuart Crossing Community Development District  
Special Assessment Bonds, Series 2024 (Assessment Area One Project)

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Term 1:	05/01/2031	515,000	4.375%	4.375%	100.000
Term 2:	05/01/2044	1,575,000	5.250%	5.250%	100.000
Term 3:	05/01/2054	2,235,000	5.500%	5.570%	98.977
		4,325,000			

**EXHIBIT E**

Sources and Uses of Funds for Series 2024 Bonds

**SOURCES AND USES OF FUNDS**

Stuart Crossing Community Development District  
Special Assessment Bonds, Series 2024 (Assessment Area One Project)

Sources:

---

<b>Bond Proceeds:</b>	
Par Amount	4,325,000.00
Original Issue Discount	-22,864.05
	<hr/>
	4,302,135.95
	<hr/> <hr/>

Uses:

---

<b>Other Fund Deposits:</b>	
Debt Service Reserve Fund (50% MADS)	146,615.63
Capitalized Interest Fund (thru 11/1/2024)	<hr/>
	136,252.52
	282,868.15
<b>Delivery Date Expenses:</b>	
Cost of Issuance	189,705.00
Underwriter's Discount	<hr/>
	86,500.00
	276,205.00
<b>Other Uses of Funds:</b>	
Construction Fund	3,743,062.80
	<hr/>
	4,302,135.95
	<hr/> <hr/>

**EXHIBIT F**

Annual Debt Service Payment Due on Series 2024 Bonds

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/01/2024			136,252.52	136,252.52	136,252.52
05/01/2025	65,000	4.375%	114,071.88	179,071.88	
11/01/2025			112,650.00	112,650.00	291,721.88
05/01/2026	65,000	4.375%	112,650.00	177,650.00	
11/01/2026			111,228.13	111,228.13	288,878.13
05/01/2027	70,000	4.375%	111,228.13	181,228.13	
11/01/2027			109,696.88	109,696.88	290,925.01
05/01/2028	75,000	4.375%	109,696.88	184,696.88	
11/01/2028			108,056.25	108,056.25	292,753.13
05/01/2029	75,000	4.375%	108,056.25	183,056.25	
11/01/2029			106,415.63	106,415.63	289,471.88
05/01/2030	80,000	4.375%	106,415.63	186,415.63	
11/01/2030			104,665.63	104,665.63	291,081.26
05/01/2031	85,000	4.375%	104,665.63	189,665.63	
11/01/2031			102,806.25	102,806.25	292,471.88
05/01/2032	85,000	5.250%	102,806.25	187,806.25	
11/01/2032			100,575.00	100,575.00	288,381.25
05/01/2033	90,000	5.250%	100,575.00	190,575.00	
11/01/2033			98,212.50	98,212.50	288,787.50
05/01/2034	95,000	5.250%	98,212.50	193,212.50	
11/01/2034			95,718.75	95,718.75	288,931.25
05/01/2035	100,000	5.250%	95,718.75	195,718.75	
11/01/2035			93,093.75	93,093.75	288,812.50
05/01/2036	105,000	5.250%	93,093.75	198,093.75	
11/01/2036			90,337.50	90,337.50	288,431.25
05/01/2037	115,000	5.250%	90,337.50	205,337.50	
11/01/2037			87,318.75	87,318.75	292,656.25
05/01/2038	120,000	5.250%	87,318.75	207,318.75	
11/01/2038			84,168.75	84,168.75	291,487.50
05/01/2039	125,000	5.250%	84,168.75	209,168.75	
11/01/2039			80,887.50	80,887.50	290,056.25
05/01/2040	135,000	5.250%	80,887.50	215,887.50	
11/01/2040			77,343.75	77,343.75	293,231.25
05/01/2041	140,000	5.250%	77,343.75	217,343.75	
11/01/2041			73,668.75	73,668.75	291,012.50
05/01/2042	145,000	5.250%	73,668.75	218,668.75	
11/01/2042			69,862.50	69,862.50	288,531.25
05/01/2043	155,000	5.250%	69,862.50	224,862.50	
11/01/2043			65,793.75	65,793.75	290,656.25
05/01/2044	165,000	5.250%	65,793.75	230,793.75	
11/01/2044			61,462.50	61,462.50	292,256.25
05/01/2045	170,000	5.500%	61,462.50	231,462.50	
11/01/2045			56,787.50	56,787.50	288,250.00
05/01/2046	180,000	5.500%	56,787.50	236,787.50	
11/01/2046			51,837.50	51,837.50	288,625.00
05/01/2047	190,000	5.500%	51,837.50	241,837.50	
11/01/2047			46,612.50	46,612.50	288,450.00
05/01/2048	205,000	5.500%	46,612.50	251,612.50	
11/01/2048			40,975.00	40,975.00	292,587.50
05/01/2049	215,000	5.500%	40,975.00	255,975.00	
11/01/2049			35,062.50	35,062.50	291,037.50
05/01/2050	225,000	5.500%	35,062.50	260,062.50	
11/01/2050			28,875.00	28,875.00	288,937.50
05/01/2051	240,000	5.500%	28,875.00	268,875.00	
11/01/2051			22,275.00	22,275.00	291,150.00

