

**ORDINANCE NUMBER O2011-09**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, ESTABLISHING THE WILDWOOD SPRINGS COMMUNITY DEVELOPMENT DISTRICT; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; GRANTING SPECIAL POWERS; NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 190, Florida Statutes, Wildwood Springs, LLC ("Petitioner"), has petitioned the City Commission of the City of Wildwood, Florida ("Commission"), to adopt an ordinance establishing the Wildwood Springs Community Development District ("District"), pursuant to Chapter 190, Florida Statutes (2010); and,

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida; and,

WHEREAS, pursuant to Chapter 190, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition for establishment ("Petition") at a duly noticed public hearing conducted by the Commission; and,

WHEREAS, upon consideration of the record established at that hearing, the Commission determined that the statements within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan; that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area served by the District; that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities and that the area to

be served by the District is amenable to separate special-district governance; and,

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

NOW, THEREFORE, be it ordained by the City Commission of the City of Wildwood, Florida, as follows:

SECTION 1. RECITALS. That the recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. AUTHORITY. This Ordinance is adopted in compliance with, and pursuant to, the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2010).

SECTION 3. DISTRICT NAME. There is hereby established a community development district situated entirely within the City of Wildwood, Florida, which shall be known as the "Wildwood Springs Community Development District."

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. Encompassing approximately 994.29 acres, the external boundaries of the District are described in Exhibit A attached hereto.

SECTION 5. POWERS AND FUNCTIONS. The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities described and authorized by section 190.012(2)(a), (d) and (e), Florida Statutes, as long as they do not conflict with systems and facilities provided by the City of Wildwood.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Jeff Reader, Reggie

Caruthers, Drew Locher, Dean Barberree and Neil Frazee.

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance, or any particular application thereof, is held to be invalid or unconstitutional by a Court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said Ordinance.

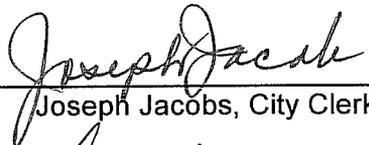
SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this 13<sup>th</sup> day of September, 2011, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST:

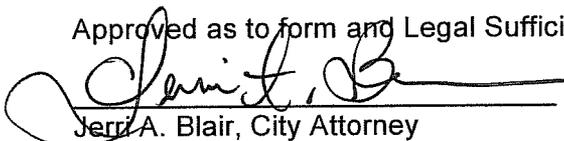
  
Joseph Jacobs, City Clerk

  
Ed Wolf, Mayor

First Reading: August 22, 2011

Second Reading: September 13, 2011

Approved as to form and Legal Sufficiency:

  
Jerr A. Blair, City Attorney

## EXHIBIT A

### LEGAL DESCRIPTION

The East 1/2 of the East 1/2 and the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 and the South 1/2 of the Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 and the South 1/2 of the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4 and the North 1/2 of the Southeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 all in Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The South 325 yards of the Northeast 1/4 of the Northeast 1/4 and the North 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Northeast 1/4 and the Northwest 1/4, LESS the Northeast 1/4 of the Northeast of the Northwest 1/4; and the North 1/2 of the Southwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4, LESS 5 acres in the Northwest corner and LESS Begin at the Northwest corner of the Northwest 1/4 of the Northeast 1/4, run South 466 feet 8 inches for point of beginning, thence run South 210 feet, thence East 210 feet, thence North 210 feet, thence West 210 feet to the point of beginning; all in Section 32, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Southwest 1/4 of the Northwest 1/4 and the North 1/2 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 and the South 1/2 of the Southeast 1/4 of the Northwest 1/4, all in Section 33, Township 19 South, Range 23 East, Sumter County, Florida.

LESS Road Right-of-Ways lying within the above described parcels.

And LESS those parcels described in Deed to Sumter County, Florida recorded in O.R. Book 950, Page 54, Public Records of Sumter County, Florida.

### TOGETHER WITH

The North 330 feet of the Southwest 1/4 of the Southwest 1/4 of Section 33, Township 19 South, Range 23 East, Sumter County, Florida.

Less any portion thereof claimed by Sumter County, Florida, for the maintenance of County Road 505.

### TOGETHER WITH

The Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida, Less the North 278.68 feet of the West 163.00 feet of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida; Less the right of way for County Road No. 468 across the North side thereof.

### TOGETHER WITH

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 30, Township 19 South, Range 23 East, Sumter County, Florida; Less right of way for Highway 468.

AND

From the South Quarter corner of Section 30, Township 19 South, Range 23 East, Sumter County, Florida, run North 00 degrees 07 minutes 02 seconds West along the East line of the Southwest Quarter of said Section 30, a distance of 34.05 feet to the North right-of-way of Highway 468 and the

Point of Beginning; thence South 89 degrees 54 minutes 25 seconds West 942.29 feet to the intersection of the North right-of-way of Highway 468 and the Southeasterly right-of-way of Highway 301; thence by the Southeasterly right-of-way of Highway 301, along a curve to the left having a radius of 1486.18 feet, 1022.51 feet to a point; thence run North 89 degrees 58 minutes 05 seconds East 162.41 feet; thence run South 00 degrees 07 minutes 02 seconds West 630.01 feet to the Point of Beginning.

LESS that portion conveyed to the State of Florida Department of Transportation by Deed recorded June 25, 1990 in Official Records Book 401, Page 26, described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 30, Township 19 South, Range 23 East, Sumter County, Florida; run North 0 degrees 02 minutes 01 seconds West along the East line of said Southwest Quarter a distance of 33.65 feet to the Northerly existing right-of-way line of County Road 468; thence North 89 degrees 59 minutes 20 seconds West along said Northerly right-of-way line 942.26 feet to the intersection of said Northerly right-of-way line and the Southeasterly existing right-of-way line of State Road 35 (U.S. 301) for the Point of Beginning, said point being the beginning of a curve along State Road 35 concave Northwesterly and having a radius of 1482.70 feet and a chord bearing of North 69 degrees 34 minutes 18 seconds East; thence run Northeasterly along the arc of said curve through a central angle of 02 degrees 25 minutes 58 seconds a distance of 62.96 feet for the end of said curve; thence, departing the Southeasterly existing right-of-way line of State Road 35, South 01 degrees 26 minutes 29 seconds West 21.99 feet to the Northerly existing right-of-way line of County Road 468; thence North 89 degrees 59 minutes 20 seconds West along said Northerly right-of-way line 58.44 feet to the Point of Beginning.

