

ORDINANCE NO. 23-94

AN ORDINANCE OF MANATEE COUNTY REGARDING PUBLIC SERVICES; ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-86 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, M/I Homes of Sarasota, LLC (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the Southpointe of Manatee County Community Development District (District) pursuant to Chapter 190, Florida Statutes, and

WHEREAS, the owner of approximately 137.4 acres of real property proposed for inclusion within the District has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in section 190.012(1), Florida Statutes; and

WHEREAS, section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in section 190.012(2), Florida Statutes; as amended; and

WHEREAS, section 190.005(2)(d), Florida Statutes, as amended provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under section 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers for parks and recreation and security, as listed in sections 190.012(2)(a) and (2)(d), Florida Statutes, as amended;

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise of the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

Section 2. Authority. The Ordinance is adopted pursuant to Subsection 190.005(2), Florida Statutes, as amended, and other applicable provisions of law governing county ordinances.

Section 3. Intent and Purpose. It is the intent and purpose of this Ordinance to establish the Southpointe of Manatee County Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations, appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board to the exercise by the District board of supervisors of certain additional special powers pursuant to section 190.012(2), Florida Statutes, as amended, with all rights and obligations appertaining thereto, including all obligations pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-86 of Manatee County Code of Ordinances. Section 2-8-__ of the Manatee County Code of Ordinances ("Code") is hereby created to read as follows:

Sec. 2-8-86. Southpointe of Manatee County Community Development District.

(a) Establishment. The Southpointe of Manatee County Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds Description attached hereon as **Exhibit "2"**.

(c) Initial Board of Supervisors. The names of the five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

(1) Michael Stephens

(2) Chad Burlingame

(3) Lauren Schrandt

(4) Greg Crawford

(5) Christopher Gore

(d) Special powers. Pursuant to sections 190.005(2)(d) and 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special powers listed in sections 190.012(2)(a) and (2)(d), Florida Statutes. Specifically, the District shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and security, including but not limited to, guardhouse, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by property governmental agencies.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Administrative Correction of Scrivener's Errors. The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the County Clerk.

Section 7. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 8. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of the Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this 25 day of July, 2023.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: [Signature]
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: [Signature]
Deputy Clerk

EXHIBIT A

THE NE1/4 OF SEC 20 TWP 33 S, RNG 18 E, LESS RD R/W, ALSO THE NE1/4 OF THE SE1/4 OF SEC 20, TWP 33 S, RNG 18 E LESS THE FOLLOWING DESC PROPERTY: COM AT THE NE COR OF SD SEC 20; TH S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 30.00 FT TO A PT ON THE S R/W LN OF MOCCASIN WALLOW RD, FOR A POB; TH CONT S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 1616.69 FT; TH N 89 DEG 30 MIN 53 SEC W, 1569.26 FT; TH N 00 DEG 01 MIN 07 SEC E, 1616.69 FT TO THE AFOREMENTIONEDS R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 30 MIN 53 SEC E, ALG SD R/W LN, 1569.26 FT TO THE POB BEING MORE PARTICULARLY DESC AS FOLLOWS: FROM THE NE COR OF SEC 20, RUN S 00 DEG 06 MIN 54 SEC W, ALG THE E LN OF SD SEC 20, 1646.69 FT TO THE POB; TH CONT S 00 DEG 06 MIN 54 SEC W, A DIST OF 980.81 FT TO A FOUND CONC MON AT THE NE COR OF THE NE1/4 OF THE SE1/4 OF SD SEC 20; TH S 00 DEG 07 MIN 54 SEC W, A DIST OF 1386.58 FT TO A FOUND CONC MON AT THE SE COR OF SD NE1/4 OF THE SE1/4; TH N 89 DEG 57 MIN 51 SEC W, A DIST OF 1327.93 FT TO THE SE COR OF THE SD NE1/4 OF THE SE1/4; TH N 00 DEG 31 MIN 02 SEC E, A DIST OF 1389.93 FT TO A FOUND IRON ROD AT THE SE COR OF THE SW1/4 OF THE NE1/4 OF SD SEC 20; TH N 89 DEG 49 MIN 15 SEC W, A DIST OF 1318.58 FT TO A FOUND IRON PIPE AT THE SW COR OF THE SD SW1/4 OF THE NE1/4; TH N 00 DEG 54 MIN 03 SEC E, ALG THE W LN OF THE NE1/4 OF SD SEC 20, A DIST OF 2609.38 FT TO THE S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 33 MIN 49 SEC E, ALG SD R/W LN AND 30 FT S OF THE N LN OF SD SEC 20, A DIST OF 1032.16 FT; TH S 00 DEG 06 MIN 54 SEC W, AND PARALLEL WITH THE E LN OF SD SEC 20, A DIST OF 1616.69 FT; TH S 89 DEG 33 MIN 49 SEC E, AND PARALLEL WITH THE N LN OF SD SEC 20, A DIST OF 1569.26 FT TO THE POB LYING AND BEING IN SEC 20 TWP 33 S, RNG 18 E, CONTAINING 140.00 AC, M/L LESS ORB 1604/0085 DESC AS: A PARCEL OF LAND IN THE SW 1/4 OF THE NE 1/4 OF SEC 20 TWP 33 S, RNG 18 E DESC AS: COM AT THE SW COR OF SD SW 1/4 OF THE NE 1/4; TH N 00 DEG 40 MIN 30 SEC E, ALG THE W LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 30 FT TO A PT ON THE N MON R/W LN OF AMLONG RD (89TH ST E), SD PT BEING THE POB; TH CONT N 00 DEG 40 MIN 30 SEC E ALG SD W LN A DIST OF 210 FT; TH S 89 DEG 55 MIN 03 SEC E PARALLEL TO THE S LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 210 FT; TH S 00 DEG 40 MIN 30 SEC W 210 FT TO A PT ON THE AFOREMENTIONED N R/W LN OF AMLONG RD; TH N 89 DEG 55 MIN 03 SEC W ALG SD N R/W LN A DIST OF 210 FT TO THE POB CONT 1.01 AC M/L. SUBJECT TO CONSERVATION EASEMENT REC IN OR 1942/2598; ALSO LESS INST# 202141163303 FOR RD R/W DESC AS FOLLOWS: COM AT THE NW COR OF THE NE 1/4 OF SEC 20, TWP 33 S, RNG 18 E, MANATEE COUNTY FL; TH ALG THE W LN OF THE NE 1/4 OF SD SEC, S 00 DEG 54 MIN 27 SEC W, A DIST OF 30 FT TO A PT ON THE EXISTING R/W LN OF MOCCASIN WALLOW RD PER OR BK 2010 PG 3621 PRMCF AND THE POB; TH ALG SD EXISTING R/W LN, S 89 DEG 33 MIN 30 SEC E, A DIST OF 1032.10 FT; TH S 00 DEG 07 MIN 13 SEC W, A DIST OF 50.58 FT; TH N 88 DEG 53 MIN 01 SEC W, A DIST OF 133.09 FT TO A PC OF A CURVE CONCAVE SLY WITH A RAD OF 4511.66 FT; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 06 DEG 14 MIN 33 SEC, A DIST OF 491.56 FT TO A P.T.; TH S 84 DEG 52 MIN 26 SEC W, A DIST OF 53.33 FT TO A PC OF A CURVE CONCAVE NLY WITH A RAD OF 4655.66; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 04 DEG 23 MIN 29 SEC, A DIST OF 356.83 FT TO A PT ON THE W LN OF THE NE 1/4 OF SD SEC; TH ALG SD W LN, N 00 DEG 54 MIN 27 SEC E, A DIST OF 96.14 FT TO THE POB. CONT 68,7610 SQ T OR 1.578 AC M/L. PI# 6460.0005/9

FOR A TOTAL OF 137.412 ACRES.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 28, 2023

Honorable Angelina Colonnese
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, FL 34206

Attention: Vicki Tessmer

Dear Honorable Angelina Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 23-94, which was filed in this office on July 27, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh



July 25, 2023 - Regular Meeting

Subject

Ordinance 23-94, establishing the Southpointe of Manatee County Community Development District - Legislative - Natalie Chiapusio, Planner I

Category

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Natalie Chiapusio, Planner I, 941-748-4501 ext. 6839, natalie.chiapusio@mymanatee.org

Action Requested

APPROVAL:

Based on the record of the public hearing, and having evaluated the criteria for the establishment of a Community Development District in Chapter 190, Florida Statutes, I move to APPROVE the petition establishing the Southpointe Community Development District; to ADOPT Ordinance No. 23-94, and to CONSENT to the exercise of special powers for parks and recreation and security.

DENIAL:

Based on the record of the public hearing, and having evaluated the criteria for the establishment of a Community Development District in Chapter 190, Florida Statutes, I move to DENY the petition establishing the Southpointe Community Development District; DENIAL of Ordinance No. 23-94, and DENY to the exercise of special powers for parks and recreation and security.

Enabling/Regulating Authority

Florida State Statues - Chapter 190

Background Discussion

- A petition submitted by the Petitioner (M/I Homes of Sarasota, LLC, a Foreign Limited Liability Company) requesting the Board of County Commissioners to adopt an ordinance to establish the Southpointe of Manatee County Community Development District.
- The District requests granting the Petition pursuant to the "Uniform Community Development District Act of 1980", Chapter 190, Florida Statutes.

- The land to be served by the District includes approximately 137.4 acres and is generally located South of County Road 6, east of County Road 683, and northwest of the intersection of I-275 and I-75, in Manatee County.
- The Southpointe Development may include 450 single family residential units.
- The proposed project is in conformity with the provisions of the future land use plan element of the Manatee County Comprehensive Plan.

Attorney Review

Other (Requires explanation in field below) Soto

Camilo Soto reviewed and responded by email to Matter 2023-0266.

Instructions to Board Records [Emailed 7/28/2023](#)

Please forward a copy of the executed document and letter from the Florida Department of State to bobbi.roy@mymanatee.org

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
92293	432290	Southpointe of Manatee County CDD	Southpointe of Manatee	\$700.00	3	10.18 in

Attention: Katie Ibarra

Kutak Rock LLP- Florida
107 West College Avenue
Tallahassee, FL 32301

Jennifer.Gillis@KutakRock.com

Copy of ad content
is on the next page

THE STATE OF TEXAS COUNTY OF DALLAS

Before the undersigned authority personally appeared Crystal Trunick, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of:

4 insertion(s) published on:

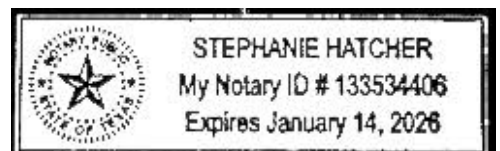
06/27/23, 07/04/23, 07/11/23, 07/18/23

THE STATE OF FLORIDA COUNTY OF MANATEE

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 20th day of
July in the year of 2023

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 180.008 and Section 186.48, Florida Statutes, that the Manatee County Board of County Commissioners will hold a Public Hearing on July 25, 2023, at 9:00 a.m. (or as soon thereafter as may be heard) at the Manatee County Administration Building, First Floor, Honorabile Patricia M. Glass Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider and act upon the following request made by M/I Homes of Sarasota, LLC (Petitioner):

ORDINANCE NO. 23-04

AN ORDINANCE OF MANATEE COUNTY REGARDING PUBLIC SERVICES; ESTABLISHING THE SOUTHPOINT OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-88 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED "SOUTHPOINT OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT," TO ESTABLISH THE SOUTHPOINTS OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, TO DESCRIBE THE BOUNDARIES OF THE DISTRICT, TO NAME THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND TO CONSENT TO CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.08(6), FLORIDA STATUTES; PROVIDING FOR COORDINATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Southpoint of Manatee County Community Development District ("District"), comprising approximately 137.4 acres is generally located south of County Road 6, east of County Road 688, and northwest of the intersection of Interstate 275 and Interstate 75. The approximate location of the District is shown on the Location Map below.

All interested parties are invited to appear at this hearing and be heard, subject to the proper rules of conduct. Additionally, any comments filed with the Director of the Building and Development Services Department will be considered by the Board of County Commissioners and entered into the record. Copies of the proposed ordinance, the petition and other information regarding the petition are available for public inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday at the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida. Interested parties may obtain assistance regarding this matter by calling (841) 748-3073 or emailing at clerk@manateecounty.com, during normal business hours.

In accordance with Section 186.408, Florida Statutes, if any person desires to appeal any decision made with respect to any matters considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to assure that verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans With Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to and participation in public hearings. Anyone requiring reasonable accommodations for this meeting as provided for in the ADA should contact Carmine DeVille at 941-792-8764 ext. 6903 or accommodations@manateecounty.com.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJUDICEMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Building and Development Services Department
Manatee County, Florida



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to sections 190.005 and 125.66, Florida Statutes, that the Manatee County Board of County Commissioners will hold a Public Hearing on July 25, 2023, at 9:00 a.m. (or as soon thereafter as may be heard) at the Manatee County Administration Building, First Floor, Honorable Patricia M. Glass Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider and act upon the following request made by M/I Homes of Sarasota, LLC, a Foreign Limited Liability Company, (Petitioner):

ORDINANCE NO. 23-94

AN ORDINANCE OF MANATEE COUNTY REGARDING PUBLIC SERVICES; ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-86 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED “SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT,” ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND TO CONSENT TO CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Southpointe of Manatee County Community Development District (“District”), comprising approximately 137.4 acres is generally located south of County Road 6, east of County Road 683, and northwest of the intersection of I- 275 and I- 75, Manatee County, Florida, as depicted below.

All interested parties are invited to appear at this hearing and be heard, subject to the proper rules of conduct. Additionally, any comments filed with the Director of Development Services Department will be considered by the Board of County Commissioners and entered into the record. Copies of the proposed ordinance, the petition and other information regarding the petition are available for public inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday at the Manatee County Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida. Interested parties may obtain assistance regarding this matter by calling (941) 749-3070 or emailing at planning.agenda@mymanatee.org during normal business hours.

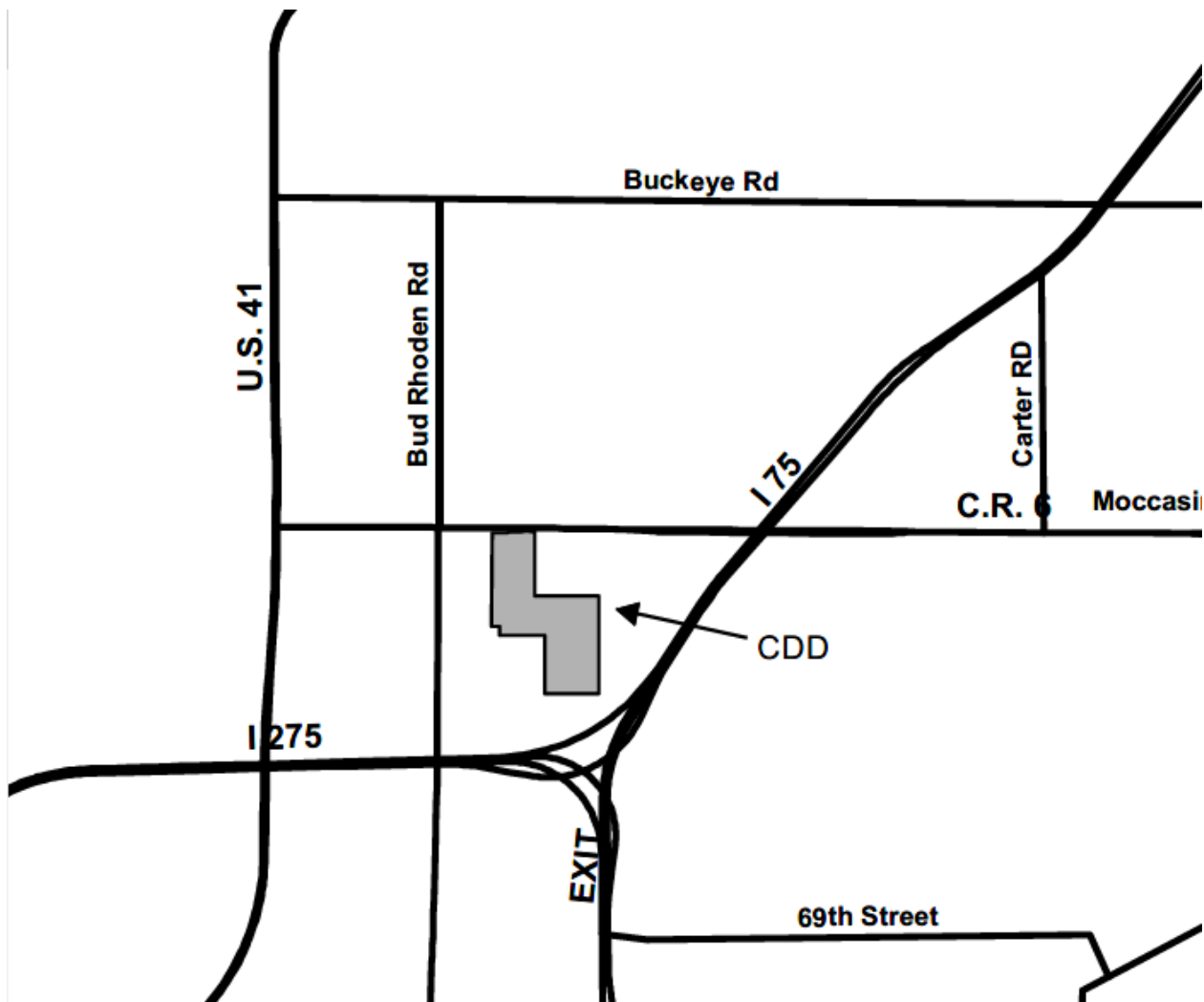
In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made with respect to any matters considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to assure that verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

American With Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to and participation in public hearings. Anyone requiring reasonable accommodations for this meeting as provided for in the ADA should contact Carmine DeMilio at 941-792-8784 ext. 8303 or carmine.demilio@mymanatee.org.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Development Services Department
Manatee County, Florida

THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT



**Ordinance No. 23-94
Establishment of Southpointe
Community Development District**

Request:

Adoption of Ordinance No. 23-94

AN ORDINANCE OF MANATEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA REGARDING PUBLIC SERVICES; ESTABLISHING SOUTHPOINTE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-86 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED " SOUTHPOINTE COMMUNITY DEVELOPMENT DISTRICT," ESTABLISHING THE SOUTHPOINTE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, TO DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND TO CONSENTING TO CERTAIN SPECIAL POWERS BY THE DISTRICT'S BOARD OF SUPERVISORS PURSUANT TO SECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ALTERNATIVE MOTIONS

APPROVAL:

Based on the record of the public hearing, and having evaluated the criteria for the establishment of a Community Development District in Chapter 190, Florida Statutes, I move to APPROVE the petition establishing the Southpointe Community Development District; to ADOPT Ordinance No. 23-94, and to CONSENT to the exercise of special powers for parks and recreation and security.