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
05/01/2052	255,000	5.500%	22,275.00	277,275.00	
11/01/2052			15,262.50	15,262.50	292,537.50
05/01/2053	270,000	5.500%	15,262.50	285,262.50	
11/01/2053			7,837.50	7,837.50	293,100.00
05/01/2054	285,000	5.500%	7,837.50	292,837.50	
11/01/2054					292,837.50
	4,325,000		4,529,299.44	8,854,299.44	8,854,299.44

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

**8**

**RESOLUTION 2024-02**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE STUART CROSSING COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE LOCATION OF THE LOCAL DISTRICT RECORDS OFFICE 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*, being situated within the City of Bartow, Polk County, Florida; and

**WHEREAS**, the District is statutorily required to designate a local district records office location for the purposes of affording citizens the ability to access the District’s records, promoting the disclosure of matters undertaken by the District, and ensuring that the public is informed of the activities of the District in accordance with Chapter 119 and Section 190.006(7), *Florida Statutes*.

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

**SECTION 1.** The District’s local records office shall be located at: \_\_\_\_\_  
\_\_\_\_\_.

**SECTION 2.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

**STUART CROSSING COMMUNITY  
DEVELOPMENT DISTRICT**

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

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

# **STUART CROSSING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **UNAUDITED FINANCIAL STATEMENTS**



**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
FEBRUARY 29, 2024**

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
FEBRUARY 29, 2024**

	General Fund	Debt Service Fund	Total Governmental Funds
<b>ASSETS</b>			
Cash	\$ 9,954	\$ -	\$ 9,954
Due from Landowner	2,058	-	2,058
Total assets	<u>12,012</u>	<u>-</u>	<u>12,012</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Liabilities:			
Accounts payable	\$ 4,704	\$ -	\$ 4,704
Due to Landowner	-	4,571	4,571
Due to other	1,312	-	1,312
Landowner advance	6,000	-	6,000
Total liabilities	<u>12,016</u>	<u>4,571</u>	<u>16,587</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred receipts	2,058	-	2,058
Total deferred inflows of resources	<u>2,058</u>	<u>-</u>	<u>2,058</u>
Fund balances:			
Restricted for:			
Debt service	-	(4,571)	(4,571)
Unassigned	<u>(2,062)</u>	<u>-</u>	<u>(2,062)</u>
Total fund balances	<u>(2,062)</u>	<u>(4,571)</u>	<u>(6,633)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 12,012</u>	<u>\$ -</u>	<u>\$ 12,012</u>

**STUART CROSSING  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED FEBRUARY 29, 2024**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Landowner contribution	\$ 2,646	\$ 16,987	\$ 102,290	17%
Total revenues	<u>2,646</u>	<u>16,987</u>	<u>102,290</u>	17%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording**	2,000	10,000	48,000	21%
Legal	-	1,492	25,000	6%
Engineering	-	-	2,000	0%
Audit	-	-	5,500	0%
Arbitrage rebate calculation*	-	-	500	0%
Dissemination agent*	-	-	1,000	0%
Trustee*	-	-	5,500	0%
Telephone	16	83	200	42%
Postage	-	-	250	0%
Printing & binding	42	208	500	42%
Legal advertising	-	939	6,500	14%
Annual special district fee	-	175	175	100%
Insurance	-	5,200	5,500	95%
Contingencies/bank charges	4	4	750	1%
Meeting room rental	-	150	-	N/A
Property taxes	-	798	-	N/A
Website hosting & maintenance	-	-	705	0%
Website ADA compliance	-	-	210	0%
Total expenditures	<u>2,062</u>	<u>19,049</u>	<u>102,290</u>	19%
Excess/(deficiency) of revenues over/(under) expenditures	584	(2,062)	-	
Fund balances - beginning	<u>(2,646)</u>	<u>-</u>	<u>-</u>	
Fund balances - ending	<u>\$ (2,062)</u>	<u>\$ (2,062)</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 FEBRUARY 29, 2024**

	<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	 <u>(4,571)</u>	 <u>(4,571)</u>
Fund balances - ending	<u>\$ (4,571)</u>	<u>\$ (4,571)</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 a Regular Meeting on March 4, 2024 at 11:00 a.m., at the Hampton Inn Bartow, 205 Old Bartow Eagle Lake Rd., Bartow, Florida 33830.