LESS

The West 1/2 of the Southeast 1/4 of the Southeast 1/4 and the West 1/2 of the Northeast 1/4 of the Southeast 1/4 and the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

Altogether Containing 994.29 acres more or less

**AMENDED AND RESTATED  
PETITION TO ESTABLISH  
THE WILDWOOD SPRINGS  
COMMUNITY  
DEVELOPMENT DISTRICT**

Submitted By:

Cheryl G. Stuart  
Florida Bar No. 622699  
Jennifer L. Kilinski  
Florida Bar No. 69367  
119 S. Monroe Street, Suite 300  
Post Office Box 6526  
Tallahassee, Florida 32314  
(850) 222-7500  
Attorneys for Petitioner

**BEFORE THE CITY COMMISSION OF  
THE CITY OF WILDWOOD, FLORIDA**

**AMENDED AND RESTATED PETITION TO ESTABLISH A COMMUNITY  
DEVELOPMENT DISTRICT**

Petitioner, Wildwood Springs, LLC (hereafter "Petitioner"), hereby amends and restates its petition to the City Commission of the City of Wildwood, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, to establish a community development district (hereafter "District") with respect to the land described herein. In support of this amended and restated petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within the municipal limits of the City of Wildwood, Florida, and covers approximately 994.29 acres of land, more or less. **Exhibit 1** depicts the general location of the project. The site is located east of U.S. Highway 301, adjacent to State Road 468 and south/southwest of the Florida Turnpike. The metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2**.

2. Excluded Parcels. There is one (1) parcel within the exterior boundaries of the proposed District that is to be excluded from the District. The parcel is entirely comprised of wetlands. The owner of this parcel is Wildwood Springs, LLC, 5850 T.G. Lee Boulevard, Suite 200, Orlando, Florida 32822. A metes and bounds description of the excluded parcel is attached as **Exhibit 3**. There are no anticipated adverse impacts on the excluded parcel as a result of the establishment of the proposed District.

3. Landowner Consent. Petitioner has obtained written consent to establish the District from the landowners of one hundred percent (100%) of the real property located within the District, in accordance with Section 190.005, Florida Statutes. Documentation of this consent is contained in **Exhibit 4**.

4. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: Jeff Reader  
Address: 5850 T.G. Lee Boulevard, Suite 200  
Orlando, Florida 32822

Name: Reggie Caruthers  
Address: 11262 U.S. Highway 301  
Oxford, Florida 34484

Name: Drew Locher  
Address: 873 Spring Park Loop  
Celebration, Florida 34747

Name: Dean Barberree  
Address: 5850 T.G. Lee Boulevard, Suite 200  
Orlando, Florida 32822

Name: Neil Frazee  
Address: 371 East Reading Way  
Winter Park, Florida 32789

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is the Wildwood Springs Community Development District.

6. Existing Land Uses and Proposed Zoning. **Composite Exhibit 5** shows the existing land uses and proposed zoning of the lands within and surrounding the proposed District.

7. Existing Drainage Patterns and Major Water and Wastewater Facilities. **Exhibit 6** shows the flood basins and pre-development drainage patterns of the lands within and surrounding the project boundaries. **Composite Exhibit 7** shows the existing off-site water distribution facilities and existing and proposed off-site sanitary sewer facilities around the proposed District.

8. District Facilities and Services. **Exhibit 8** describes the type of facilities Petitioner presently expects the District to finance, construct, acquire and/or install, as well as the anticipated entity responsible for ownership and maintenance. These facilities will serve the residential and commercial development within the District. The estimated costs of constructing the infrastructure serving land within the proposed District are identified in **Exhibit 9**. At present, these improvements are estimated to be made, acquired, constructed, and/or installed in up to three (3) phases commencing in 2014, with anticipated completion in 2028. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 10** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of section 120.541, Florida Statutes. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in Florida. **Exhibit 11** identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should be sent to:

Cheryl G. Stuart  
Jennifer L. Kilinski  
HOPPING GREEN & SAMS, P.A.  
119 South Monroe Street, Suite 300  
Tallahassee, FL 32301

11. This petition to establish the Wildwood Springs Community Development District should be granted for the following reasons:

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with any applicable elements or portions of the effective State Comprehensive Plan or the City Comprehensive Plan.

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

c. The establishment of the District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District's services and facilities.

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

WHEREFORE, Petitioner respectfully requests the City Commission of the City of Wildwood, Florida, to:

a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;

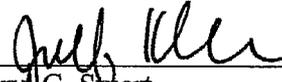
b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;

c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars; and (3) control and elimination of mosquitoes and other arthropods of public health importance, all as authorized and described by Section 190.012(2), Florida Statutes; and

d. grant such other relief as may be necessary or appropriate.

RESPECTFULLY SUBMITTED, this 28 day of June, 2011.

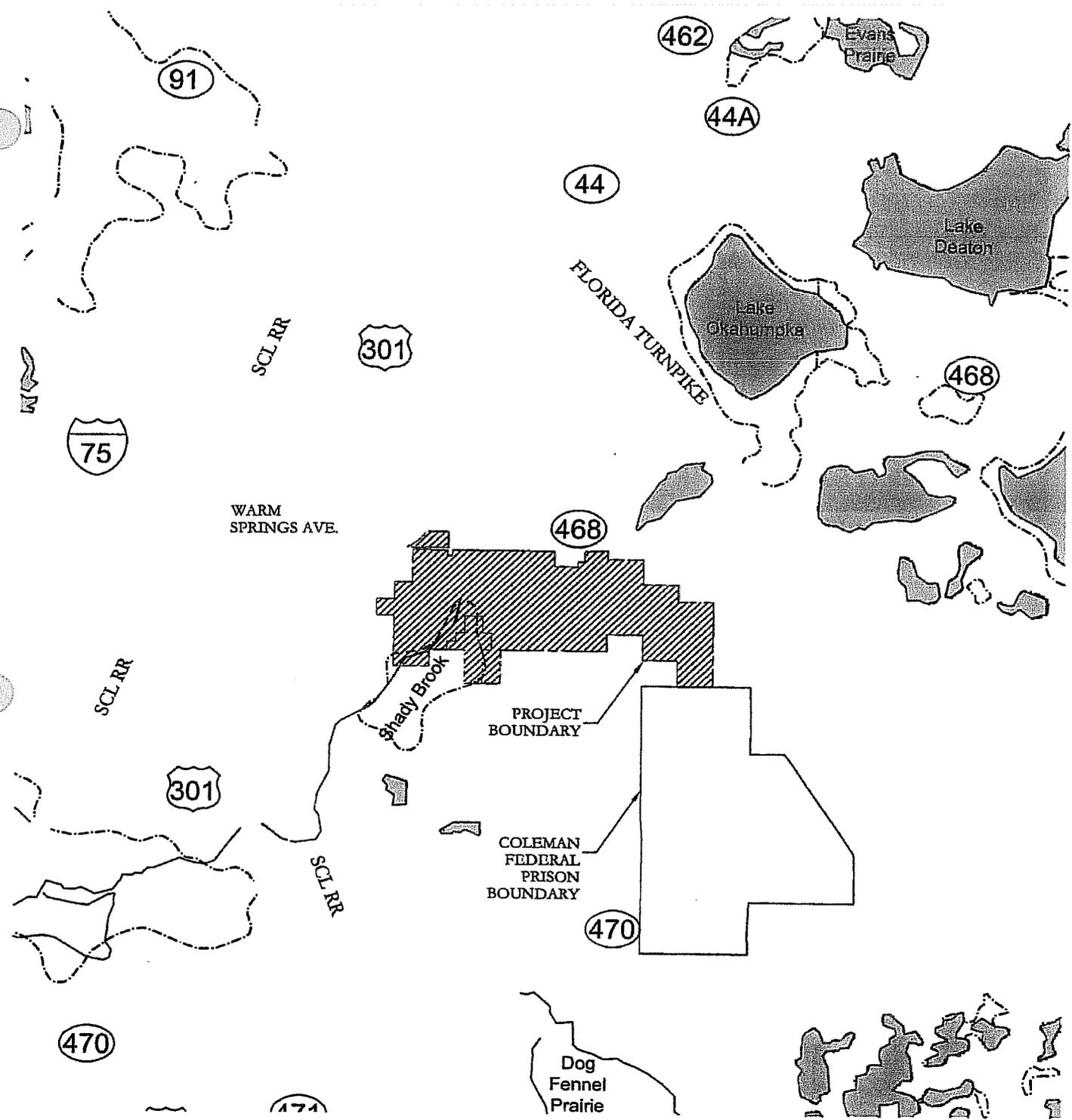
HOPPING GREEN & SAMS, P.A.