DENIAL:

Based on the record of the public hearing, and having evaluated the criteria for the establishment of a Community Development District in Chapter 190, Florida Statutes, I move to DENY the petition establishing the Southpointe Community Development District; DENIAL of Ordinance No. 23-94, and DENY to the exercise of special powers for parks and recreation and security.

Establishment of Southpointe Community Development District

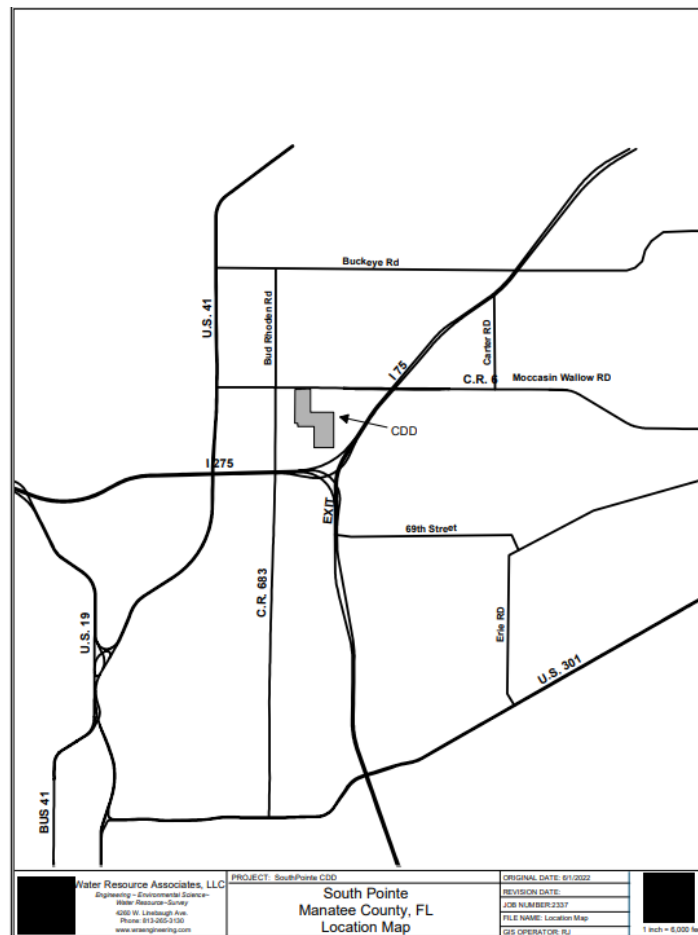
Staff Review Report

1. Request

M/I Homes of Sarasota, LLC, a Foreign Limited Liability Company, (Petitioner) submitted the attached petition to establish the Southpointe Community Development District (District). The Petitioner requests that the Manatee County Board of County Commissioners grant the petition and consent to the district's exercise of special powers relating to parks and recreational facilities and security. Approval of the attached Ordinance would grant the petition, establish the district, and consent to the exercise of the additional special powers by the district board of supervisors.

The proposed Southpointe Community Development District includes approximately 137.411 acres generally located south of County Road 6 (Moccasin Wallow Road), east of County Road 683 (Ellenton-Gillette Road) and northwest of the intersection of Interstate 275 and Interstate 75, Manatee County, Florida.

The approximate location and configuration of the proposed district appears in the General Location Map below:



The petition contains the following as required by section 190.005(2), *Florida Statutes*:

- A mete and bounds description of the external boundaries of the district.
- The written consent by the landowners of all real property in the district.
- A designation of five (5) persons to serve as the initial members of the board of supervisors.
- The proposed name of the district.
- A map showing current major trunk water mains and sewer interceptors and outfalls.
- The proposed timetable for construction of the district services and their estimated cost.
- A designation of the future general distribution, location, and extent of public and private uses of land proposed for the area within the district by the future land use plan element of the Manatee County Comprehensive Plan.
- A statement of estimated regulatory costs.

- A copy of the petition with all exhibits is attached to this Staff Report.

2. Background

Florida law (section 190.005(2), *Florida Statutes*) authorizes the establishment of the district by the Manatee County Board of County Commissioners. Only a county commission may establish a district in an unincorporated area with a size of less than 2,500 acres.

Community development districts serve their property owners and residents as independent units of local special-purpose government. They operate independently of the county government and the Manatee County Board of County Commissioners in the provision of certain services. While community development districts operate as units of local government, they still do not have all of the powers of a city government or a county government. For example, they do not have police powers or zoning authority.

A community development district (CDD) serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law (Chapter 190, *Florida Statutes*) for the use and enjoyment of the general public. Only property owners within the district are assessed through the district for these improvements within its boundaries.

Some of the powers of a community development district include the ability to create, operate, and maintain water management systems, water supply, sewers, wastewater systems, effluent disposal systems, bridges, culverts, and roads within the district. With the consent of the Board of County Commissioners, a community development district may also exercise special powers, such as the creation, operation, and maintenance of parks and recreational facilities, fire prevention and control, school buildings, security systems, mosquito control, and waste collection and disposal.

3. Discussion

The process specified under the state statute for establishing, terminating, contracting, or expanding a community development district addresses only factors material to managing and financing the facilities and service delivery functions of the district. The statute treats matters concerning permitting or planning of the development as not material and not relevant to this process. Regardless of the powers and duties of the district, all land development projects within the district must still abide by the county's local government comprehensive plan and local land development regulations.

Pasture and areas of trees cover most of the land in the proposed district.

The site does not have internal water mains or sewer interceptors, but such major facilities are accessible to the proposed district.

The petition expresses intent for the district to finance and construct certain infrastructure. District bonds and landowner assessments may fund this construction.

The district plans to fund all infrastructure and other community facilities. The district plans to own, operate, and maintain roads, street lighting, drainage, parks, security facilities, entry facilities, and hardscaping, landscaping and irrigation. The district plans to dedicate the water and wastewater facilities and offsite roadway improvements to Manatee County to own and maintain.

Landowners in the district will pay assessments levied by the district. The district will use the assessments to pay district debts (e.g., any bonds that financed infrastructure construction), and district expenses (e.g., operation and maintenance of its facilities and services).

The Establishment of a community development district does not grant or create any development rights in favor of the petitioner or property owner; does not grant, create, alter, terminate, affect or acknowledge any vested development rights in the property; and does not approve, authorize, permit or allow any building, construction or development on the property within the district. All land use, development, and construction authorizations, approvals, and permits must be obtained for the property by the landowner or developer upon proper application and in compliance with the Manatee County Comprehensive Plan, Manatee County Land Development Code, Florida Building Code, and any approved development plan, preliminary or final site plan, and all conditions and stipulations.

Any action on the petition does not set a precedent for future community development district requests. Manatee County reviews all submitted petitions dealing with community development districts on a case-by-case basis in accordance with the criteria specified in Section 190.005(1)(e), *Florida Statutes*.

4. Review Factors

According to Florida law (Sections 190.005(2)(b), 190.005(2)(c), and 190.005(1)(e), *Florida Statutes*), the Manatee County Board of County Commissioners must conduct a public hearing and consider certain review factors in making its determination to grant or deny the petition for establishing a community development district. The following items recite the review factors and provide an analysis in response to each factor as the consideration. A detailed discussion of each factor is also contained in the Petition for establishment of the proposed district.

- a. “Whether all statements contained within the petition have been found to be true and correct.”

Analysis

The petition includes a legal description of the boundary of the proposed district. The boundary description follows courses and distances that return to their points of beginning, i.e., they close during calculations. The expressed size of the district appears the same as the size calculated using the metes and bounds description. The sketch and description appear on a drawing bearing the name and signature of a Florida licensed professional surveyor and mapper. The reference to

the license number proves the description true and correct.

Information from the Manatee County Property Appraiser confirms the ownership of the land described in the petition. The petition's consent of property owner shows a signature for the manager of the company owning the land. The official signatures and notary acknowledgments prove the consent true and correct.

A Florida licensed attorney signed and submitted the petition. The petition includes statements signed by the petitioner and the attorney certifying that the petition is true and correct.

The petition's description of the uses of land proposed for the area in the Manatee County Comprehensive Plan future land use plan element appears true and correct.

b. "Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan."

Analysis

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

The state comprehensive plan provides a policy in section 187.201(20)(b)2., *Florida Statutes*, regarding governmental efficiency that allows the creation of districts such as this CDD.

c. "Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community."

Analysis

The site has undeveloped land and appears suitable for urban development. The district has contiguity throughout and does not create enclaves or separate parcels.

d. "Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district."

Analysis

The proposed method of financing and management appears suitable for delivering community services.

e. "Whether the community development services, and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities."

Analysis

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.

f. "Whether the area that will be served by the district is amenable to separate special-district government."

Analysis

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

5. Estimated Regulatory Costs

The petition includes a Statement of Estimated Regulatory Costs (SERC) as required by Sections 190.005(2)(a) and 190.005(1)(a)8, and 120.541, *Florida Statutes*. The statement must address the district's impact on small businesses, the entities affected by the district, and the cost to governments. The statement provided with the petition includes an adequate analysis as required by state law.

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

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government, including the County. By Florida law, debts of the District are strictly its own responsibility.

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and ongoing administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the County. Once the District is established, these residents will not be affected by the adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through the District or any alternative financing method.

6. Exercise of Special Powers

The establishment of the District shall include general and special powers relating to public improvements and community facilities. Pursuant to Sections 190.012(1), 190.012(2)(a) and 190.012(2)(d) *Florida Statutes*, all of the special powers require the consent of the Board of County Commissioners. These special powers will allow the District to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars. Section 190.012(2), *Florida Statutes*.

Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.
(Florida Statutes, section 190.012(2))

7. Recommendation

Staff recommends the adoption of attached Ordinance No. 23-94 establishing Southpointe Community Development District and the exercise of special powers relating to parks and recreational facilities and security.

Attachments:

- Petition to Establish District with Exhibits
- Ordinance No. 23-94
- Notice of Public Hearing published in newspaper
- Map of District depicting location and boundary

PETITION TO ESTABLISH THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT

Submitted by:

Jere Earlywine
Florida Bar No. 155527
[Jere. Earlywine@KutakRock.com](mailto:Jere.Earlywine@KutakRock.com)
KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 528-6152 (telephone)

**PETITION TO ESTABLISH THE SOUTHPOINTE OF MANATEE COUNTY
COMMUNITY DEVELOPMENT DISTRICT**

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Manatee County Application

Development Status

Certification of Attorney

Certification of Petitioner

Petition to Establish Community Development District

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Exhibit 3 – Landowner Consent

Exhibit 4 – List of Initial Board Members

Exhibit 5 – Future Land Uses

Exhibit 6 – Existing and Proposed Utilities

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**MANATEE COUNTY GOVERNMENT
PLANNING DEPARTMENT
LAND DEVELOPMENT APPLICATION**

FOR STAFF USE ONLY

Date: _____

File Number: _____

File Name: _____

This application shall be used for all land development
rezone or comprehensive plan amendment request.
Please attach appropriate standards or supplementary information, as applicable.

NAME OF THE PROJECT: SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT

TYPE OF APPROVAL DESIRED: ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT

LIST CASE NUMBERS OF PREVIOUS APPROVALS: N/A

A. Property Information

1. Legal Description: See attached Exhibit A
2. D. P. Number(s): 646000059
3. Section: _____ Township: _____ Range: _____
Section: _____ Township: _____ Range: _____
4. Subdivision Name (if Platted): N/A
5. Lot: N/A Block: N/A
7. Address or Location of Property (See Address Coordinator, if physical address is needed):
The site is generally located south of County Road 6, east of County Road 683 and northwest of the intersection of Interstate 275 and Interstate 75.
8. Present Zoning Classification: RSF4.5 / PDR
9. (If Rezone) Proposed Zoning Classification: RSF4.5 / PDR
10. (If Comprehensive Plan Map Amendment) Proposed Future Land Use Category: RES-6
11. Future Land Use Category: RES-6
12. Flood Zone Category: A, AE & X Map/Panel Numbers: 12081C0159E (3/14/2104)
13. Property Size (to the nearest tenth of acre or sq. ft.): _____
14. Existing Use(s) of Subject Property (i.e.: vacant, residence, commercial, etc.): Vacant
15. Surrounding Land Use(s) (i.e.: vacant, residence, commercial, etc.):
 - a. North: Residential (Artisan Lakes) separated by Moccasin Wallow Road (Manatee County ROW)
 - b. South: Vacant/Wetlands
 - c. East: Vacant Comm. & Residential (Woods of Moccasin Wallow)
 - d. West: "Ranchette" 5-Acre Residential Parcels
16. Description of Proposed Activity or Use (Attach separate Sheet if Necessary):

Establishment of a community development district per Chapter 190, Florida Statutes, to serve as a financing vehicle for public infrastructure improvements.

B. Names/Addresses

List all person(s) having ownership in subject property

1. Name of Property Owner : **The Vorbeck Family Limited Partnership**
Address: **4407 Northgate Court, Sarasota Florida**
Zip: **34234** Telephone Fax:
Email Address:
2. Name of Property Owner: **N/A**
Address:
Zip: Telephone Fax:
Email Address:
3. Name of Agent: **Jere Earlywine, Kutak Rock, LLP**
Address: **107 West College Avenue, Tallahassee, Florida**
Zip: **32301** Telephone: **(850) 528-6152** Fax:
Email Address: **Jere.Earlywine@KutakRock.com**
4. Name of Engineer: **Clint Cuffle, P.E., WRA Engineering**
Address: **4260 West Linebaugh Avenue, Tampa**
Zip: **33624** Telephone: Fax:
Email Address: **ccuffle@wraengineering.com**
5. Name of Architect: **N/A**
Address:
Zip: Telephone: Fax:
Email Address:
6. Name of Landscape Architect: **N/A**
Address:
Zip: Telephone: Fax:
Email Address:

NOTE: UNLESS OTHERWISE NOTED, ALL WRITTEN CORRESPONDENCE WILL BE SENT TO THE AGENT. IF THERE IS NO AGENT, COMMENTS WILL BE SENT TO THE PROPERTY OWNER.

C. Signature

I hereby certify that the information in this application is true and correct. I have read this application and understand that other review processes and fees may be required prior to applying for and receiving Building Permits and/or Final Development Approval.

By executing this application, I acknowledge that I am familiar with the Rules of Procedure which apply to the boards or commissions which will act on my application and that I have read and understand such Rules of Procedures.