**Present:**

Martha Schiffer	Assistant Secretary
Megan Germino	Assistant Secretary
John Kakridas	Assistant Secretary

**Also present:**

Kristen Suit	District Manager
Jonathan Johnson (via telephone)	District Counsel
Brian Crumbaker (via telephone)	Bond Counsel
Mark Wilson (via telephone)	Kimley-Horn

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Suit called the meeting to order at 11:03 a.m. Supervisors Schiffer, Germino and Kakridas were present. Supervisor Noble was not present. One seat was vacant.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Consideration of Appointment to Fill Unexpired Term of Seat 2; Term Expires November 2024**

- **Administration of Oath of Office to Appointed Supervisor (the following will be provided in a separate package)**
  - A. Memorandum Regarding Required Ethics Training and Disclosure Filing**
  - B. Sample Form 1 2023/Instructions**
  - C. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
  - D. Membership, Obligations and Responsibilities**

41 E. Form 8B: Memorandum of Voting Conflict

42 This Order of Business was deferred.

43

44 **FOURTH ORDER OF BUSINESS** **Consideration of Resolution 2024-05,**  
45 **Appointing and Removing Officers of the**  
46 **District and Providing for an Effective Date**

47

48 This item was deferred.

49

50 **FIFTH ORDER OF BUSINESS** **Presentation of Supplemental Engineer’s**  
51 **Report**

52

53 Mr. Wilson presented the Supplemental Engineer’s Report dated March 1, 2024.

54 Ms. Suit noted that the Capital Improvement Plan (CIP) consists of 239 units for  
55 Assessment Area One and total estimated costs of \$18,650,000.

56

57 **On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor,**  
58 **the Supplemental Engineer’s Report, was approved.**

59

60

61 **SIXTH ORDER OF BUSINESS** **Presentation of Supplemental Special**  
62 **Assessment Methodology Report**

63

64 Ms. Suit presented the Supplemental Special Assessment Methodology Report dated  
65 March 4, 2024 and reviewed the Appendix Tables at the end of the Report.

66

67 **On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor,**  
68 **the Supplemental Special Assessment Methodology Report, was approved.**

69

70

71 **SEVENTH ORDER OF BUSINESS** **Consideration of Resolution 2024-06,**  
72 **Authorizing the Issuance of its Stuart**  
73 **Crossing Community Development District**  
74 **Special Assessment Bonds, Series 2024**  
75 **(Assessment Area One Project) (the "Series**  
76 **2024 Bonds"); Determining Certain Details**  
77 **of the Series 2024 Bonds and Establishing**  
78 **Certain Parameters for the Sale Thereof;**  
79 **Approving the Form of and Authorizing the**  
80 **Execution and Delivery of a First**  
81 **Supplemental Trust Indenture; Authorizing**

82 the Negotiated Sale of the Series 2024  
83 Bonds; Approving the Form of and  
84 Authorizing the Execution and Delivery of a  
85 Bond Purchase Contract with Respect to  
86 the Series 2024 Bonds and Awarding the  
87 Series 2024 Bonds to the Underwriter  
88 Named Therein; Approving the Form of  
89 and Authorizing the Distribution of a  
90 Preliminary Limited Offering  
91 Memorandum Relating to the Series 2024  
92 Bonds and its Use By the Underwriter in  
93 Connection with the Offering for Sale of  
94 the Series 2024 Bonds; Approving the  
95 Execution and Delivery of a Final Limited  
96 Offering Memorandum Relating to the  
97 Series 2024 Bonds; Approving the Form of  
98 and Authorizing the Execution and Delivery  
99 of a Continuing Disclosure Agreement;  
100 Providing for the Application of the Series  
101 2024 Bond Proceeds; Authorizing the  
102 Proper Officials to Do All Things Deemed  
103 Necessary in Connection with the Issuance,  
104 Sale and Delivery of the Series 2024 Bonds;  
105 Making Certain Declarations; Providing an  
106 Effective Date and for Other Purposes  
107

108 Mr. Crumbaker presented Resolution 2024-06, which authorizes the issuance of the  
109 Series 2024 bonds. He reviewed the details of the Series 2024 bonds and the forms of  
110 documents attached to the Resolution including, the First Supplemental Indenture, Negotiated  
111 Sale, Bond Purchase Contract, Preliminary Limited Offering Memorandum, Final Limited  
112 Offering Memorandum and Continuing Disclosure Agreement.  
113