By:   
Cheryl G. Stuart  
Florida Bar No. 0622699  
Jennifer L. Kilinski  
Florida Bar No. 0069367  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301  
(850) 222-7500  
Attorney for Petitioner

## List of Exhibits

<u>Exhibit Number</u>	<u>Description</u>
1	Map showing general location of project.
2	Metes and bounds description of external boundaries of the District.
3	Metes and bounds description of excluded parcel.
4	Consent of landowners.
5a - 5b	Maps depicting existing land uses within and surrounding District.
6	Topographical map depicting the pre-development drainage patterns and flood basins within the District.
7a	Map depicting existing water distribution systems within the District.
7b	Map depicting existing and proposed sanitary sewer facilities within and surrounding the District.
8	List of facilities the District will provide, identifying the anticipated owner and entity responsible for maintenance.
9	The estimated costs and estimated timetable for constructing the District improvements.
10	Statement of Estimated Regulatory Costs (SERC).
11	Authorization of Agent.

**1**

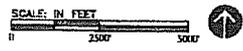


**LEGEND**

- PROJECT BOUNDARY
- - - - - CDD BOUNDARY

VICINITY MAP  
**CROSLAND, INC.**  
**WILDWOOD SPRINGS CDD**

MSCW | 4750 New Broad Street, Orlando, FL 32814 | Tel: 407.422.3330 | Fax: 407.422.3329 | www.mscwinc.com



MSCW FILE NAME: 070211-01.mxd  
 MSCW FILE PATH: G:\Jobs\070211\CADD\DWG\CVL\VP1\Engineer  
 MSCW JOB #: 070211 DATE: JULY 2008



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**2**

## LEGAL DESCRIPTION

The East 1/2 of the East 1/2 and the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

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## TOGETHER WITH

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AND

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Altogether Containing 994.29 acres more or less



**3**

**LEGAL DESCRIPTION**

The West 1/2 of the Southeast 1/4 of the Southeast 1/4 and the West 1/2 of the Northeast 1/4 of the Southeast 1/4 and the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

Containing 53.22 acres more or less

(See shaded area in southwest portion of Exhibit 2).

**4**

**EXHIBIT 04**  
**CONSENT AND JOINDER OF LANDOWNERS**  
**FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned understands and acknowledges that Petitioner submitted a petition to establish a community development district in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of lands that are intended to constitute the Wildwood Springs Community Development District ("District"), the undersigned understands and acknowledges that pursuant to the provisions of section 190.005, Florida Statutes, Petitioner is required to include the written consent to the establishment of the District of one hundred percent (100%) of the owners of the lands to be included within the District. A description of the lands owned by the undersigned and intended to be included in the District is more fully described in Exhibit "A" attached hereto and made a part hereof (the "Property").

The undersigned hereby consents to the establishment of a community development district that will include the Property within the lands to be a part of the District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the District.

The undersigned acknowledges that the consent will remain in full force and effect until the District is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to establishment of the District in substantially this form.

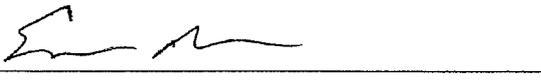
The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

Executed this 24 day of June, 2011.

Witnessed:



Print Name: Peter Linderman

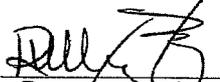


Print Name: Edwin Rosenthal

\_\_\_\_\_  
Wildwood Springs, LLC  
a Florida limited liability company

By: ALF Bigham Farms, LP,  
a Delaware Limited Partnership

By: ALF - Bigham Farms GP, LLC its General  
Partner  
a Delaware limited liability company

By:   
Its: Senior Vice President

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Kelley Brasfield, as Senior Vice President of ALF BIGHAM FARMS GP, LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Philadelphia and State of Pennsylvania this 24 day of June, 2011.

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Christine H. Burk, Notary Public  
City of Philadelphia, Philadelphia County  
My Commission Expires Dec. 16, 2013  
Member, Pennsylvania Association of Notaries

Christine H. Burk  
Notary Public

Personally known: Yes  
Produced Identification: Yes  
Type of Identification: PA Drivers Lic

## EXHIBIT A

### LEGAL DESCRIPTION

The East 1/2 of the East 1/2 and the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 and the South 1/2 of the Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 and the South 1/2 of the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4 and the North 1/2 of the Southeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 all in Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The South 325 yards of the Northeast 1/4 of the Northeast 1/4 and the North 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Northeast 1/4 and the Northwest 1/4, LESS the Northeast 1/4 of the Northeast of the Northwest 1/4; and the North 1/2 of the Southwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4, LESS 5 acres in the Northwest corner and LESS Begin at the Northwest corner of the Northwest 1/4 of the Northeast 1/4, run South 466 feet 8 inches for point of beginning, thence run South 210 feet, thence East 210 feet, thence North 210 feet, thence West 210 feet to the point of beginning; all in Section 32, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Southwest 1/4 of the Northwest 1/4 and the North 1/2 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 and the South 1/2 of the Southeast 1/4 of the Northwest 1/4, all in Section 33, Township 19 South, Range 23 East, Sumter County, Florida.