(Signature of Petitioner)

Additional Information

CONTACT:

Planning Department
1112 Manatee Avenue West, Fourth Floor 34205
P. O. Box 1000, Bradenton, FL 34206

Telephone: (941) 748-4501, Extension 6871

Fax Number: (941) 708-6152

<http://www.mymanatee.org>

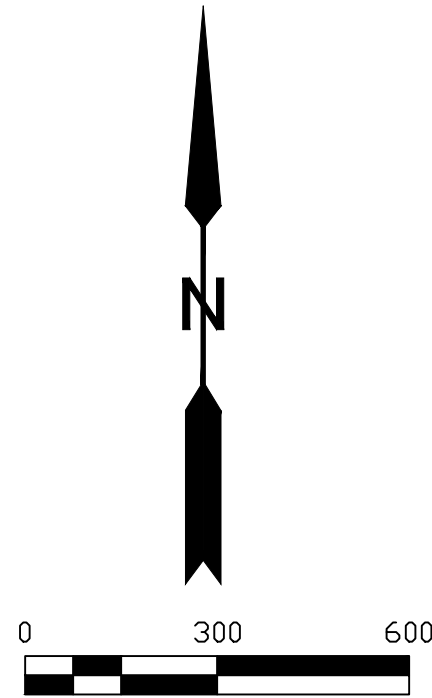
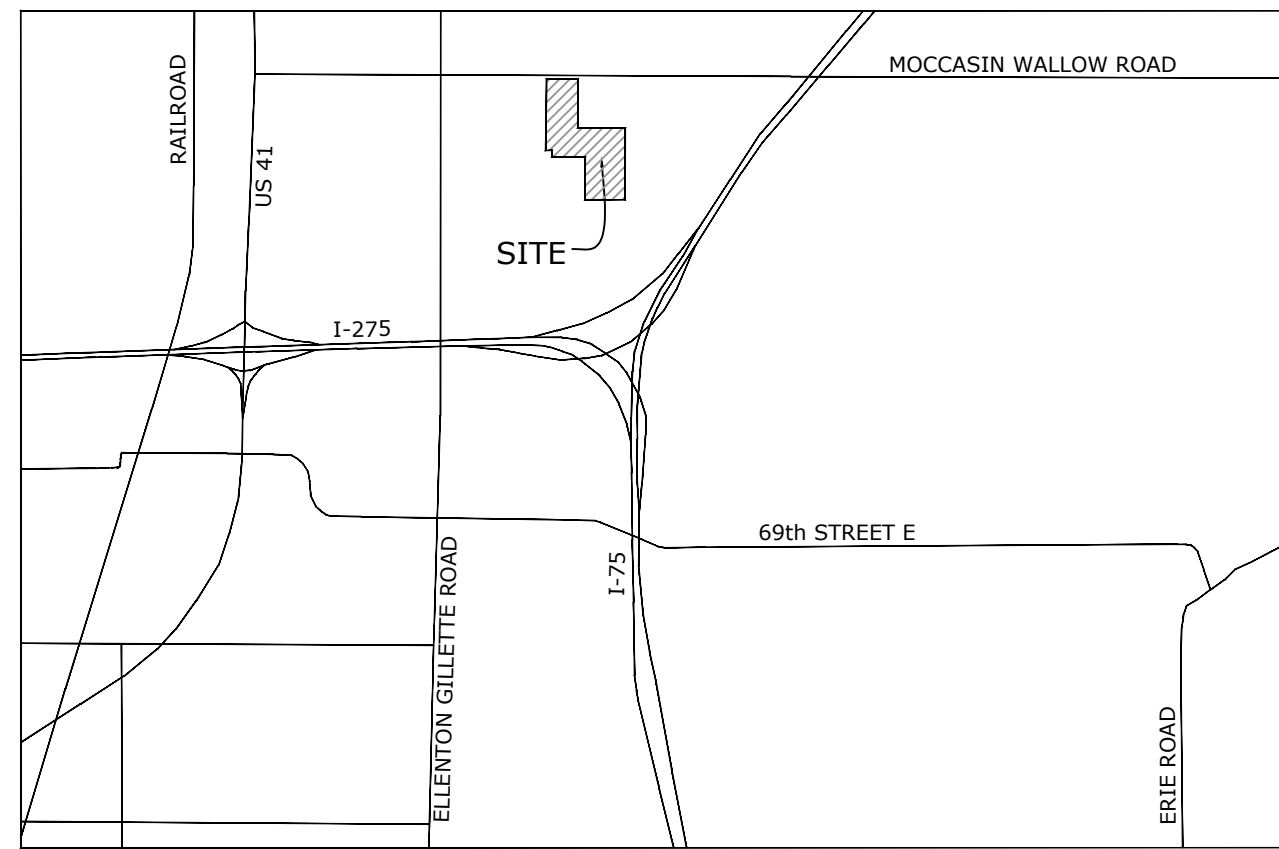
EXHIBIT A

Legal Description of Proposed District Boundary

THE NE1/4 OF SEC 20 TWP 33 S, RNG 18 E, LESS RD R/W, ALSO THE NE1/4 OF THE SE1/4 OF SEC 20, TWP 33 S, RNG 18 E LESS THE FOLLOWING DESC PROPERTY: COM AT THE NE COR OF SD SEC 20; TH S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 30.00 FT TO A PT ON THE S R/W LN OF MOCCASIN WALLOW RD, FOR A POB; TH CONT S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 1616.69 FT; TH N 89 DEG 30 MIN 53 SEC W, 1569.26 FT; TH N 00 DEG 01 MIN 07 SEC E, 1616.69 FT TO THE AFOREMENTIONED S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 30 MIN 53 SEC E, ALG SD R/W LN, 1569.26 FT TO THE POB BEING MORE PARTICULARLY DESC AS FOLLOWS: FROM THE NE COR OF SEC 20, RUN S 00 DEG 06 MIN 54 SEC W, ALG THE E LN OF SD SEC 20, 1646.69 FT TO THE POB; TH CONT S 00 DEG 06 MIN 54 SEC W, A DIST OF 980.81 FT TO A FOUND CONC MON AT THE NE COR OF THE NE1/4 OF THE SE1/4 OF SD SEC 20; TH S 00 DEG 07 MIN 54 SEC W, A DIST OF 1386.58 FT TO A FOUND CONC MON AT THE SE COR OF SD NE1/4 OF THE SE1/4; TH N 89 DEG 57 MIN 51 SEC W, A DIST OF 1327.93 FT TO THE SE COR OF THE SD NE1/4 OF THE SE1/4; TH N 00 DEG 31 MIN 02 SEC E, A DIST OF 1389.93 FT TO A FOUND IRON ROD AT THE SE COR OF THE SW1/4 OF THE NE1/4 OF SD SEC 20; TH N 89 DEG 49 MIN 15 SEC W, A DIST OF 1318.58 FT TO A FOUND IRON PIPE AT THE SW COR OF THE SD SW1/4 OF THE NE1/4; TH N 00 DEG 54 MIN 03 SEC E, ALG THE W LN OF THE NE1/4 OF SD SEC 20, A DIST OF 2609.38 FT TO THE S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 33 MIN 49 SEC E, ALG SD R/W LN AND 30 FT S OF THE N LN OF SD SEC 20, A DIST OF 1032.16 FT; TH S 00 DEG 06 MIN 54 SEC W, AND PARALLEL WITH THE E LN OF SD SEC 20, A DIST OF 1616.69 FT; TH S 89 DEG 33 MIN 49 SEC E, AND PARALLEL WITH THE N LN OF SD SEC 20, A DIST OF 1569.26 FT TO THE POB LYING AND BEING IN SEC 20 TWP 33 S, RNG 18 E, CONTAINING 140.00 AC, M/L LESS ORB 1604/0085 DESC AS: A PARCEL OF LAND IN THE SW 1/4 OF THE NE 1/4 OF SEC 20 TWP 33 S RNG 18 E DESC AS: COM AT THE SW COR OF SD SW 1/4 OF THE NE 1/4; TH N 00 DEG 40 MIN 30 SEC E, ALG THE W LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 30 FT TO A PT ON THE N MON R/W LN OF AMLONG RD (89TH ST E), SD PT BEING THE POB; TH CONT N 00 DEG 40 MIN 30 SEC E ALG SD W LN A DIST OF 210 FT; TH S 89 DEG 55 MIN 03 SEC E PARALLEL TO THE S LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 210 FT; TH S 00 DEG 40 MIN 30 SEC W 210 FT TO A PT ON THE AFOREMENTIONED N R/W LN OF AMLONG RD; TH N 89 DEG 55 MIN 03 SEC W ALG SD N R/W LN A DIST OF 210 FT TO THE POB CONT 1.01 AC M/L. SUBJECT TO CONSERVATION EASEMENT REC IN OR 1942/2598; ALSO LESS INST# 202141163303 FOR RD R/W DESC AS FOLLOWS: COM AT THE NW COR OF THE NE 1/4 OF SEC 20, TWP 33 S, RNG 18 E, MANATEE COUNTY FL; TH ALG THE W LN OF THE NE 1/4 OF SD SEC, S 00 DEG 54 MIN 27 SEC W, A DIST OF 30 FT TO A PT ON THE EXISTING R/W LN OF MOCCASIN WALLOW RD PER OR BK 2010 PG 3621 PRMCF AND THE POB; TH ALG SD EXISTING R/W LN, S 89 DEG 33 MIN 30 SEC E, A DIST OF 1032.10 FT; TH S 00 DEG 07 MIN 13 SEC W, A DIST OF 50.58 FT; TH N 88 DEG 53 MIN 01 SEC W, A DIST OF 133.09 FT TO A PC OF A CURVE CONCAVE SLY WITH A RAD OF 4511.66 FT; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 06 DEG 14 MIN 33 SEC, A DIST OF 491.56 FT TO A P.T.; TH S 84 DEG 52 MIN 26 SEC W, A DIST OF 53.33 FT TO A PC OF A CURVE CONCAVE NLY WITH A RAD OF 4655.66; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 04 DEG 23 MIN 29 SEC, A DIST OF 356.83 FT TO A PT ON THE W LN OF THE NE 1/4 OF SD SEC; TH ALG SD W LN, N 00 DEG 54 MIN 27 SEC E, A DIST OF 96.14 FT TO THE POB. CONT 68,7610 SQ T OR 1.578 AC M/L. PI# 6460.0005/9

FOR A TOTAL OF 137.412 ACRES.

SITE MAP (NOT TO SCALE)



THE NE 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY, ALSO THE NE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LESS THE ROAD RIGHT-OF-WAY, BEING THE SAME AS DESCRIBED IN THE DEED OF DONOR, TOGETHER WITH THE S 1/2 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LESS THE EAST LINE OF SAID SECTION 20, 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MOCCASIN WALLOW ROAD, FOR A POINT OF BEGINNING; THENCE S 00 DEGREES 01'07" W, ALONG THE EAST LINE OF SAID SECTION 20, 1616.69 FEET, THENCE N 89 DEGREES 30' 53" W, 1569.26 FEET; THENCE N 00 DEGREES 01'07" E, 1616.69 FEET TO THE AFOREMENTIONED POINT OF BEGINNING; THENCE S 89 DEGREES 30'53" W, 1569.26 FEET; THENCE S 00 DEGREES 01'07" E, 1616.69 FEET TO THE POINT OF BEGINNING.

FROM THE NE CORNER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; RUN S 00 DEGREES 06'54" W, ALONG THE EAST LINE OF SAID SECTION 20, 1646.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00 DEGREES 06'54" W, PARALLEL WITH THE EAST LINE OF SAID SECTION 20, A DISTANCE OF 1386.58 FEET TO THE POINT OF BEGINNING; LYING AND BEING IN SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

FROM THE SE CORNER OF THE SAID N 1/4 OF THE SE 1/4 THENCE N 89 DEGREES 57' 51" W A DISTANCE OF 1327.93 FEET TO THE S.W. CORNER OF THE SAID N.E. 1/4 OF THE S.E. 1/4; THENCE N 00 DEGREES 31' 02" E, A DISTANCE OF 1389.93 FEET TO A FOUND IRON PIPE AT THE S.W. CORNER OF THE SAID N.E. 1/4 OF THE S.E. 1/4; THENCE S 00 DEGREES 06'54" W, PARALLEL WITH THE EAST LINE OF SAID SECTION 20, A DISTANCE OF 1616.69 FEET; THENCE S 89 DEGREES 57' 51" W, PARALLEL WITH THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 1032.16 FEET; THENCE S 00 DEGREES 06'54" W, AND PARALLEL WITH THE EAST LINE OF SAID SECTION 20, A DISTANCE OF 1616.69 FEET; THENCE S 89 DEGREES 57' 51" W, AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 1386.58 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

A parcel of land in the Southwest 1/4 of the Northeast 1/4 of Section 20, Township 33 South, Range 18 East, Manatee County, Florida being more particularly described as follows:

Commence at the Southwest corner of said Southwest 1/4 of the Northeast 1/4; thence N 0° 40' 30" E, along the West line of said Southwest 1/4 of the Northeast 1/4, a distance of 30.00 feet to a point on the North monumented right-of-way line of Amlong Road (89th Street East), said point being the Point of Beginning; thence continue N 0° 40' 30" E, along said West line, a distance of 210.00 feet; thence S 89° 55' 03" E, parallel to the South line of said Southwest 1/4 of the Northeast 1/4, a distance of 210.00 feet; thence S 0° 40' 30" W, 210.00 feet to a point on the aforementioned North right-of-way line of Amlong Road; thence N 89° 55' 03" W, along said North right-of-way line, a distance of 210.00 feet to the point of beginning.

ALSO LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO MANATEE COUNTY IN WARRANTY DEED RECORDED IN O.R. INSTRUMENT NO. 202141163303, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

1. TYPE OF SURVEY: BOUNDARY SURVEY. ANY USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS 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.

2. NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND IMPROVEMENTS, STRUCTURES, OR FOUNDATIONS. UNDERGROUND UTILITIES SHOWN HEREON ARE SHOWN PER ABOVE GROUND EVIDENCE AND/OR RECORD DRAWINGS OR MUNICIPAL ATLAS INFORMATION AND THE LOCATION OF ALL UNDERGROUND UTILITY LINES ARE APPROXIMATE ONLY. THIS DOCUMENT SHOULD NOT BE RELIED UPON FOR EXCAVATION OR CRITICAL DESIGN FUNCTIONS WITHOUT FIELD VERIFICATION OF UNDERGROUND UTILITY LOCATIONS. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST.

3. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

5. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, APPLICABLE ZONE, NAD 83 (2011 ADJUSTMENT) AND ARE DERIVED BY MULTIPLE REAL-TIME KINEMATIC GPS OBSERVATIONS. BASES OF BEARING ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°33'36"E

6. BY SCALED DETERMINATION THE SUBJECT PROPERTY APPEARS TO LIE IN FLOOD ZONES "AE" AND "X" PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 12081C0157E AND 12081C0159E EFFECTIVE DATED MARCH 17, 2014. AN ACCURATE ZONE DETERMINATION SHOULD BE MADE BY THE PREPARER OF THE MAP, THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR THE LOCAL GOVERNMENT AGENCY HAVING JURISDICTION OVER SUCH MATTERS PRIOR TO ANY JUDGMENTS BEING MADE FROM THE ZONE AS NOTED.

7. SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD IF ANY.

THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FILE NO. 21139767 CS, AND COMMITMENT EFFECTIVE DATE OF OCTOBER 20, 2021, REVISED DATE DECEMBER 28, 2021 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY

7. CONSERVATION, DRAINAGE AND MAINTENANCE EASEMENT GRANTED TO MANATEE COUNTY RECORDED IN O.R. BOOK 1942, PAGE 2598. SHOWN HEREON

8. AGREEMENT FOR A TEMPORARY SEPTIC TANK PERMIT RECORDED IN O.R. BOOK 058, PAGE 1738. LAND DESCRIBED THEREIN INCLUDE A PORTION OF THE SURVEYED

9. ROAD RIGHT-OF-WAY RESERVATION AS SET FORTH IN DEED FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA RECORDED IN DEED BOOK 188, PAGE 585.

12. RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED IN O.R. INSTRUMENT No. 202141125656. LAND DESCRIBED THEREIN INCLUDE ALL OF THE SURVEYED PROPERTY.