114 **On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor,**  
115 **Resolution 2024-06, Authorizing the Issuance of its Stuart Crossing Community**  
116 **Development District Special Assessment Bonds, Series 2024 (Assessment Area**  
117 **One Project) (the "Series 2024 Bonds"); Determining Certain Details of the**  
118 **Series 2024 Bonds and Establishing Certain Parameters for the Sale Thereof;**  
119 **Approving the Form of and Authorizing the Execution and Delivery of a First**  
120 **Supplemental Trust Indenture; Authorizing the Negotiated Sale of the Series**  
121 **2024 Bonds; Approving the Form of and Authorizing the Execution and Delivery**  
122 **of a Bond Purchase Contract with Respect to the Series 2024 Bonds and**  
123 **Awarding the Series 2024 Bonds to the Underwriter Named Therein; Approving**  
124 **the Form of and Authorizing the Distribution of a Preliminary Limited Offering**  
125 **Memorandum Relating to the Series 2024 Bonds and its Use By the**



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**Underwriter in Connection with the Offering for Sale of the Series 2024 Bonds; Approving the Execution and Delivery of a Final Limited Offering Memorandum Relating to the Series 2024 Bonds; Approving the Form of and Authorizing the Execution and Delivery of a Continuing Disclosure Agreement; Providing for the Application of the Series 2024 Bond Proceeds; Authorizing the Proper Officials to Do All Things Deemed Necessary in Connection with the Issuance, Sale and Delivery of the Series 2024 Bonds; Making Certain Declarations; Providing an Effective Date and for Other Purposes, was adopted.**

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**EIGHTH ORDER OF BUSINESS**

**Consider Rayl Engineering & Surveying, LLC Notice of Intent to Terminate Services**

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Ms. Suit presented the Rayl Engineering & Surveying, LLC Notice of Intent to Terminate Services as of March 16, 2024.

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**On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor, the Rayl Engineering & Surveying, LLC Notice of Intent to Terminate Services, was accepted.**

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**NINTH ORDER OF BUSINESS**

**Consideration of Response(s) to Request for Qualifications (RFQ) for Engineering Services**

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**A. Affidavit of Publication**

**B. RFQ Package**

**C. Respondent: Kimley-Horn & Associates**

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Mr. Johnson stated, if the Board is amenable, it can award the contract to, Kimley-Horn & Associates, who was the sole respondent to the RFQ.

**D. Competitive Selection Criteria/Ranking**

**E. Award of Contract**

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**On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor, awarding the contract for Engineering Services to Kimley-Horn & Associates, the respondent to the RFQ for Engineering Services, was approved.**

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**TENTH ORDER OF BUSINESS**

**Consideration of Resolution 2024-02, Designating the Location of the Local**

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District Records Office and Providing an Effective Date

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This item was deferred.

**ELEVENTH ORDER OF BUSINESS**

**Acceptance of Unaudited Financial Statements as of January 31, 2024**

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**On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor, the Unaudited Financial Statements as of January 31, 2024, were accepted.**

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**TWELFTH ORDER OF BUSINESS**

**Approval of February 5, 2024 Regular Meeting Minutes**

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**On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor, the February 5, 2024 Regular Meeting Minutes, as presented, were approved.**

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**THIRTEENTH ORDER OF BUSINESS**

**Staff Reports**

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- A. District Counsel: Kutak Rock LLP**
- B. District Engineer: Kimley-Horn & Associates**

There were no reports from District Counsel or the District Engineer.

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**C. District Manager: Wrathell, Hunt and Associates, LLC**

- **NEXT MEETING DATE: April 1, 2024 at 11:00 AM**
- **QUORUM CHECK**

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**FOURTEENTH ORDER OF BUSINESS**

**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

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**FIFTEENTH ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

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**SIXTEENTH ORDER OF BUSINESS**

**Adjournment**

**On MOTION by Ms. Schiffer and seconded by Ms. Germino, with all in favor, the meeting adjourned at 11:19 a.m.**

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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 2023/2024 MEETING SCHEDULE**

**LOCATION**

*Hampton Inn Bartow, 205 Old Bartow Eagle Lake Road, Bartow, Florida 33830*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 2, 2023 CANCELED</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>November 6, 2023</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>December 4, 2023 CANCELED</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>February 5, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>March 4, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>April 1, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>May 6, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>June 3, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>July 1, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>August 5, 2024</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>