LESS Road Right-of-Ways lying within the above described parcels.

And LESS those parcels described in Deed to Sumter County, Florida recorded in O.R. Book 950, Page 54, Public Records of Sumter County, Florida.

### TOGETHER WITH

The North 330 feet of the Southwest 1/4 of the Southwest 1/4 of Section 33, Township 19 South, Range 23 East, Sumter County, Florida.

Less any portion thereof claimed by Sumter County, Florida, for the maintenance of County Road 505.

### TOGETHER WITH

The Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida, Less the North 278.68 feet of the West 163.00 feet of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida; Less the right of way for County Road No. 468 across the North side thereof.

### TOGETHER WITH

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 30, Township 19 South, Range 23 East, Sumter County, Florida; Less right of way for Highway 468.

AND

From the South Quarter corner of Section 30, Township 19 South, Range 23 East, Sumter County, Florida, run North 00 degrees 07 minutes 02 seconds West along the East line of the Southwest Quarter of said Section 30, a distance of 34.05 feet to the North right-of-way of Highway 468 and the

Point of Beginning; thence South 89 degrees 54 minutes 25 seconds West 942.29 feet to the intersection of the North right-of-way of Highway 468 and the Southeasterly right-of-way of Highway 301; thence by the Southeasterly right-of-way of Highway 301, along a curve to the left having a radius of 1486.18 feet, 1022.51 feet to a point; thence run North 89 degrees 58 minutes 05 seconds East 162.41 feet; thence run South 00 degrees 07 minutes 02 seconds West 630.01 feet to the Point of Beginning.

LESS that portion conveyed to the State of Florida Department of Transportation by Deed recorded June 25, 1990 in Official Records Book 401, Page 26, described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 30, Township 19 South, Range 23 East, Sumter County, Florida; run North 0 degrees 02 minutes 01 seconds West along the East line of said Southwest Quarter a distance of 33.65 feet to the Northerly existing right-of-way line of County Road 468; thence North 89 degrees 59 minutes 20 seconds West along said Northerly right-of-way line 942.26 feet to the intersection of said Northerly right-of-way line and the Southeasterly existing right-of-way line of State Road 35 (U.S. 301) for the Point of Beginning, said point being the beginning of a curve along State Road 35 concave Northwesterly and having a radius of 1482.70 feet and a chord bearing of North 69 degrees 34 minutes 18 seconds East; thence run Northeasterly along the arc of said curve through a central angle of 02 degrees 25 minutes 58 seconds a distance of 62.96 feet for the end of said curve; thence, departing the Southeasterly existing right-of-way line of State Road 35, South 01 degrees 26 minutes 29 seconds West 21.99 feet to the Northerly existing right-of-way line of County Road 468; thence North 89 degrees 59 minutes 20 seconds West along said Northerly right-of-way line 58.44 feet to the Point of Beginning.

LESS

The West 1/2 of the Southeast 1/4 of the Southeast 1/4 and the West 1/2 of the Northeast 1/4 of the Southeast 1/4 and the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 and the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

Altogether Containing 994.29 acres more or less

**5**

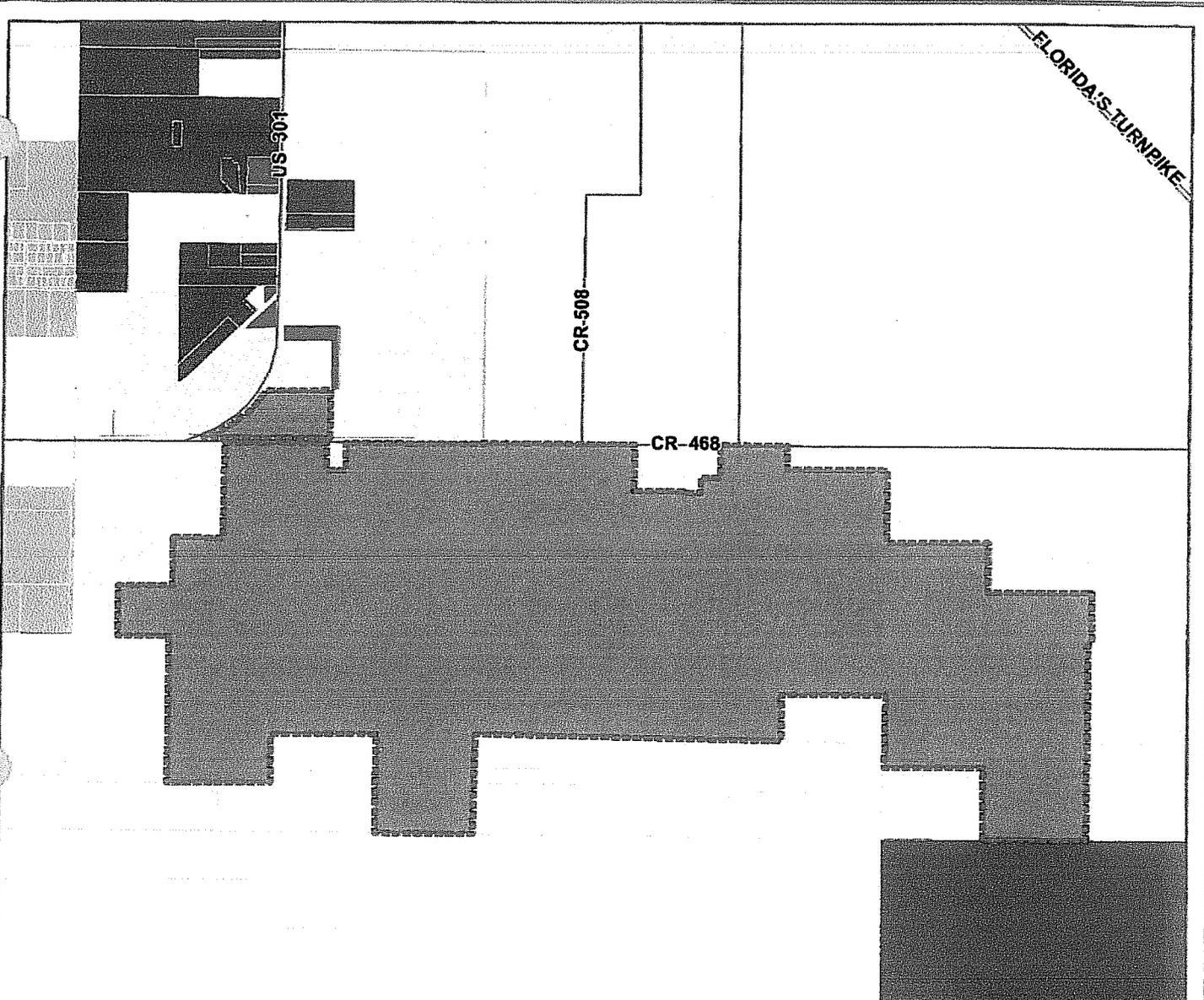
**A**

FLORIDA'S TURNPIKE

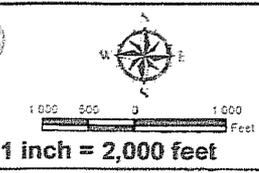
US-301

CR-508

CR-468



<b>Legend</b>	
Project Boundary	<b>Existing Sumter County FLU</b>
Current Future Land Use	Rural Residential: one unit per acre
Wildwood Springs DRI	Industrial
<b>City Of Wildwood Existing FLU</b>	Commercial
LDR -- Low Density Residential	Municipalities
I -- Industrial	Low Density Residential: Two units per acre
	Agricultural: one unit per ten acres
	Public, Institutional, Educational