13. TEMPORARY CONSTRUCTION EASEMENT GRANTED TO MANATEE COUNTY AS RECORDED IN O.R. INSTRUMENT NO. 202141163304

HY	HYDRANT
WV	WATER VALVE
⊗	BACK FLOW PREVENTER
⊗	UNDER GROUND GAS MARKER
■	INLET
⋄	MAILBOX
+	GUY WIRE
⊗	WATER METER
—	SIGN
⊗	TELEPHONE BOX
⊗	RECLAIMED WATER VALVE
⊗	WELL
WV	UTILITY POLE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
O.R.	OFFICIAL RECORDS
PIN	PARCEL IDENTIFICATION
(D)	DEED

LINE	BEARING	DISTANCE
L1	S 0°07'47" W	30.00'
L1(D)	S 0°01'07" W	30.00'
L2	N 0°05'41" E	30.17'
L2(D)	N 0°40'30" E	30.00'
L3	N 0°55'11" E	210.01'
L3(D)	N 0°40'30" E	210.00'
L4	S 89°45'55" E	210.01'
L4(D)	S 89°55'03" E	210.00'
L5	S 0°54'11" W	210.01'
L5(D)	S 0°40'30" W	210.00'
L6	N 89°45'55" W	210.01'
L6(D)	N 89°55'03" W	210.00'
L7	N 0°06'59" E	51.06'
L8	N 88°53'01" W	133.16'
L9	N 84°52'26" E	53.33'
L10	N 0°54'11" E	96.15'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	356.84'	4655.66'	4°23'29"	N 87°04'11" E	356.75'
C2	491.56'	4511.66'	6°14'33"	S 87°59'42" W	491.31'

CLIENT: MI HOMES

DESC: SECTION 20 TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

CERTIFY TO: (FOR THE EXCLUSIVE USE OF)
Shutts & Bowen LLP
Old Republic National Title Insurance Company
M/I Homes of Sarasota, LLC

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ROBERT S. FLANARY, P.S.M.
FLORIDA SURVEYORS REGISTRATION NO. 5677

[illegible]

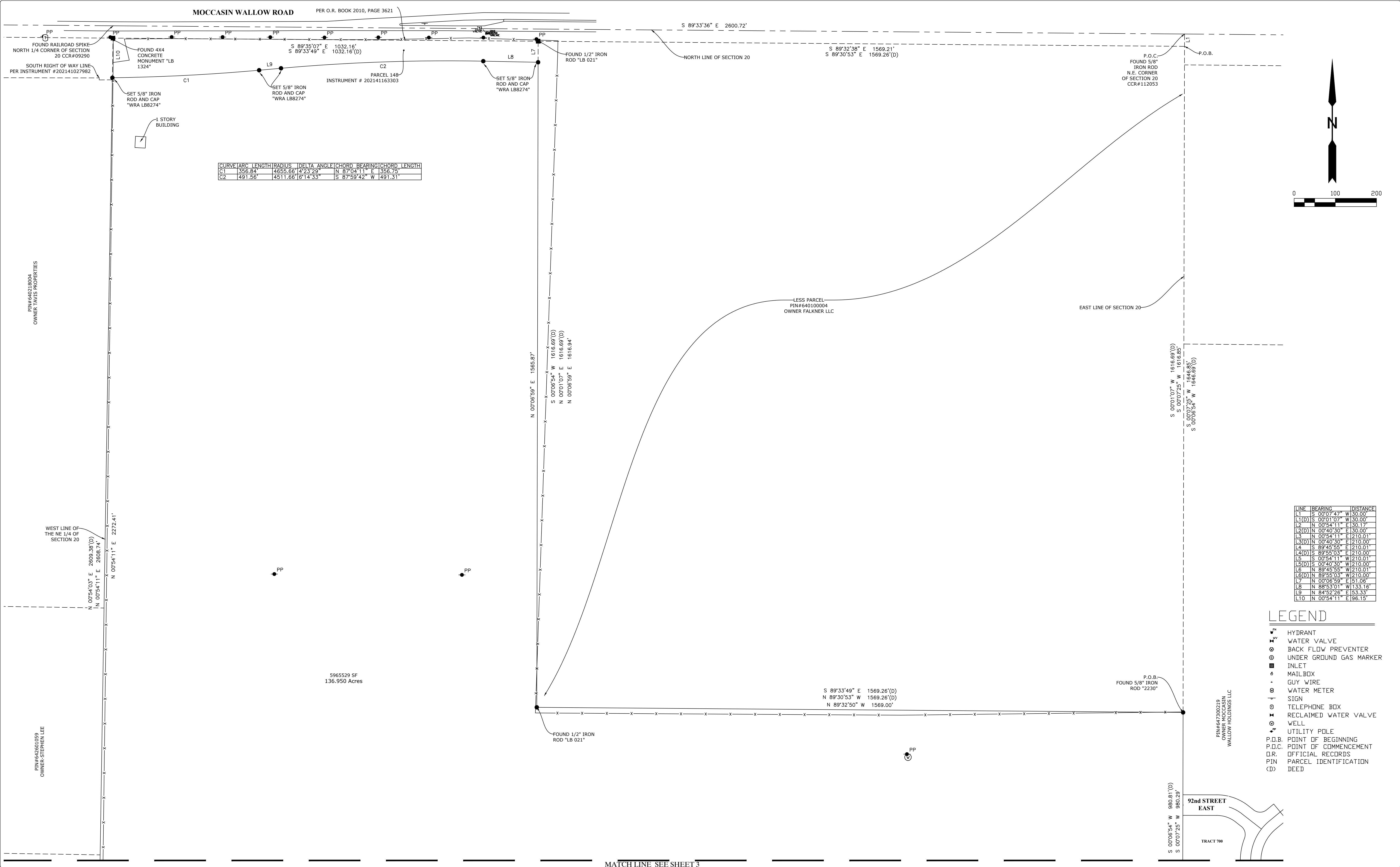
WRA WATER RESOURCE ASSOCIATES, LLC
 7978 Cooper Creek Blvd.
 University Park, Florida 34201
 Phone: 941.275.9721 Fax: 941.275.9729
 www.wraengineering.com LB 8274

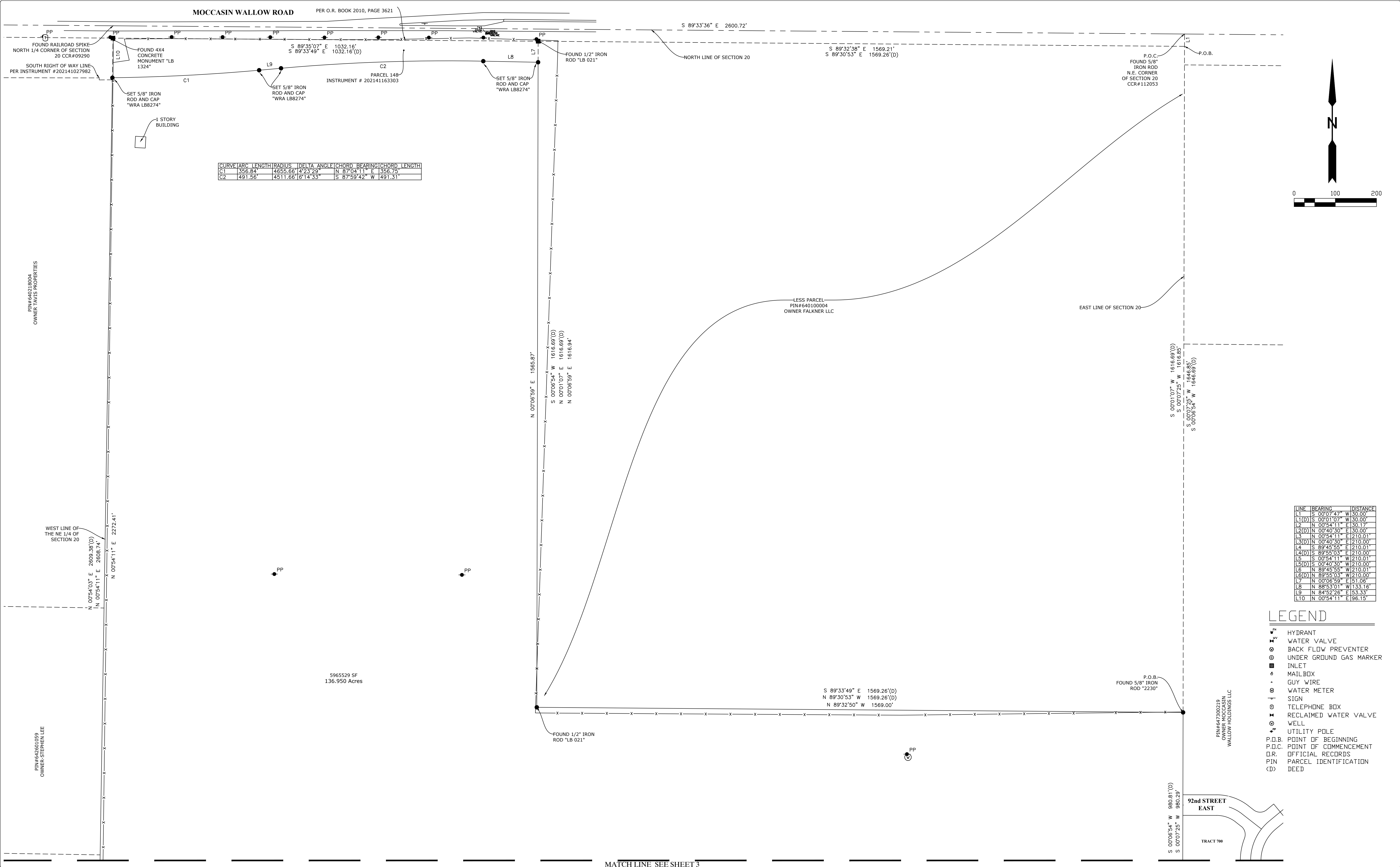
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PROJ. NO.: 2147	Field Book: 68	FIELD DATE: 10/26/21
		SCALE: 1"=300'

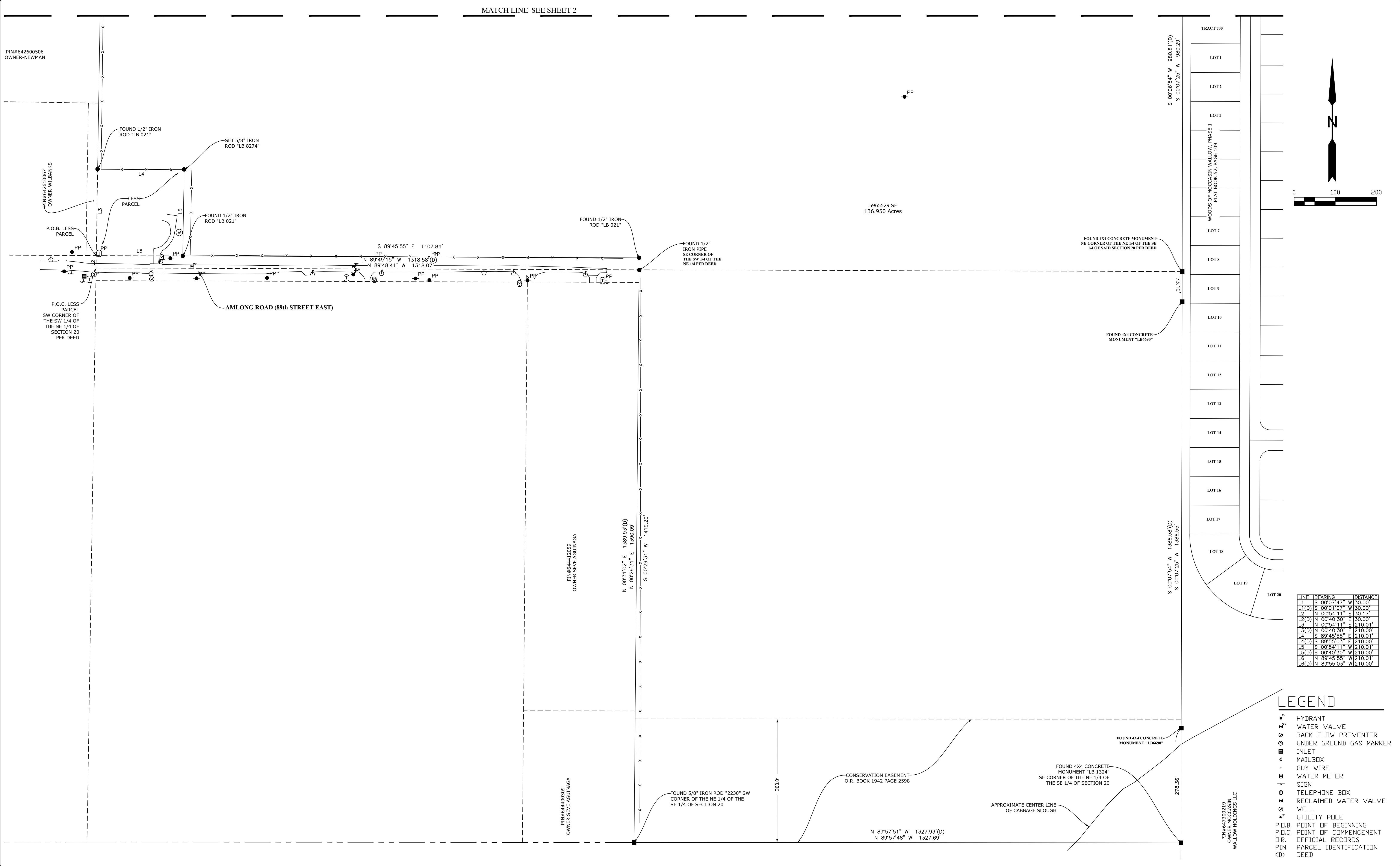
SHEET

1

OF 3







TITLE: BOUNDARY SURVEY	CERTIFY TO: (FOR THE EXCLUSIVE USE OF)
CLIENT: MI HOMES	
DESC: SECTION 20 TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA	

NO.	REVISION	DATE	BY

NO.	REVISION	DATE	BY

WATER RESOURCE ASSOCIATES. LLC		
7978 Cooper Creek Blvd. University Park, Florida 34201 Phone: 941.275.9721 Fax: 941.275.9729 www.wraengineering.com LB 8274		
CADD FILE: VORBECK BOUNDARY	DRAWN BY: RSF	CHECKED BY: RSF
PROJ. NO.: 2147	Field Book: 68	FIELD DATE: 10/26/21 SCALE: 1"=100'

SHEET
3
OF 3

DEVELOPMENT STATUS

Proposed Southpointe of Manatee County Community Development District

1. *Describe the status of the development*

The development is currently in a PSP Modification Approval Process with Manatee County (Zoning) which is expected to be completed by 03/31/23. The petitioner will then file for FSP/Horizontal Construction Plan Approvals with approvals expected by 06/30/2023 to allow for development to commence, which should commence within 60 days thereafter.

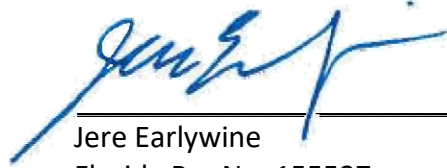
2. *Refer to any development applications submitted to the Manatee County Planning Department for development of the land in the district. The reference must list the approved plans and include the case names, case numbers assigned by the Planning Dept, the approval dates or expected approval dates, and the quantity of development units proposed to receive services, e.g., 450 single family dwelling units.*

PSP Modification Application Package submitted on or around March 1, 2022.

3. *If the CDD area covers more than one development approval, then the map must reference the extent of each development application within the CDD map.*

ATTORNEY CERTIFICATION

I HEREBY CERTIFY THAT, TO MY KNOWLEDGE, THE FACTS CONTAINED IN THE PETITION TO ESTABLISH THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT ARE TRUE AND CORRECT, AND THAT SUCH PETITION COMPLIES WITH STATE LAW.



Jere Earlywine
Florida Bar No. 155527
Jere.Earlywine@KutakRock.com
KUTAK ROCK, LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 528-6152 (telephone)

Attorneys for Petitioner

PETITIONER CERTIFICATION

I HEREBY CERTIFY THAT, TO MY KNOWLEDGE, THE FACTS CONTAINED IN THE PETITION TO ESTABLISH THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT ARE TRUE AND CORRECT.

M/I HOMES OF SARASOTA, LLC

A handwritten signature in blue ink, appearing to read "Michael E. Stephens", is written over a horizontal line.

By: Michael E. Stephens

Its: Vice President/Gen

Date: 12-20-2022

**BEFORE THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA**

**PETITION TO ESTABLISH THE SOUTHPOINTE OF MANATEE COUNTY
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, M/I Homes of Sarasota, LLC ("**Petitioner**"), hereby petitions the County Commission of Manatee County, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, to establish a Community Development District ("**District**") with respect to the land described herein. In support of this petition, Petitioner states:

1. Name. The proposed name of the District is the "Southpointe of Manatee County Community Development District."

2. Location and Size. The proposed District is located entirely within Manatee County, Florida, and covers approximately 137.4110 acres of land, more or less. **Exhibit 1** depicts the general location of the project. The site is generally located south of County Road 6, east of County Road 683, and northwest of the intersection of Interstate 275 and Interstate 75. The metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2.**

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

4. Initial Board Members. The five persons designated to serve as initial members

of the Board of Supervisors of the proposed District are set forth in **Exhibit 4**. All listed persons are residents of the state of Florida and citizens of the United States of America.

5. Future Land Uses. The future general distribution, location, and extent of the public and private land uses proposed for the area within the District by future land use plan element of the effective local comprehensive plan are shown on **Exhibit 5**.

6. Major Water and Wastewater Facilities. **Exhibit 6** shows existing and proposed major water, sewer, and drainage infrastructure within the proposed District.

7. District Facilities and Services. **Exhibit 7** describes the type of facilities the Petitioner presently expects to be financed, constructed, and/or acquired by proposed District, as well as the anticipated owner and entity responsible for the ongoing maintenance of same. These facilities will serve the development within the District. The estimated costs of constructing the public infrastructure serving land within the proposed District are also identified in **Exhibit 7**. At present, these improvements are estimated to be made, acquired, constructed, and/or installed in three (3) phase(s) over an estimated five (5) year period from March 2023 – March 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.

8. Statement of Estimated Regulatory Costs. **Exhibit 8** 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.

9. Authorized Agent. The Petitioner is authorized to do business in Florida. **Exhibit 9** identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should be sent to:

Jere Earlywine
Florida Bar No. 155527
Jere.Earlywine@KutakRock.com
KUTAK ROCK, LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 528-6152 (telephone)

10. Affidavits. The Affidavit of the Surveyor relative to the Petition is attached hereto as **Exhibit 10**. The Affidavit of the Engineer relative to the Petition is attached hereto as **Exhibit 11**.

11. This petition to establish the Southpointe of Manatee County 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 applicable elements or portions of the effective State Comprehensive Plan or the effective local 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 County 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 County Commission of Manatee County, Florida to:

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

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

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; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both 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 23rd day of March, 2023.

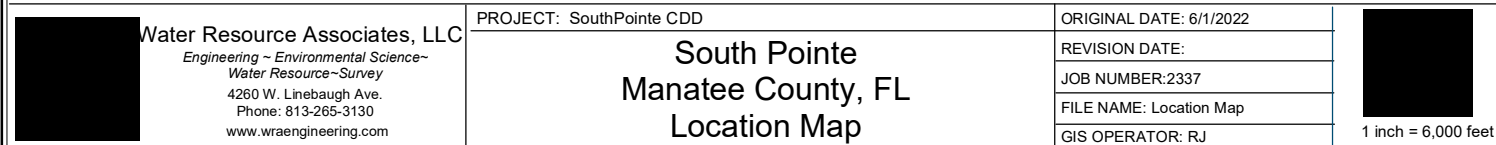
KUTAK ROCK LLP

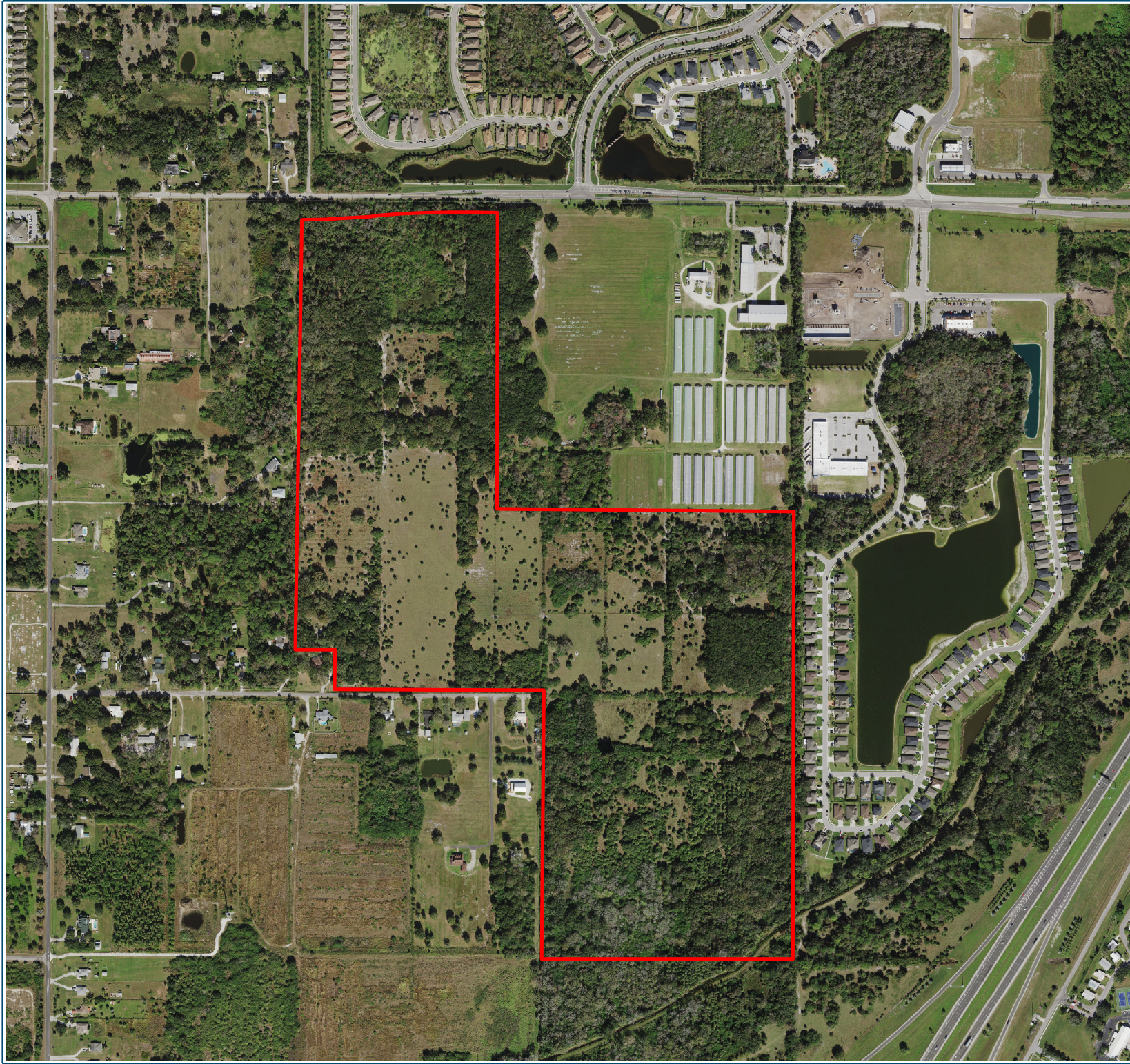


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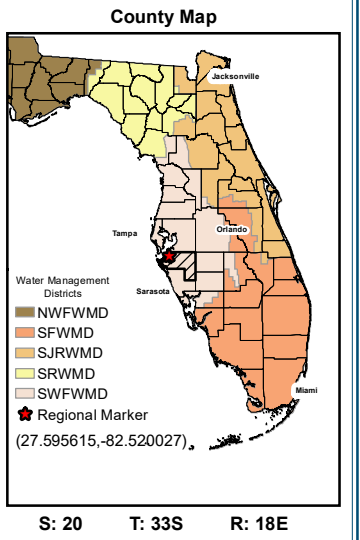
Attorneys for Petitioner

EXHIBIT 1

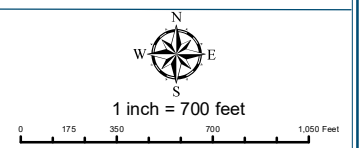




 Project Boundary (136.95 ac.)



Notes:
Parcel ID: 646000059



Client: MI Homes		
Project Name: SouthPointe CDD		
Manatee County, FL		
File Name: Aerial Map		
Original Date: 6/1/2022		
GIS Operator: RJ	Job Number: 2337	Revision Date:

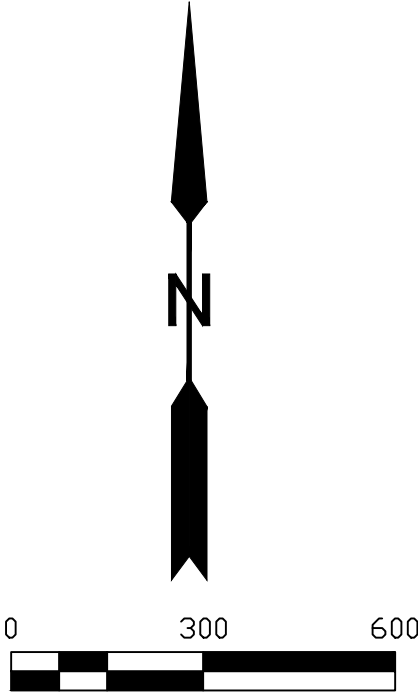
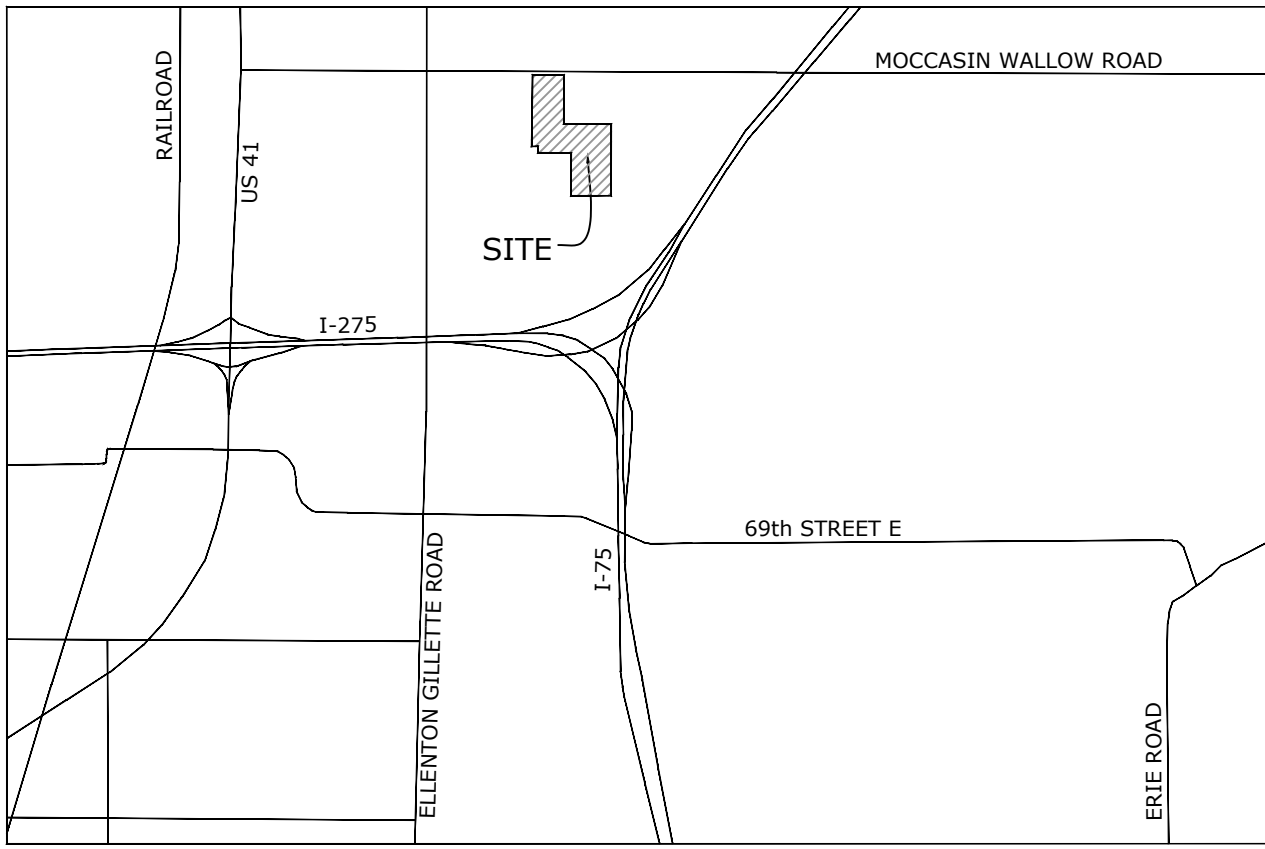
EXHIBIT 2

THE NE1/4 OF SEC 20 TWP 33 S, RNG 18 E, LESS RD R/W, ALSO THE NE1/4 OF THE SE1/4 OF SEC 20, TWP 33 S, RNG 18 E LESS THE FOLLOWING DESC PROPERTY: COM AT THE NE COR OF SD SEC 20; TH S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 30.00 FT TO A PT ON THE S R/W LN OF MOCCASIN WALLOW RD, FOR A POB; TH CONT S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 1616.69 FT; TH N 89 DEG 30 MIN 53 SEC W, 1569.26 FT; TH N 00 DEG 01 MIN 07 SEC E, 1616.69 FT TO THE AFOREMENTIONED S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 30 MIN 53 SEC E, ALG SD R/W LN, 1569.26 FT TO THE POB BEING MORE PARTICULARLY DESC AS FOLLOWS: FROM THE NE COR OF SEC 20, RUN S 00 DEG 06 MIN 54 SEC W, ALG THE E LN OF SD SEC 20, 1646.69 FT TO THE POB; TH CONT S 00 DEG 06 MIN 54 SEC W, A DIST OF 980.81 FT TO A FOUND CONC MON AT THE NE COR OF THE NE1/4 OF THE SE1/4 OF SD SEC 20; TH S 00 DEG 07 MIN 54 SEC W, A DIST OF 1386.58 FT TO A FOUND CONC MON AT THE SE COR OF SD NE1/4 OF THE SE1/4; TH N 89 DEG 57 MIN 51 SEC W, A DIST OF 1327.93 FT TO THE SE COR OF THE SD NE1/4 OF THE SE1/4; TH N 00 DEG 31 MIN 02 SEC E, A DIST OF 1389.93 FT TO A FOUND IRON ROD AT THE SE COR OF THE SW1/4 OF THE NE1/4 OF SD SEC 20; TH N 89 DEG 49 MIN 15 SEC W, A DIST OF 1318.58 FT TO A FOUND IRON PIPE AT THE SW COR OF THE SD SW1/4 OF THE NE1/4; TH N 00 DEG 54 MIN 03 SEC E, ALG THE W LN OF THE NE1/4 OF SD SEC 20, A DIST OF 2609.38 FT TO THE S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 33 MIN 49 SEC E, ALG SD R/W LN AND 30 FT S OF THE N LN OF SD SEC 20, A DIST OF 1032.16 FT; TH S 00 DEG 06 MIN 54 SEC W, AND PARALLEL WITH THE E LN OF SD SEC 20, A DIST OF 1616.69 FT; TH S 89 DEG 33 MIN 49 SEC E, AND PARALLEL WITH THE N LN OF SD SEC 20, A DIST OF 1569.26 FT TO THE POB LYING AND BEING IN SEC 20 TWP 33 S, RNG 18 E, CONTAINING 140.00 AC, M/L LESS ORB 1604/0085 DESC AS: A PARCEL OF LAND IN THE SW 1/4 OF THE NE 1/4 OF SEC 20 TWP 33 S RNG 18 E DESC AS: COM AT THE SW COR OF SD SW 1/4 OF THE NE 1/4; TH N 00 DEG 40 MIN 30 SEC E, ALG THE W LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 30 FT TO A PT ON THE N MON R/W LN OF AMLONG RD (89TH ST E), SD PT BEING THE POB; TH CONT N 00 DEG 40 MIN 30 SEC E ALG SD W LN A DIST OF 210 FT; TH S 89 DEG 55 MIN 03 SEC E PARALLEL TO THE S LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 210 FT; TH S 00 DEG 40 MIN 30 SEC W 210 FT TO A PT ON THE AFOREMENTIONED N R/W LN OF AMLONG RD; TH N 89 DEG 55 MIN 03 SEC W ALG SD N R/W LN A DIST OF 210 FT TO THE POB CONT 1.01 AC M/L. SUBJECT TO CONSERVATION EASEMENT REC IN OR 1942/2598; ALSO LESS INST# 202141163303 FOR RD R/W DESC AS FOLLOWS: COM AT THE NW COR OF THE NE 1/4 OF SEC 20, TWP 33 S, RNG 18 E, MANATEE COUNTY FL; TH ALG THE W LN OF THE NE 1/4 OF SD SEC, S 00 DEG 54 MIN 27 SEC W, A DIST OF 30 FT TO A PT ON THE EXISTING R/W LN OF MOCCASIN WALLOW RD PER OR BK 2010 PG 3621 PRMCF AND THE POB; TH ALG SD EXISTING R/W LN, S 89 DEG 33 MIN 30 SEC E, A DIST OF 1032.10 FT; TH S 00 DEG 07 MIN 13 SEC W, A DIST OF 50.58 FT; TH N 88 DEG 53 MIN 01 SEC W, A DIST OF 133.09 FT TO A PC OF A CURVE CONCAVE SLY WITH A RAD OF 4511.66 FT; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 06 DEG 14 MIN 33 SEC, A DIST OF 491.56 FT TO A P.T.; TH S 84 DEG 52 MIN 26 SEC W, A DIST OF 53.33 FT TO A PC OF A CURVE CONCAVE NLY WITH A RAD OF 4655.66; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 04 DEG 23 MIN 29 SEC, A DIST OF 356.83 FT TO A PT ON THE W LN OF THE NE 1/4 OF SD SEC; TH ALG SD W LN, N 00 DEG 54 MIN 27 SEC E, A DIST OF 96.14 FT TO THE POB. CONT 68,7610 SQ T OR 1.578 AC M/L. PI# 6460.0005/9