**Wildwood Springs**  
 Current Future Land Use Map  
 Wildwood, Florida

Project No.: 13093  
 File Name:  
 1309-3 Prop FLU 8x11.mxd  
 Project Name: Wildwood Springs  
 Project Manager: J. McHugh  
 Creation Date: March 6, 2007  
 Revision Date: N/A  
 Created By: D. Ludwig

**LPO Urban & Regional Planners, Inc.**  
 1162 Camp Bay Road, Alamo, Florida 32217  
 Office: 352-325-1144 Fax: 352-321-4274

**B**

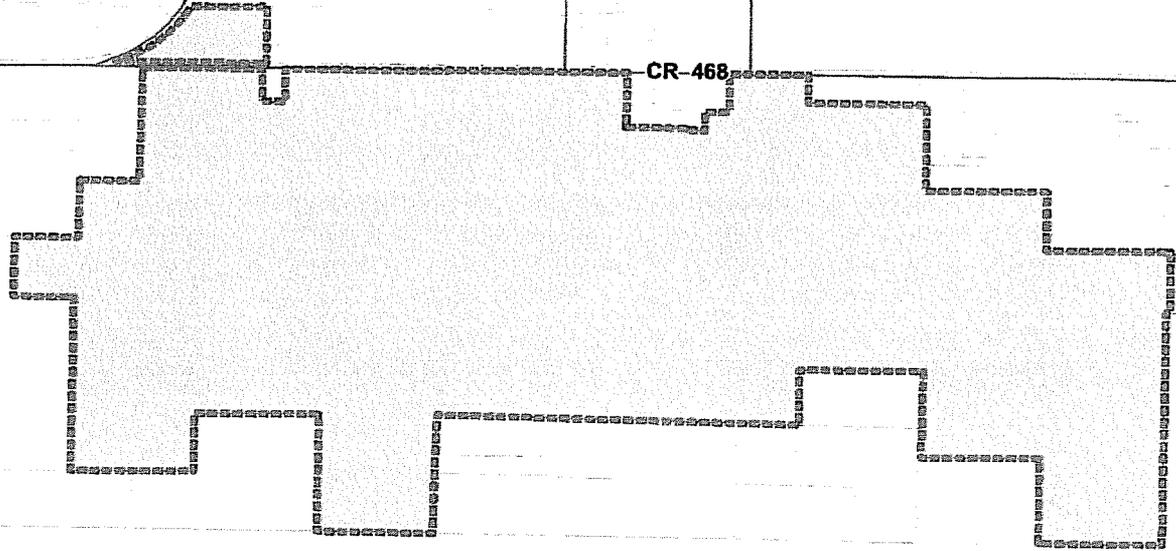
FLORIDA'S TURNPIKE

US-301

CR-508

CR-468

CR 213



**Legend**

 Project Boundary

**Proposed Zoning**

 PUD --Planned Unit Development



1 000 500 0 1 000 Feet

1 inch = 2,000 feet

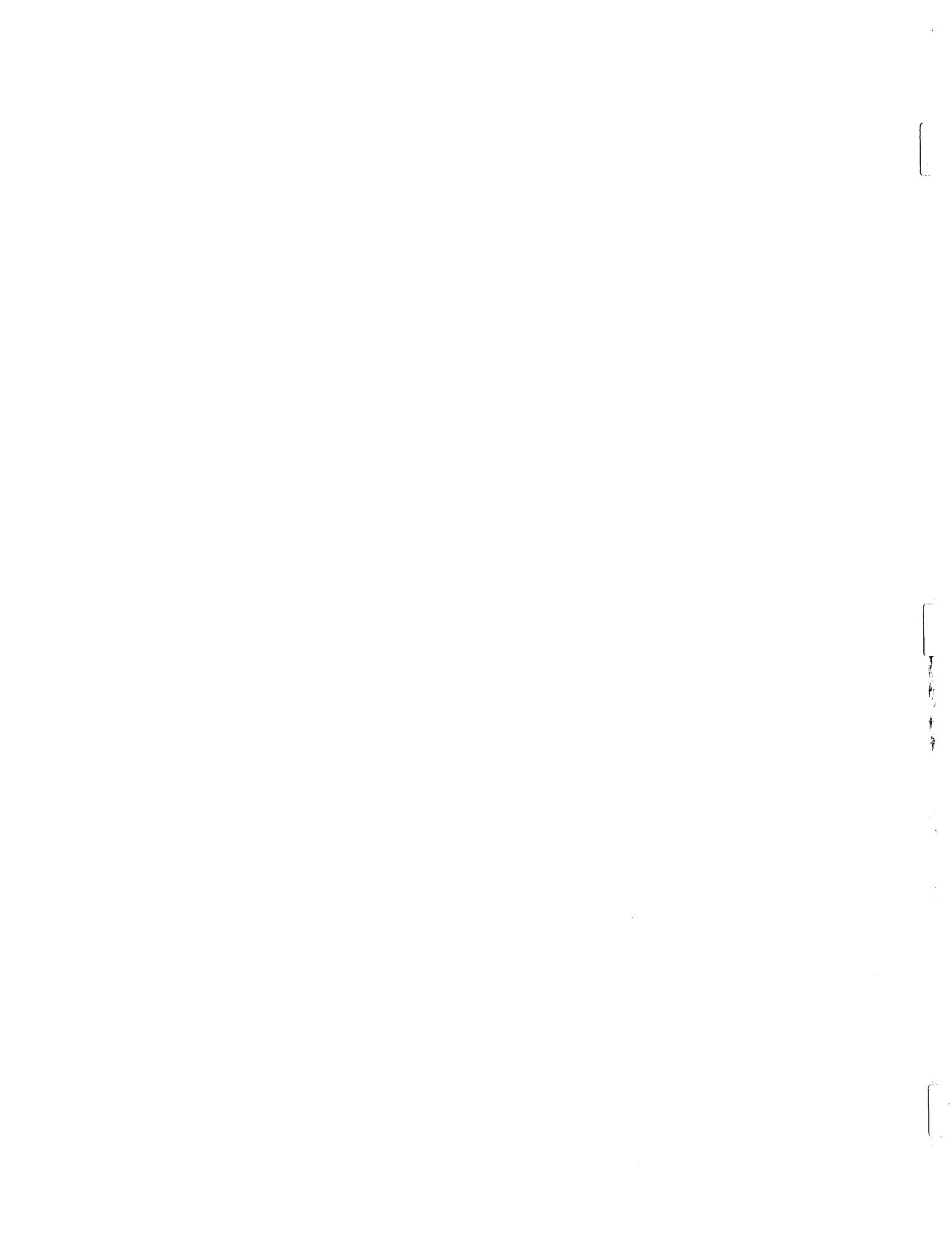
### Wildwood Springs

Proposed Zoning  
Wildwood, Florida

Project No.: 1309/3  
 File Name:  
 1309-3 Prop. Zoning\_0x11.mxd  
 Project Name: Wildwood Springs  
 Project Manager: J. McHugh  
 Creation Date: March 6, 2007  
 Revision Date: N/A  
 Created By: D. Ludwig



**LPC Urban & Regional Planners, Inc.**  
 142 Corp. Avenue, Suite 100, Deerfield Beach, Florida 33442  
 Office: (561) 325-1948 Fax: (561) 325-4574



8

## EXHIBIT 8

### WILDWOOD SPRINGS COMMUNITY DEVELOPMENT DISTRICT PROPOSED FACILITIES AND SERVICES

<u>FACILITY</u>	<u>FUNDED &amp; CONSTRUCTED BY</u>	<u>OWNERSHIP, O&amp;M</u>
On-site Roadway Improvements *	CDD/Developer	City/CDD
Off-site Roadway Improvements **	CDD/Developer	County/FDOT
On-site Master Stormwater Management System	CDD/Developer	CDD
Environmental Mitigation & Water Monitoring	CDD/Developer	CDD
On-site Potable Water & Sewer Utility Improvements	CDD/Developer	City
On-site Reclaimed Water, Back-up Wells & Irrigation Improvements	CDD/Developer	CDD
Parks & Recreational Facilities	CDD/Developer	CDD
Entrances, Buffers, Roadway Landscape & Pathways	CDD/Developer	CDD

CDD = Wildwood Springs Community Development District  
City = City of Wildwood  
County = Sumter County  
FDOT = Florida Department of Transportation

\* All on-site roadways are proposed to be owned and maintained by the City with the exception of alleyways

\*\* Improvements within US301 are proposed to be owned and maintained by FDOT while improvements within CR468 are proposed to be owned and maintained by the County

9

**EXHIBIT 9**  
**WILDWOOD SPRINGS COMMUNITY DEVELOPMENT DISTRICT**  
**ESTIMATED CONSTRUCTION COSTS**

FACILITY	ESTIMATED COST
<p><b>On-site Roadway Improvements</b></p> <p>(Collector, local, neighborhood roads, and alleys within the District; includes base, subgrade, curb, asphalt, signage, striping, sidewalks, roadside grading and swales, sod, street lighting, etc.)</p>	<b>\$29,463,000</b>
<p><b>Off-site Roadway Improvements</b></p> <p>(Roadway improvements associated with CR468 re-alignment at intersection of US301 up to project entrance [including roadway and stormwater systems] &amp; estimated proportionate share estimate for future required off-site roadway and intersection improvements)</p>	<b>\$17,105,000</b>
<p><b>On-site Master Stormwater Management System</b></p> <p>(Creation of stormwater ponds includes grading, outfalls, pipes, drainage structures, [including pipes and drainage structures within roadways], pond liners, sod, etc.)</p>	<b>\$27,219,000</b>