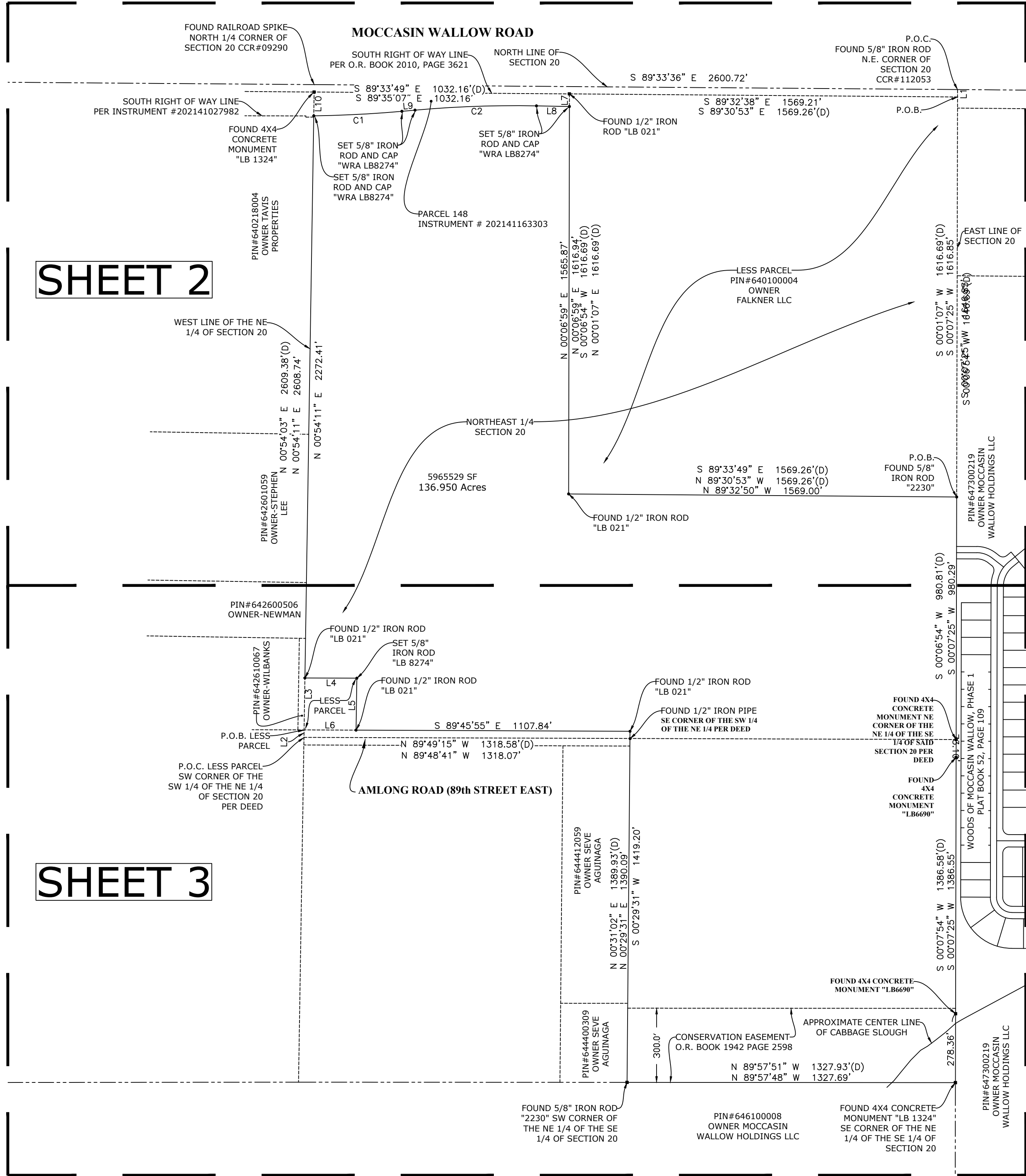
FOR A TOTAL OF 137.412 ACRES.

BOUNDARY SURVEY

SITE MAP (NOT TO SCALE)



SHEET 2



SHEET 3

LEGEND

- HYDRANT
- WATER VALVE
- BACK FLOW PREVENTER
- UNDER GROUND GAS MARKER
- INLET
- MAILBOX
- GUY WIRE
- WATER METER
- SIGN
- TELEPHONE BOX
- RECLAIMED WATER VALVE
- WELL
- UTILITY POLE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- O.R. OFFICIAL RECORDS
- PIN PARCEL IDENTIFICATION
- (D) DEED

LINE	BEARING	DISTANCE
L1	S 00°07'47" W	30.00'
L1(D)	S 00°01'07" W	30.00'
L2	N 00°54'11" E	30.17'
L2(D)	N 00°40'30" E	30.00'
L3	N 00°54'11" E	210.01'
L3(D)	N 00°40'30" E	210.00'
L4	S 89°45'55" E	210.01'
L4(D)	S 89°55'03" E	210.00'
L5	S 00°54'11" W	210.01'
L5(D)	S 00°40'30" W	210.00'
L6	N 89°45'55" W	210.01'
L6(D)	N 89°55'03" W	210.00'
L7	N 00°06'59" E	51.06'
L8	N 89°53'01" W	133.16'
L9	N 84°52'26" E	53.33'
L10	N 00°54'11" E	96.15'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	356.84'	4655.66'	4°23'29"	N 87°04'11" E	356.75'
C2	491.56'	4511.66'	6°14'33"	S 87°59'42" W	491.31'

DESCRIPTION:

THE NE 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY, ALSO THE NE 1/4 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE NE CORNER OF SAID SECTION 20; THENCE S 00 DEGREES 01'07" W, ALONG THE EAST LINE OF SAID SECTION 20, 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MOCCASIN WALLOW ROAD, FOR A POINT OF BEGINNING; THENCE CONTINUE S 00 DEGREES 01'07" W, ALONG THE EAST LINE OF SAID SECTION 20, 1616.69 FEET, THENCE N 89 DEGREES 30' 53" W, 1569.26 FEET; THENCE N 00 DEGREES 01'07" E, 1616.69 FEET TO THE AFOREMENTIONED SOUTH RIGHT-OF-WAY LINE OF MOCCASIN WALLOW ROAD; THENCE S 89 DEGREES 30'53" E, ALONG SAID RIGHT-OF-WAY LINE, 1569.26 FEET TO THE POINT OF BEGINNING.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NE CORNER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; RUN S 00 DEGREES 06'54" W, ALONG THE EAST LINE OF SAID SECTION 20, 1646.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00 DEGREES 06'54" W, A DISTANCE OF 980.81 FEET TO A FOUND CONCRETE MONUMENT AT THE NE CORNER OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 20; THENCE S 00 DEGREES 07'54" W, A DISTANCE OF 1386.58 FEET TO A FOUND CONCRETE MONUMENT AT THE SE CORNER OF THE SAID NE 1/4 OF THE SE 1/4 THENCE N 89 DEGREES 57' 51" W A DISTANCE OF 1327.93 FEET TO THE S.W. CORNER OF THE SAID N.E. 1/4 OF THE S.E. 1/4; THENCE N 00 DEGREES 31' 02" E, A DISTANCE OF 1389.93 FEET TO A FOUND IRON ROD AT THE S.E. CORNER OF THE S.W. 1/4 OF THE N.E. 1/4 OF SAID SECTION 20, THENCE N 89 DEGREES 49' 15" W, A DISTANCE OF 1318.58 FEET TO A FOUND IRON PIPE AT THE S.W. CORNER OF THE SAID SW 1/4 OF THE N.E. 1/4; THENCE N 00 DEGREES 54'03" E, ALONG THE WEST LINE OF THE N.E. 1/4 OF SAID SECTION 20, A DISTANCE OF 2609.38 FEET TO THE SOUTH RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD; THENCE S 89 DEGREES 33'49" E, ALONG SAID RIGHT OF WAY LINE AND 30 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 1032.16 FEET; THENCE S 00 DEGREES 06'54" W, AND PARALLEL WITH THE EAST LINE OF SAID SECTION 20, A DISTANCE OF 1616.69 FEET; THENCE S 89 DEGREES 33'49" E, AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 1569.26 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

Less:

A parcel of land in the Southwest 1/4 of the Northeast 1/4 of Section 20, Township 33 South, Range 18 East, Manatee County, Florida being more particularly described as follows:

Commence at the Southwest corner of said Southwest 1/4 of the Northeast 1/4; thence N 00° 40' 30" E, along the West line of said Southwest 1/4 of the Northeast 1/4, a distance of 30.00 feet to a point on the North monumented right-of-way line of Amlong Road (89th Street East), said point being the Point of Beginning; thence continue N 00° 40' 30"E, along said West line, a distance of 210.00 feet; thence S 89° 55' 03"E, parallel to the South line of said Southwest 1/4 of the Northeast 1/4, a distance of 210.00 feet; thence S 00° 40' 30" W, 210.00 feet to a point on the aforementioned North right-of-way line of Amlong Road; thence N 89° 55' 03" W, along said North right-of-way line, a distance of 210.00 feet to the point of beginning.

ALSO LESS THAT PORTION OF THE ABOVE DESCRIBED PROPERTY CONVEYED TO MANATEE COUNTY IN WARRANTY DEED RECORDED IN O.R. INSTRUMENT NO. 202141163303, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

SURVEYORS NOTES:

1. TYPE OF SURVEY: BOUNDARY SURVEY. ANY USE OF THIS SURVEY FOR PURPOSES OTHER THAN WHICH IT WAS 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.
2. NO EXCAVATION WAS PERFORMED TO VERIFY THE LOCATION OR EXISTENCE OF ANY UNDERGROUND IMPROVEMENTS, STRUCTURES, OR FOUNDATIONS. UNDERGROUND UTILITIES SHOWN HEREON ARE SHOWN PER ABOVE GROUND EVIDENCE AND/OR RECORD DRAWINGS OR MUNICIPAL ATLAS INFORMATION AND THE LOCATION OF ALL UNDERGROUND UTILITY LINES ARE APPROXIMATE ONLY. THIS DOCUMENT SHOULD NOT BE RELIED UPON FOR EXCAVATION OR CRITICAL DESIGN FUNCTIONS WITHOUT FIELD VERIFICATION OF UNDERGROUND UTILITY LOCATIONS. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST.
3. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
4. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
5. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, APPLICABLE ZONE, NAD 83 (2011 ADJUSTMENT) AND ARE DERIVED BY MULTIPLE REAL-TIME KINEMATIC GPS OBSERVATIONS. BASES OF BEARING ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°33'36"E
6. BY SCALED DETERMINATION THE SUBJECT PROPERTY APPEARS TO LIE IN FLOOD ZONES "AE" AND "X" PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 12081C0157E AND 12081C0159E EFFECTIVE DATED MARCH 17, 2014. AN ACCURATE ZONE DETERMINATION SHOULD BE MADE BY THE PREPARER OF THE MAP, THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OR THE LOCAL GOVERNMENT AGENCY HAVING JURISDICTION OVER SUCH MATTERS PRIOR TO ANY JUDGMENTS BEING MADE FROM THE ZONE AS NOTED.
7. SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD IF ANY.

TITLE :

THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FILE NO. 21139767 CS, AND COMMITMENT EFFECTIVE DATE OF OCTOBER 20, 2021, REVISED DATE DECEMBER 28, 2021 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY

7. CONSERVATION, DRAINAGE AND MAINTENANCE EASEMENT GRANTED TO MANATEE COUNTY RECORDED IN O.R. BOOK 1942, PAGE 2598. SHOWN HEREON
8. AGREEMENT FOR A TEMPORARY SEPTIC TANK PERMIT RECORDED IN O.R. BOOK 058, PAGE 1738. LAND DESCRIBED THEREIN INCLUDE A PORTION OF THE SURVEYED PROPERTY, THE NE 1/4 OF SECTION 20 AND IS SHOWN HEREON.
9. ROAD RIGHT-OF-WAY RESERVATION AS SET FORTH IN DEED FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA RECORDED IN DEED BOOK 188, PAGE 585.
12. RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED IN O.R. INSTRUMENT No. 202141125656. LAND DESCRIBED THEREIN INCLUDE ALL OF THE SURVEYED PROPERTY.
13. TEMPORARY CONSTRUCTION EASEMENT GRANTED TO MANATEE COUNTY AS RECORDED IN O.R. INSTRUMENT NO. 202141163304.

TITLE: BOUNDARY SURVEY

CLIENT: MI HOMES

DESC: SECTION 20 TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA

CERTIFY TO: (FOR THE EXCLUSIVE USE OF)
Shurtz & Bowen LLP
Old Republic National Title Insurance Company
M/H Homes of Sarasota, LLC