<p><b>Environmental Mitigation &amp; Water Monitoring</b></p> <p>(Mitigation costs for wetland and species impacts, as well as groundwater monitoring program including installation of groundwater testing wells)</p>	<b>\$2,385,000</b>
<p><b>On-site Potable Water and Sewer Utility Improvements</b></p> <p>(Potable water and sanitary sewer includes pipes, fittings, valves, forcemains, lift stations, etc.)</p>	<b>\$13,894,000</b>
<p><b>On-site Reclaimed Water, Back-up Wells, &amp; Irrigation Improvements</b></p> <p>(Reclaimed water, back-up irrigation wells, irrigation distribution system includes pipes, fittings, valves, etc.)</p>	<b>\$5,665,000</b>
<p><b>Off-site Utility Improvements</b></p> <p>(Estimated cost for Transmission Infrastructure Extension Fee [TIE] for utility extension to the project site and Water and Sewer Connection Fees to reserve Municipal Plant Capacity)</p>	<b>\$12,727,000</b>

**Parks & Recreational Facilities** **\$8,201,000**

(Active and passive community and neighborhood parks including various facilities such as clubhouse, pools, play fields, playgrounds, etc.)

**Entrances, Buffers, Roadway Landscape & Bike Pathways** **\$5,477,000**

(Hardscape and landscape associated with the project main entrances, roadway medians, buffers and bike paths)

**Professional Engineering Design Costs & Permitting** **\$3,646,000**

**Amenity and Landscape Design Costs (Architecture and Landscape)** **\$1,173,000**

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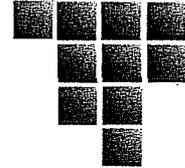
**Total Estimated Cost of Improvements** **\$126,955,000**

Notes:

Above estimates are in 2011 dollars and include a 15% contingency

**10**

**FISHKIND  
& ASSOCIATES**



**STATEMENT OF ESTIMATED  
REGULATORY COSTS  
ACCOMPANYING THE  
PETITION TO ESTABLISH  
THE WILDWOOD SPRINGS  
COMMUNITY DEVELOPMENT  
DISTRICT**

**Prepared:**

**June 22, 2011**

**Prepared by:**

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

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**STATEMENT OF ESTIMATED REGULATORY COSTS  
Wildwood Springs Community Development District**

**June 22, 2011**

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**1.0 Introduction**

**1.1 Purpose**

This statement of estimated regulatory costs ("SERC") supports the petition ("Petition") to establish the proposed Wildwood Springs Community Development District ("District"). The proposed District will include within its boundaries approximately 994.29 acres of land on which Wildwood Springs, LLC ("Petitioner") plans to develop its project ("Project").

The Project is planned as a mixed-use community including single-family residential, multi-family residential, retail, and office space. The lands within the proposed District are located exclusively within the boundaries of the City of Wildwood ("City") in Florida. The proposed District will provide public infrastructure and community services to the properties within the District, as described more fully below.

**1.2 Scope of the Analysis**

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes (governing Community Development District formation or alteration) as follows:

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

### 1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2) of the Florida Statutes defines the elements a SERC must contain, which are outlined below:

a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section,

“transactional costs” are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency’s decision not to implement alternatives that would reduce adverse impacts on small businesses.

(f) Any additional information that the agency determines may be useful.

(g) A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Our analysis of these statutory requirements is found below.

**2.0 Potential adverse impact of the approval of the rule on economic growth, job creation, private sector investment, business competitiveness, or regulatory costs**

**2.1 An economic analysis showing whether the rule directly or indirectly is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule**

Section 120.541(2) of the Florida Statutes requires a SERC to include an economic analysis indicating whether the rule directly or indirectly is likely to have an adverse impact on economic growth, private sector job creation

or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. An understanding of the nature of the proposed rule/ordinance, which would result in the establishment of the District, reveals that there will be no adverse impact on economic growth, private sector job creation or employment, or private sector investment as a result of its approval.

The Petitioner seeks to establish the District to more efficiently and effectively provide public improvements and services to the property owners and residents located within the District. The proposed District is an independent special district. The District's powers are outlined in Chapter 190 of the Florida Statutes and are limited to the provision of public infrastructure and related services to the property owners and residents within the District.

Practically, the District, as a "special purpose" entity, does not have the legal authority or operational ability to adversely impact economic growth, job creation, or investment. The Project and its related permits and entitlements exist independently of the proposed District. The improvements and services proposed to be provided by the District will be required for successful implementation of the Project regardless of whether or not the District is established.

However, the creation of the District, an efficient mechanism for delivering infrastructure improvements and related services to communities, will likely help the Project come to fruition. A successful Project will have a positive impact on economic growth, private sector job creation, and private sector investment. This is due to the fact that a successful Project will result in more persons choosing to reside within the community, having a positive impact on economic growth, job creation, and investment in the community.

**2.2 An economic analysis of whether the proposed rule is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule**

Section 120.541(2) of the Florida Statutes requires a SERC to include an economic analysis of whether the proposed rule is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule. There will be no adverse impact on business competitiveness because of the formation of the proposed District. Further, the establishment of the District will have no impact on the ability of Florida businesses to compete with organizations in other states or domestic markets. If anything, the impact on business competitiveness will be positive. This is because the District must publicly bid certain of its contracts. This affords all qualified businesses within Florida the opportunity to bid on District contracts.

**2.3 An economic analysis of whether the proposed rule is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of this rule**

Section 120.541(2) of the Florida Statutes requires a SERC to include an economic analysis of whether the proposed rule is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of this rule. The District will finance the provision of its infrastructure, and the ongoing operations and maintenance of that infrastructure, through the levy and collection of non-ad valorem special assessments. These District assessments will likely exceed \$1 million in the aggregate within 5 years

after the implementation of this rule, as outlined in detail in Section 5.0 below.

However, the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional Project costs. Due to the relatively low cost of financing available to districts due to the tax-exempt nature of its debt, certain Project improvements can be provided more efficiently by the District than by alternative entities.

**3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance**

The proposed District will provide public infrastructure and services to the land uses planned for the Project. These land uses are outlined in Table 1, below. All of the ultimate property owners in the District will be required to comply with District rules. The properties within the District may also be encumbered with bond debt assessments securing the repayment of bonds issued by the District to pay for the installation of the District's capital improvements. Property owners may also be responsible for the operation and maintenance expenses incurred by the District to ensure that the infrastructure continues to serve the lands within the District in the future. Of course, all of the undeveloped land owned by the Petitioner and any other landowner will also be under the jurisdiction of the District and subject to the corresponding District debt obligations.

**Table 1. Project Land Use Plan**

<u>Land Use</u>	<u>Unit Count</u>
Single-family (Dwelling Units)	2,000
Multi-family (Dwelling Units)	1,000
Retail (Sq. Ft. Floor Area)	215,000
Office (Sq. Ft. Floor Area)	10,000

**4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues**

**4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance**

State Governmental Entities

The cost to State entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 1,000 acres and is located entirely within the boundaries of the City. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District.

There are minimal additional ongoing costs to various State entities to implement and enforce the proposed ordinance. The District is a special purpose unit of local government, and it is required to file various reports to the State of Florida and various other agencies of the State. Some of these annual filing requirements are outlined in the attached Appendix. However, the additional costs to the State and its various departments to process the additional filings from the District are very low, since the State routinely processes filings from many other similar districts.

City of Wildwood

The Petition to establish the District will require the City to review the Petition and its supporting exhibits. In addition, the City will hold a public hearing to discuss the Petition and consider any public input. These activities will absorb staff time and the time of the City. However, these costs are very modest at most for the following reasons. First, the review of the Petition to form the District does not include an analysis of the Project itself. In fact, such a review of the Project is prohibited by statute. Second, the Petition contains all of the information necessary for its review. Third, the City currently has the staff necessary to review the petition. Fourth, no capital costs are involved in the review. Fifth, the City routinely processes petitions for land use and zoning changes that are far more complicated than this petition to establish the District. The City has imposed a \$15,000 filing fee for the Petition that is reasonably expected to offset any costs incurred by the City.

The City will incur negligible additional annual costs if the Petition is approved. The proposed District is an independent unit of local government, so the District is responsible for its own budget, reporting, and the full conduct of its powers within its boundaries. The District will provide the City with its annual budget each year for review and comment, but no City action on the District's budget is required.

#### 4.2 Impact on State and Local Revenues

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

Property taxes accruing to Sumter County ("County") and the City from properties located within the District are not split with the District. Further, any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities, such as the City, providing services to the lands within the District. It is also important

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

**5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance**

The District plans to provide various community facilities and services to serve the properties within the District. These facilities and services, and the estimated costs associated with the provision of each, are outlined below in Table 2 below.

**Table 2. Summary of Estimated Construction Costs for District Public Infrastructure Improvements\***

<u>Description</u>	<u>Cost</u>
On-Site Roadway	\$29,463,000
Off-Site Roadway	\$17,105,000
On-Site Stormwater Management	\$27,219,000
Environmental Mitigation & Water Monitoring	\$2,385,000
On-Site Water & Sewer Utilities	\$13,894,000
On-Site Reclaimed Water & Irrigation	\$5,665,000
Off-Site Water & Sewer Utilities	\$12,727,000
Parks & Recreation Facilities	\$8,201,000
Entry Features, Landscaping, Pathways	\$5,477,000
Engineering Design & Permitting	\$3,646,000
Amenity & Landscape Design	\$1,173,000
<b>Total Costs</b>	<b>\$126,955,000</b>

\*Estimates are in 2011 dollars and include a 15% contingency.

It is important to note that the various costs outlined in Table 2 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing estimates for the infrastructure. These costs are not in addition to normal development costs.

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the District's bond debt. An estimate of the total bond sizing(s) required to fund all of the costs outlined in Table 2 is found in Table 3 below.

**Table 3. Estimate of Bond Sizing Required to the District's Proposed Public Infrastructure Improvements**

<u>Par Component</u>	<u>Fund Amount</u>
Construction Fund	\$126,955,000
Debt Service Reserve	\$12,926,504
Capitalized Interest	\$25,853,007
Underwriter's Discount	\$3,392,600
Costs of Issuance	\$500,000
Contingency	<u>\$2,889</u>
<b>Total Bond Principal</b>	<b><u>\$169,630,000</u></b>
Interest Rate:	7.5%
Estimated Capitalized Interest (Months):	24
Term (Years):	<u>30</u>

It should be noted that the District may not fund all of its planned public infrastructure improvements via the issuance of long-term bonds as shown in Table 3. The District may use a combination of long-term bonds, short-term bonds, and/or contributions of funds or infrastructure components by

property owners within the District to complete its infrastructure program. However, long-term bonds are the most common form of infrastructure financing mechanism used by community development districts and so an estimate of the amount of long-term bonds required to fund the District's infrastructure is presented in Table 3. This estimated bond sizing contains an allowance for two years of capitalized interest. However, the District will have the discretion of shortening this period of capitalized interest or extending it up to a total of thirty-six months based on financial and other considerations. Thus, the bond sizing provided above represents an estimate and is not intended to represent a maximum amount of bond debt that may ever be issued by the District.

In addition to the levy of non-ad valorem assessments for annual bond debt service funding the estimated bond sizing outlined in Table 3, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. District-imposed assessments for operations and maintenance costs are often similar to what would be charged in any event by a property owners' association common to most master planned developments.

Real estate markets are quite efficient, as buyers and renters evaluate all of the costs and benefits associated with various housing alternatives. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive, the non-ad valorem assessments imposed by the District must be in line with the competition. Furthermore, the decision by new property owners to locate within the District is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs as a tradeoff for the benefits provided by the District.

The District is merely an alternative means to finance and maintain necessary community facilities and services. As mentioned above, District financing is no more expensive, and often less expensive, than the alternatives of a dependent special district, a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

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

There will be no impact on small businesses because of the formation of the proposed District. If anything, the impact may be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

The District is located within a city with a population of less than 10,000 and within a county with a population of less than 75,000 (as of the date of the last official census). However, any impact on the City or Sumter County due to the creation of the District will be negligible. The City and County will not have to provide funding for the improvements that the District is expected to finance. Further, the District is an independent special district and so its bond financing activities have no direct impact on either the City or County's credit rating or millage cap. Finally, the District will not utilize City or County resources to function after its creation.

**7.0 Any additional useful information.**

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

Finally, it is useful to reflect upon the question of whether the proposed formation of the District is the best alternative to provide community facilities and services to the Project. As an alternative to the District, the City (or perhaps the County) could finance the public infrastructure improvements, either directly or through the use of a City/County-controlled special taxing or assessment district. However, the City/County undertaking the implementation of the improvements would naturally have an impact on the finances of the City/County. Unlike the District, this alternative would require the City/County to continue to administer the

project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. Additionally, the financing of the project through the issuance of debt by a City or County-created district could have an impact on the City or County's credit rating.

Another alternative to the District would be for the developer to provide the infrastructure and to use a property owners association ("POA") for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA, a District can impose and collect its assessments in the same manner as ad valorem property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government and so must operate pursuant to Florida's Government-in-the-Sunshine laws and other regulations applicable to public entities.

A District also is preferable to these alternatives from a government accountability perspective. With a District as proposed, property owners within the District would have a focused unit of government under their direct control. The District can then be more responsive to property owner needs without disrupting other City responsibilities.

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

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

- Urban Orlando (Baldwin Park) Community Development District
- The Lake Nona "Family" of Community Development Districts
- Palazzo Del Lago Community Development District
- Winter Garden Village at Fowler Groves Community Development District
- Midtown Orlando Community Development District

- New Port Tampa Bay Community Development District
- The Tradition "Family" of Community Development Districts
- The Southern Grove "Family" of Community Development Districts
- Marshall Creek Community Development District
- Cedar Hammock Community Development District
- Meditera Community Development District
- Brooks Community Development District
- Lakeside Landings Community Development District
- Highlands Community Development District

**APPENDIX**

**LIST OF DISTRICT REPORTING REQUIREMENTS**

<b>REPORT</b>	<b>FLORIDA STATUTE SECTION</b>	<b>DATE</b>
Annual Financial Audit	218.39	12 months after end of fiscal year
Annual Financial Report (AFR)	218.32	Within 45 days after completion of audit
Financial Disclosure Form 1	112.3145	By July 1
Public Depositor	280.17	By November 30
Proposed Budget	190.008	By June 15
Adopted Budget	190.008	By October 1
Public Facilities Report	189.415	Initial report within 1 year of creation, updates every 5 years, annual notice of any changes
Public Meetings Schedule	189.417	Beginning of fiscal year
Notice of Bond Issuance	218.38	Within 120 days after delivery
Registered Agent	189.416	30 days after first Board Meeting
Notice of Establishment	190.0485	30 days after formation
Creation Documents	189.418	30 days after adoption
Notice of Public Finance	190.009	After financing



EXHIBIT 11

WILDWOOD SPRINGS COMMUNITY DEVELOPMENT DISTRICT

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Perry Reader to act as agent for Wildwood Springs, LLC, with regard to any and all matters pertaining to the Petition to the City Commission of the City of Wildwood, Sumter County, Florida, to establish the Wildwood Springs Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

DATE: 6-24-11

\_\_\_\_\_  
Wildwood Springs, LLC  
a Florida limited liability company

By: ALF Bigham Farms, LP,  
a Delaware Limited Partnership

By: ALF - Bigham Farms GP, LLC its  
General Partner,  
a Delaware limited liability company

By: [Signature]  
Its: Senior Vice President

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared KELLEY BRASFIELD, as SENIOR VICE PRESIDENT of ALF-BIGHAM FARMS GP, LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of PHILADELPHIA and State of Pennsylvania this 24 day of June, 2011.

Christine H Burk  
Notary Public

Personally known: Yes  
Produced Identification: Yes  
Type of Identification: PA Driver's Lic.

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Christine H. Burk, Notary Public  
City of Philadelphia, Philadelphia County  
My Commission Expires Dec. 16, 2013  
Member, Pennsylvania Association of Notaries