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ROBERT S. FLANARY, P.S.M.
FLORIDA SURVEYORS REGISTRATION NO. 5677

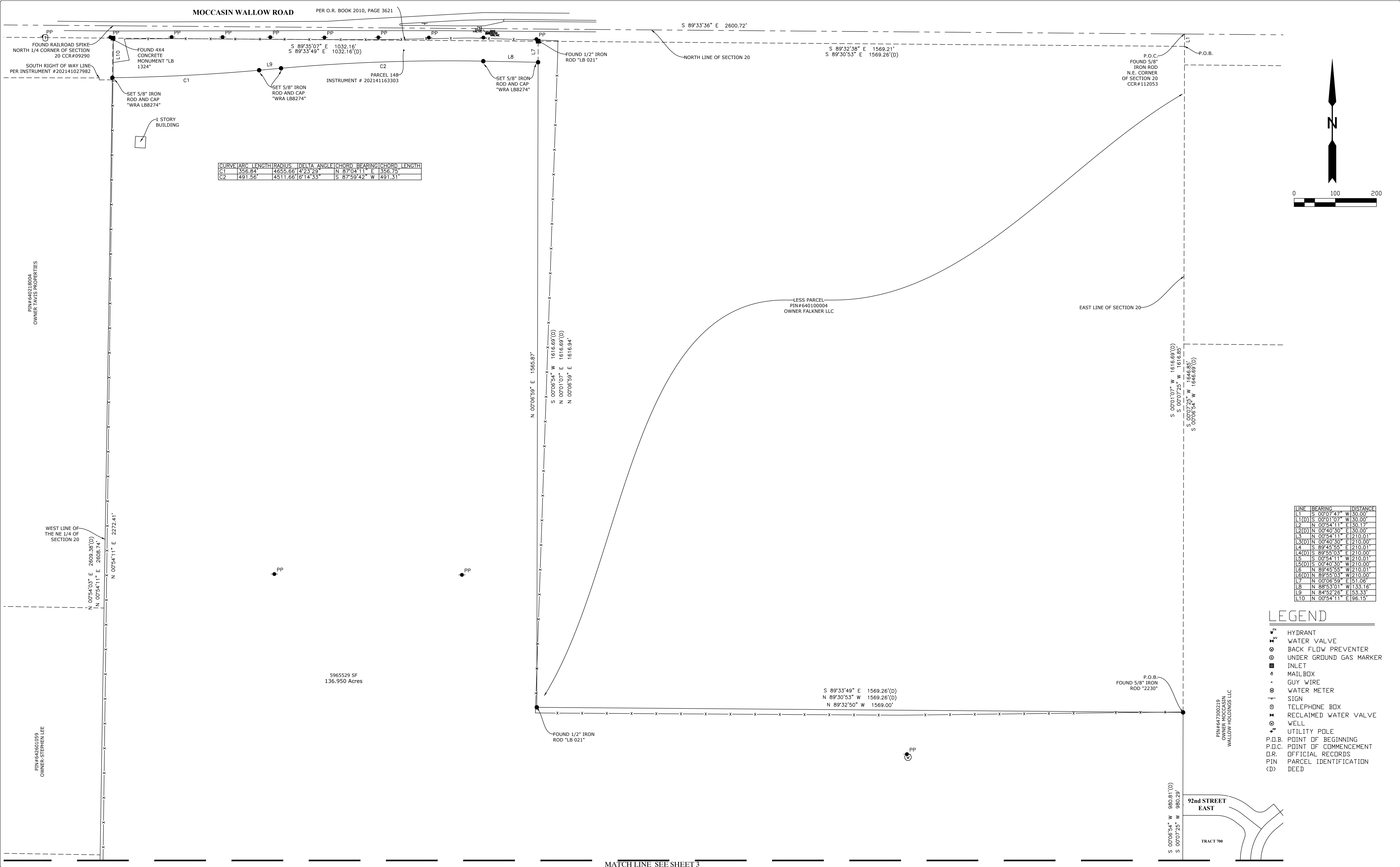
NO.	REVISION	DATE	BY
1.	REVISED PER REVISED TITLE COMMITMENT	1/4/21	RSF

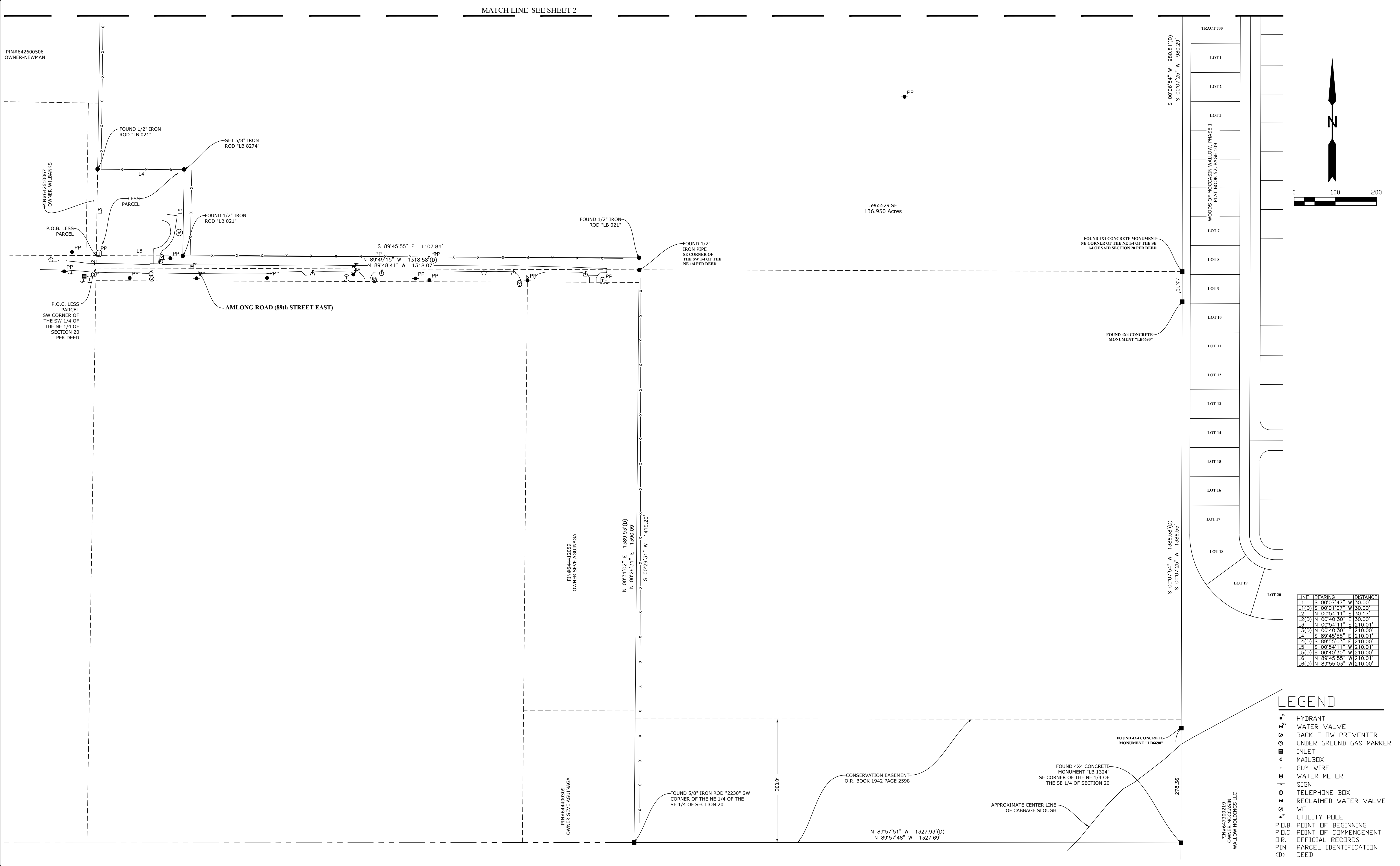
WATER RESOURCE ASSOCIATES. LLC			
7978 Cooper Creek Blvd. University Park, Florida 34201 Phone: 941.275.9721 Fax: 941.275.9729 www.wraengineering.com LB 8274			
CADD FILE: VORRECK BOUNDARY		DRAWN BY: RSF	CHECKED BY: RSF
PROJ. NO.: 2147	Field Book: 68	FIELD DATE: 10/26/21	SCALE: 1"=300'

SHEET

1

OF 3





TITLE: BOUNDARY SURVEY	CERTIFY TO: (FOR THE EXCLUSIVE USE OF)
CLIENT: MI HOMES	
DESC: SECTION 20 TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA	

NO.	REVISION	DATE	BY

NO.	REVISION	DATE	BY

WRA WATER RESOURCE ASSOCIATES. LLC		
7978 Cooper Creek Blvd.		
University Park, Florida 34201		
Phone: 941.275.9721 Fax: 941.275.9729		
www.wraengineering.com LB 8274		
CADD FILE: VORBECK BOUNDARY	DRAWN BY: RSF	CHECKED BY: RSF
PROJ. NO.: 2147	Field Book: 68	FIELD DATE: 10/26/21 SCALE: 1"=100'

SHEET
3
OF 3

EXHIBIT 3

**Consent and Authorization of Landowner
to the Establishment of a Community Development District**

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof ("Property"). As an owner of lands that are intended to constitute all or a part of the Community Development 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 Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

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 Community Development 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 Community Development District. The undersigned acknowledges that the petitioner has the right by contract for the establishment of the Community Development District, and Jere Earlywine of KE Law Group, PLLC is hereby authorized to file and prosecute the petition to establish the Community Development District.

This consent may be revoked by the undersigned by email to jere@kelawgroup.com delivered at least 48 hours prior to the adoption of an ordinance establishing the Community Development District. 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.

[SIGNATURE PAGE TO FOLLOW]

Executed this 13th day of February, 2023.

Witnessed:

**VORBECK FAMILY LAND PARTNERSHIP
LANDOWNER**

Rebecca Southall
Print Name: Rebecca Southall

Mick Vorbeck
BY: Mick Vorbeck
ITS: General Partner

Julia J. Hixon
Print Name: Julia J. Hixon

STATE OF Florida
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13th day of Feb, 2023, by Mick Vorbeck, as General Partner, of the Vorbeck Family Land Partnership, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

Julia J. Hixon
NOTARY PUBLIC, STATE OF Florida

Name: Julia J. Hixon
(Name of Notary Public, Printed, Stamped or Typed
as Commissioned)

Exhibit A: Legal Description



Exhibit A:
Legal Description

THE NE1/4 OF SEC 20 TWP 33 S, RNG 18 E, LESS RD R/W, ALSO THE NE1/4 OF THE SE1/4 OF SEC 20, TWP 33 S, RNG 18 E LESS THE FOLLOWING DESC PROPERTY: COM AT THE NE COR OF SD SEC 20; TH S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 30.00 FT TO A PT ON THE S R/W LN OF MOCCASIN WALLOW RD, FOR A POB; TH CONT S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 1616.69 FT; TH N 89 DEG 30 MIN 53 SEC W, 1569.26 FT; TH N 00 DEG 01 MIN 07 SEC E, 1616.69 FT TO THE AFOREMENTIONED S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 30 MIN 53 SEC E, ALG SD R/W LN, 1569.26 FT TO THE POB BEING MORE PARTICULARLY DESC AS FOLLOWS: FROM THE NE COR OF SEC 20, RUN S 00 DEG 06 MIN 54 SEC W, ALG THE E LN OF SD SEC 20, 1646.69 FT TO THE POB; TH CONT S 00 DEG 06 MIN 54 SEC W, A DIST OF 980.81 FT TO A FOUND CONC MON AT THE NE COR OF THE NE1/4 OF THE SE1/4 OF SD SEC 20; TH S 00 DEG 07 MIN 54 SEC W, A DIST OF 1386.58 FT TO A FOUND CONC MON AT THE SE COR OF SD NE1/4 OF THE SE1/4; TH N 89 DEG 57 MIN 51 SEC W, A DIST OF 1327.93 FT TO THE SE COR OF THE SD NE1/4 OF THE SE1/4; TH N 00 DEG 31 MIN 02 SEC E, A DIST OF 1389.93 FT TO A FOUND IRON ROD AT THE SE COR OF THE SW1/4 OF THE NE1/4 OF SD SEC 20; TH N 89 DEG 49 MIN 15 SEC W, A DIST OF 1318.58 FT TO A FOUND IRON PIPE AT THE SW COR OF THE SD SW1/4 OF THE NE1/4; TH N 00 DEG 54 MIN 03 SEC E, ALG THE W LN OF THE NE1/4 OF SD SEC 20, A DIST OF 2609.38 FT TO THE S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 33 MIN 49 SEC E, ALG SD R/W LN AND 30 FT S OF THE N LN OF SD SEC 20, A DIST OF 1032.16 FT; TH S 00 DEG 06 MIN 54 SEC W, AND PARALLEL WITH THE E LN OF SD SEC 20, A DIST OF 1616.69 FT; TH S 89 DEG 33 MIN 49 SEC E, AND PARALLEL WITH THE N LN OF SD SEC 20, A DIST OF 1569.26 FT TO THE POB LYING AND BEING IN SEC 20 TWP 33 S, RNG 18 E, CONTAINING 140.00 AC, M/L LESS ORB 1604/0085 DESC AS: A PARCEL OF LAND IN THE SW 1/4 OF THE NE 1/4 OF SEC 20 TWP 33 S RNG 18 E DESC AS: COM AT THE SW COR OF SD SW 1/4 OF THE NE 1/4; TH N 00 DEG 40 MIN 30 SEC E, ALG THE W LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 30 FT TO A PT ON THE N MON R/W LN OF AMLONG RD (89TH ST E), SD PT BEING THE POB; TH CONT N 00 DEG 40 MIN 30 SEC E ALG SD W LN A DIST OF 210 FT; TH S 89 DEG 55 MIN 03 SEC E PARALLEL TO THE S LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 210 FT; TH S 00 DEG 40 MIN 30 SEC W 210 FT TO A PT ON THE AFOREMENTIONED N R/W LN OF AMLONG RD; TH N 89 DEG 55 MIN 03 SEC W ALG SD N R/W LN A DIST OF 210 FT TO THE POB CONT 1.01 AC M/L. SUBJECT TO CONSERVATION EASEMENT REC IN OR 1942/2598; ALSO LESS INST# 202141163303 FOR RD R/W DESC AS FOLLOWS: COM AT THE NW COR OF THE NE 1/4 OF SEC 20, TWP 33 S, RNG 18 E, MANATEE COUNTY FL; TH ALG THE W LN OF THE NE 1/4 OF SD SEC, S 00 DEG 54 MIN 27 SEC W, A DIST OF 30 FT TO A PT ON THE EXISTING R/W LN OF MOCCASIN WALLOW RD PER OR BK 2010 PG 3621 PRMCF AND THE POB; TH ALG SD EXISTING R/W LN, S 89 DEG 33 MIN 30 SEC E, A DIST OF 1032.10 FT; TH S 00 DEG 07 MIN 13 SEC W, A DIST OF 50.58 FT; TH N 88 DEG 53 MIN 01 SEC W, A DIST OF 133.09 FT TO A PC OF A CURVE CONCAVE SLY WITH A RAD OF 4511.66 FT; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 06 DEG 14 MIN 33 SEC, A DIST OF 491.56 FT TO A P.T.; TH S 84 DEG 52 MIN 26 SEC W, A DIST OF 53.33 FT TO A PC OF A CURVE CONCAVE NLY WITH A RAD OF 4655.66; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 04 DEG 23 MIN 29 SEC, A DIST OF 356.83 FT TO A PT ON THE W LN OF THE NE 1/4 OF SD SEC; TH ALG SD W LN, N 00 DEG 54 MIN 27 SEC E, A DIST OF 96.14 FT TO THE POB. CONT 68,7610 SQ T OR 1.578 AC M/L. PI# 6460.0005/9

FOR A TOTAL OF 137.412 ACRES.



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Partnership

VORBECK FAMILY LIMITED PARTNERSHIP

Filing Information

Document Number	A05000000359
FEI/EIN Number	20-3979602
Date Filed	02/07/2005
State	FL
Status	ACTIVE

Principal Address

4470 NORTHGATE CT
SARASOTA, FL 34234

Changed: 04/24/2006

Mailing Address

4470 NORTHATE CT
SARASOTA, FL 34234

Changed: 04/24/2006

Registered Agent Name & Address

VORBECK, MICK
4470 NORTHGATE COURT
SARASOTA, FL 34234

General Partner Detail

Name & Address

VORBECK, MICK
4470 NORTHGATE COURT
SARASOTA, FL 34234

Annual Reports

Report Year	Filed Date
2020	06/04/2020
2021	02/11/2021
2022	03/14/2022

Document Images

EXHIBIT 4

INITIAL BOARD OF SUPERVISORS

Name: Michael Stephens
Address: 1551 Lakefront Drive, Suite 200
Sarasota, Florida 34240

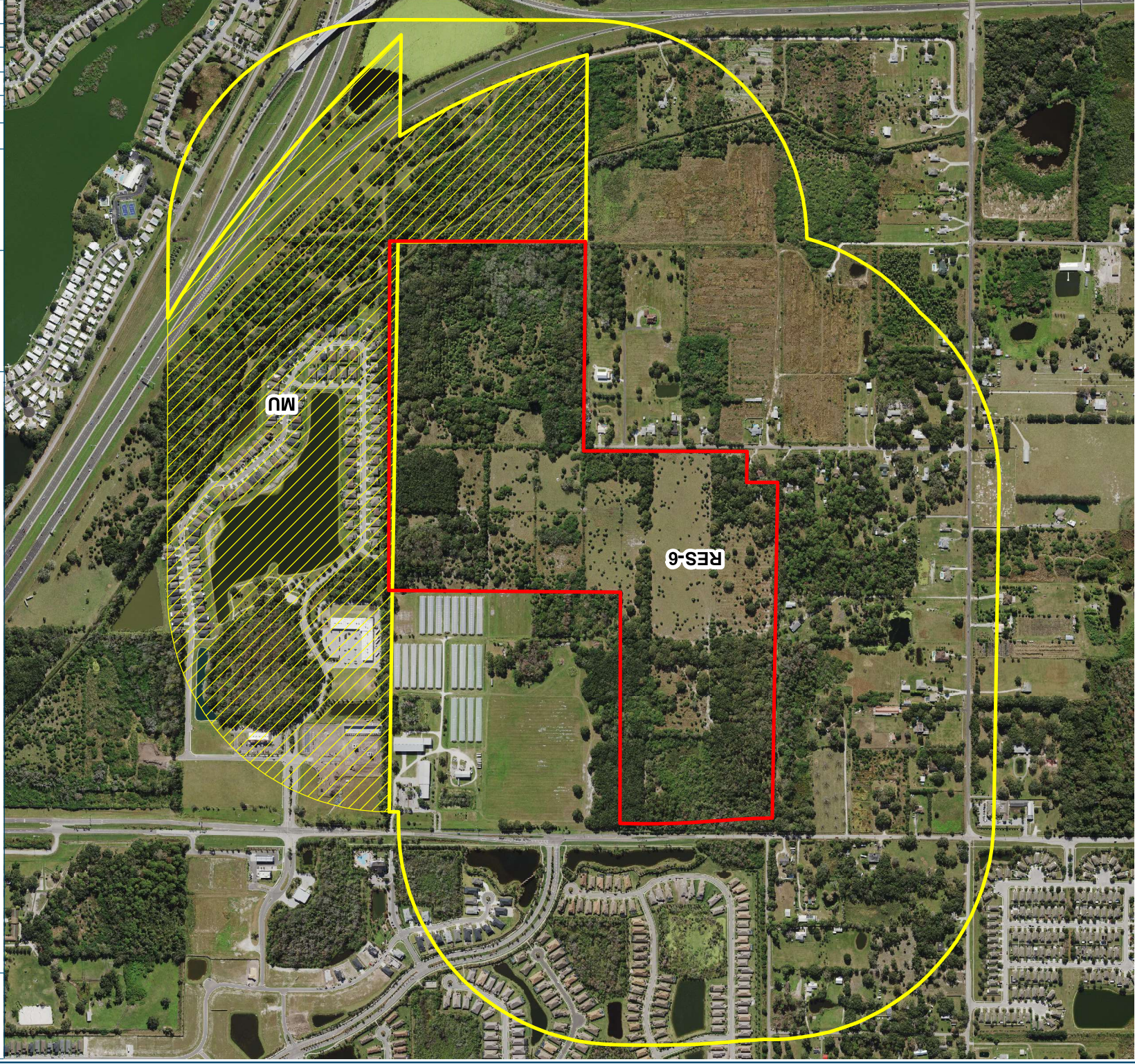
Name: Chad Burlingame
Address: 1551 Lakefront Drive, Suite 200
Sarasota, Florida 34240

Name: Lauren Schrandt
Address: 1551 Lakefront Drive, Suite 200
Sarasota, Florida 34240

Name: Greg Crawford
Address: 1551 Lakefront Drive, Suite 200
Sarasota, Florida 34240

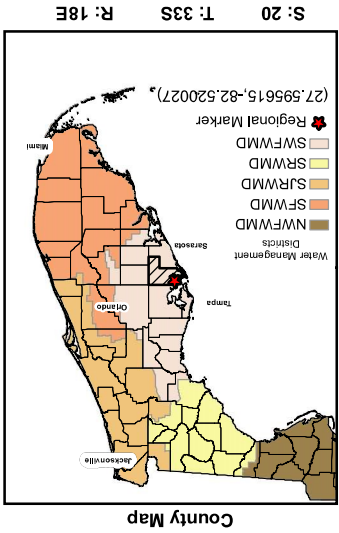
Name: Christopher Gore
Address: 1551 Lakefront Drive, Suite 200
Sarasota, Florida 34240

EXHIBIT 5



Notes:
Parcel ID: 646000059
Existing utilities obtained from Manatee County

Client: MI Homes
Project Name: SouthPointe CDD
Manatee County, FL
File Name: Future Land Use Map
Original Date: 6/1/2022
Job Number: 2337
GIS Operator: RJ
Revision Date:

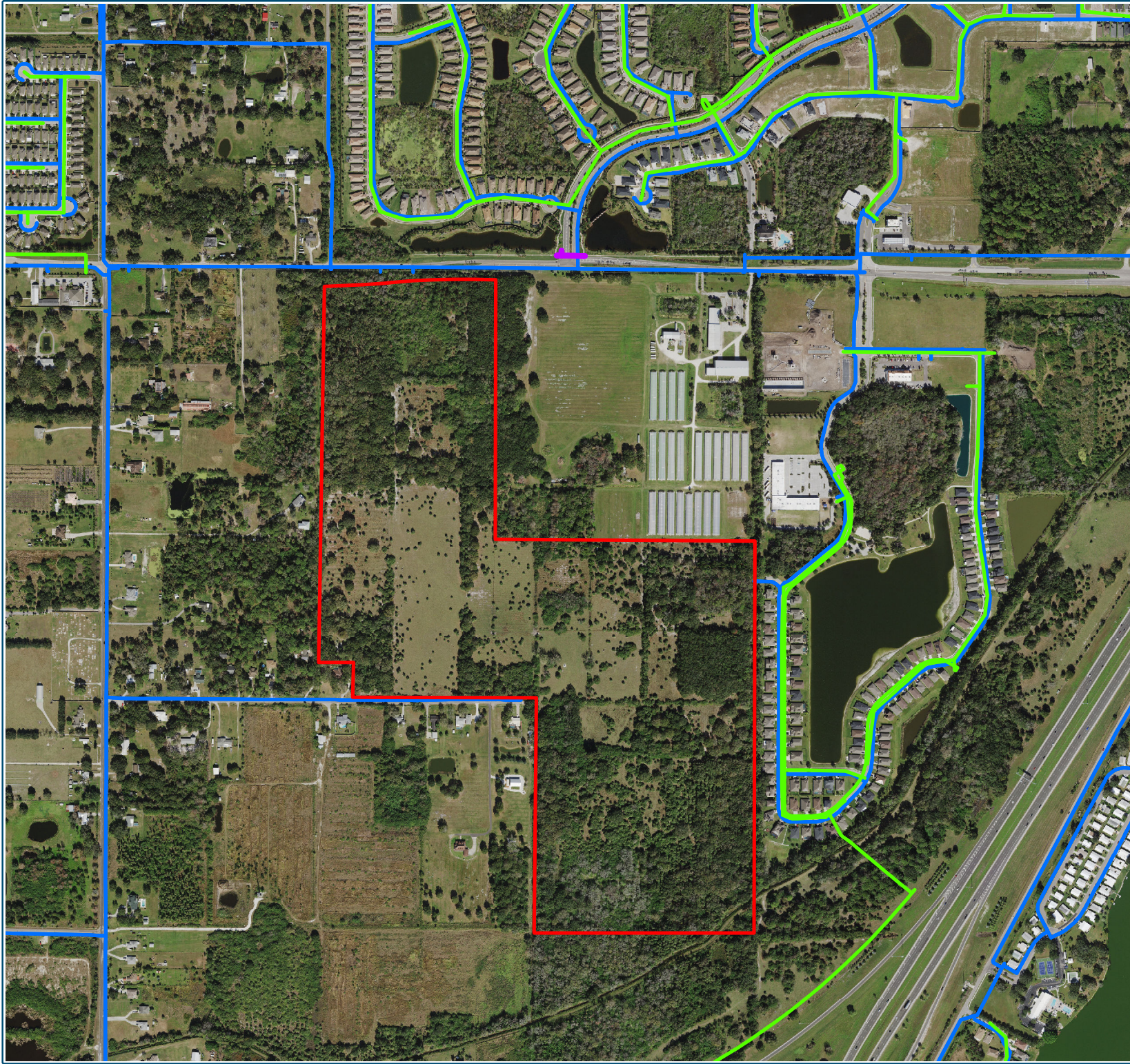


Water Resource Associates, LLC.
Engineering - Environmental Science - Water Resource - Survey
www.wraengineering.com
7978 Cooper Creek Blvd, Ste 102
University Park, FL 34201 (941) 358-3824
4260 West Linebaugh Avenue
Tampa, FL 33624 (813) 265-3130

Legend:

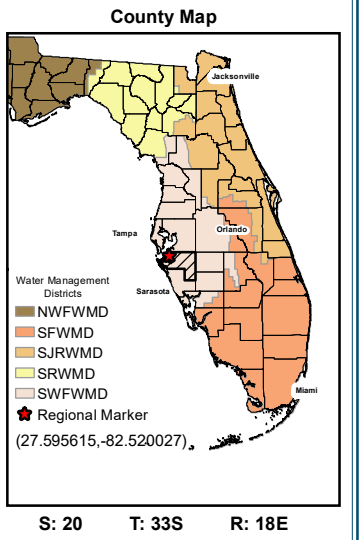
- Project Boundary (136.95 ac.)
- MU
- RES-6

EXHIBIT 6

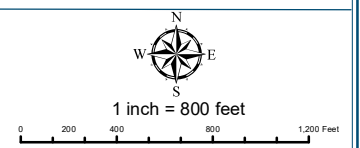


WRA
4260 West Linebaugh Avenue
Tampa, FL 33624 (813)-265-3130
7978 Cooper Creek Blvd, Ste 102
University Park, FL 34201 (941)-358-3624
www.wraengineering.com
Engineering - Environmental Science- Water Resource-Survey
Water Resource Associates, LLC.

- █ Project Boundary (136.95 ac.)
- █ Sewer
- █ Reclaimed Water
- █ Potable Water



Notes:
Parcel ID: 646000059
Existing utilities obtained from Manatee County



Client: MI Homes		
Project Name: SouthPointe CDD		
Manatee County, FL		
File Name: Existing Utilities Map		
Original Date: 6/1/2022		
GIS Operator: RJ	Job Number: 2337	Revision Date:

EXHIBIT 7

**SOUTHPOINTE
COST ESTIMATE SUMMARY**

CATEGORY	ESTIMATED COST	FUNDED BY	OWNERSHIP & MAINTENANCE ENTITY
Stormwater Management System	\$5,720,000.00	CDD	CDD
Roadways	\$7,150,000.00	CDD	CDD/County
Water and Wastewater Systems	\$5,005,000.00	CDD	County
Underground Conduit	\$45,000.00	CDD	CDD
Hardscape, Landscape, & Irrigation	\$660,000.00	CDD	CDD
Amenities	\$2,500,000.00	CDD	CDD
Conservation Areas	\$225,000.00	CDD	CDD
Offsite Improvements (1)	\$750,000.00	CDD	County
Professional Services	\$1,323,300.00		
SUB-TOTAL	\$23,378,300.00		
CONTINGENCY (2) - 20%	\$4,411,000.00		
SITE TOTAL	\$27,789,300.00		

Notes:

(1) Offsite improvements includes left and right turn lanes at access location to Moccasin Wallow Road. Also includes offsite utility extensions.

(2) Contingency is not included on Engineering and Survey

(3) This Opinion of Probably Cost (OPC) shall be used for budgeting purposes only.

(4) This OPC is based on engineer's understanding of the current rules, regulations, ordinances, and construction costs in effect on the date of this document. Interpretation of these construction costs may affect this OPC, and may require adjustments to delete, decrease, or increase portions of this OPC.

(5) All costs provided in this OPC are based on recent contract prices, or the engineer's latest known unit costs. Unit prices are subject to change due to unpredictable and uncontrollable increases in the cost of concrete, petroleum, or the availability of materials and labor.

(6) As an alternative, the Developer may elect to finance any of the above improvements, and transfer them to a homeowner's association for ownership and operation.

EXHIBIT 8



Rizzetta & Company

STATEMENT OF ESTIMATED REGULATORY COSTS

FOR

THE PETITION TO ESTABLISH SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT

December 21, 2022

Prepared by:

Rizzetta & Company, Inc.
3434 Colwell Avenue
Suite 200
Tampa, FL 33614

SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF ESTIMATED REGULATORY COSTS

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Rizzetta & Company

I. INTRODUCTION

1. PURPOSE AND SCOPE

This Statement of Estimated Regulatory Costs has been prepared as a component of the petition filed with the Board of County Commissioners of Manatee County, Florida, to establish the Southpointe of Manatee County Community Development District ("District") in accordance with Chapter 190.005, Florida Statutes ("F.S."). Specifically, Section 190.005(1)(a)8, F.S., requires that, as part of the petition, a Statement of Estimated Regulatory Costs be prepared pursuant to Section 120.541, F.S.

A community development district ("CDD") is established under the Uniform Community Development District Act of 1980, Chapter 190 of the Florida Statutes, as amended (the "Act"). A CDD is a local unit of special-purpose government that is limited to the performance of those specialized functions authorized by the Act. Those specialized functions consist of planning, financing, constructing and maintaining certain public infrastructure improvements and community development services. As an independent special district, the CDD's governing body establishes its own budget and, within the scope of its authorized powers, operates independently of the local general-purpose governmental entity (i.e., the county or the city) whose boundaries include the CDD.

However, a CDD cannot regulate land use or issue development orders; those powers reside with the local general-purpose government. The Legislature has, in Section 190.004(3), F.S., made this clear by stating:

The establishment of an independent community development district as provided in this act is not a development order within the meaning of chapter 380. All governmental planning, environmental, and land development laws, regulations, and ordinances apply to all development of the land within a community development district. Community development districts do not have the power of a local government to adopt a comprehensive plan, building code, or land development code, as those terms are defined in the Community Planning Act. A district shall take no action which is inconsistent with applicable comprehensive plans, ordinances, or regulations of the applicable local general-purpose government.



In addition, the parameters for the review and evaluation of community development district petitions are clearly set forth in Section 190.002(2)(d), F.S., as follows:

That the process of establishing such a district pursuant to uniform general law 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.

Therefore, the scope of this Statement of Estimated Regulatory Costs is limited to an evaluation of those factors pertinent to the establishment of a CDD as defined by the Legislature and outlined in Section 120.541(2), F.S.

The purpose of Chapter 190, F.S., is to provide another tool to government and private landowners in their efforts to comply with comprehensive plans which require adequate public facilities and services as pre-conditions for future development.

The CDD is a special purpose unit of local government that is established for the purpose of providing an alternative mechanism for financing the construction of public infrastructure. A CDD must be structured to be financially independent as intended by the Legislature. The cost of any additional public improvements to be constructed or any additional services to be provided by Manatee County (the "County") as a result of this development will be incurred whether the infrastructure is financed through a CDD or any other alternative financing method. The annual operations and administrative costs of the District will be borne entirely by the District and will not require any subsidy from the State of Florida or the County, nor will it place any additional economic burden on those persons not residing within the District.

2. SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT

The proposed District will encompass approximately 137.412 +/- acres on which M/I Homes of Sarasota, LLC (the "Petitioner") plans to develop a project ("Project"), which currently contemplates approximately 450 +/- single family residential units.

The Petitioner is seeking authority, as outlined in Section 190.012, F.S., to establish the District in order to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain



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systems, facilities and basic infrastructure that includes, but is not limited to: a stormwater management system, roadways, water and wastewater systems, underground electrical conduit, hardscape/landscape & irrigation, amenities, conservation areas, offsite improvements along with associated professional services or any other project, within or outside the boundaries of the District, required by a development order issued by a local government or the subject of an agreement between the District and a governmental entity.

If approved, the District will be authorized to finance these types of infrastructure improvements through special assessment revenue bonds. Repayment of these bonds will be through non-ad valorem assessments levied against all benefited properties within the District. Ongoing operation and maintenance for District-owned facilities is expected to be funded through maintenance assessments levied against all benefited properties within the District.

II. STATUTORY ITEMS:

Section 120.541(2), F.S. (2022), in pertinent part, provides that the elements a Statement of Estimated Regulatory Costs must contain the following:

(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.*



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(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) *In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.*

The estimated regulatory impact of establishing the District is summarized below. Statutory requirements are **SHOWN IN BOLD CAPS**.



1. AN ECONOMIC ANALYSIS SHOWING WHETHER THE ORDINANCE DIRECTLY OR INDIRECTLY:

A. 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;

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, it is expected that any economic impact would be positive in nature, particularly in the short term. Establishment of the District will enable the anticipated construction of public infrastructure improvements, which will yield a demand for construction labor and professional consultants. Additionally, the District may choose to finance improvements by the issue of special assessment revenue bonds, which may be an attractive investment for investors. Furthermore, establishment would be expected to have a positive impact on property values and local real estate sales. See generally Sections 3(b) and 5 below. Thus, there will be no adverse impact on economic growth, private sector job creation or employment, or private sector investment as a result of the establishment of the District.

B. 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;

Any impact on overall business competitiveness and/or innovation resulting from District establishment will presumably be positive in nature. All professional contributors to creation of the District and anticipated resulting developmental efforts are expected to be either locally or state-based. Once complete, the Project would likely create opportunities for the local real estate industry. Thus, there will be no adverse impact on business competitiveness because of the formation of the proposed District. See generally Section 5 below.



C. OR 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.

A dramatic increase in overall regulatory or transactional costs is highly unlikely. As will be stated in further detail below, the County may incur incidental administrative costs in reviewing the documents germane to the establishment of the District, although these will be recouped by the establishment fee paid to the County.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and 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 development costs. Due to the relatively low cost of financing available to CDD's due to the tax-exempt nature of their debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District.

See generally Sections 3 and 4 below.

2. 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 individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) the County and its residents, 3) current property owners, and 4) future property owners.



a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined in Section 3(a)(2) below. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. Manatee County

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined in Section 3(a)(1) below. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.



3. A GOOD FAITH ESTIMATE OF THE COST TO THE AGENCY, AND TO ANY OTHER STATE AND LOCAL ENTITIES, OF IMPLEMENTING AND ENFORCING THE PROPOSED ORDINANCE, AND ANY ANTICIPATED EFFECT ON STATE AND LOCAL REVENUES:

a. Costs to Governmental Agencies of Implementing and Enforcing the Ordinance

1. Manatee County ("Agency")

Because the District encompasses less than 2,500 acres, this petition is being submitted to Manatee County (i.e., the "Agency" under Section 120.541(2), F.S.) for approval in accordance with Section 190.005(2), F.S. The Agency may incur certain one-time administrative costs involved with the review of this petition, although this will be offset by the Petitioner's payment of a one-time filing fee.

Once the District has been established, the County will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the CDD operates independently from the County and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District. The District will submit, for informational purposes, its annual budget, financial report, audit and public financing disclosures to the County. Since there are no legislative requirements for review or action, the County should not incur any costs. The Agency may, however, choose to review these documents.

2. State of Florida

Once the District has been established, the State of Florida will incur only nominal administrative costs to review the periodic reports required pursuant to Chapters 190 and 189, F.S. These reports include the annual financial report, annual audit and public financing disclosures. To offset these costs, the Legislature has established a maximum fee of \$175 per District per year to pay the costs incurred by the Department of Economic Opportunity to administer the reporting requirements of Chapter 189, F.S. This amount would be funded by District revenues. Because the District, as defined in Chapter 190,



F.S., is designed to function as a self-sufficient special-purpose governmental entity, it is responsible for its own management. Therefore, except for the reporting requirements outlined above, or later established by law, no additional burden is placed on the State once the District has been established.

3. The District

The District will incur costs for operations and maintenance of its facilities and for its administration. These costs will be completely paid for from annual assessments levied against all properties within the District benefiting from its facilities and its services.

b. Impact on State and Local Revenues

It is anticipated that approval of this petition will not have any negative effect 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. There is however, the potential for an increase in State sales tax revenue resulting from a stimulated economy although it is not possible to estimate this increase with any degree of certainty. In addition, local ad valorem tax revenues may be increased due to long-lasting increases in property values resulting from the District's construction of infrastructure and on-going maintenance services. Similarly, private development within the District, which will be facilitated by the District's activities, should have a positive impact on property values and therefore ad valorem taxes.

In addition, impact fee and development permit revenue is expected to be generated by private development within the District and, accordingly, should also increase local revenues.

Lastly, some express a concern that a CDD obligation could become a State, County or City obligation thereby negatively affecting State or local revenues. This cannot occur, as Chapter 190 specifically addresses this issue and expressly states: "It is further the purpose and intent of the Legislature that no debt or obligation of a district constitutes a burden on any local general-purpose government without its consent." Section



190.002(3), F.S. "A default on the bonds or obligations of a district shall not constitute a debt or obligation of a local general-purpose government or the state." Section 190.016(15), F.S.

In summary, establishing the District will not create any significant economic costs for the State of Florida or for the County.

4. 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 ORDINANCE:

The transactional costs associated with adoption of an ordinance to establish the District are primarily related to the financing of infrastructure improvements. The District will determine what infrastructure it considers prudent to finance through the sale of bonds. The District plans to provide various community facilities and services to serve the properties within the District. An estimate of these facilities and services, along with their estimated costs, are provided below.

Summary of Estimated Construction Costs for District Public Infrastructure Improvements

Description	Estimated Costs
Stormwater Management System	\$5,720,000
Roadways	\$7,150,000
Water and Wastewater Systems	\$5,005,000
Underground Conduit	\$45,000
Hardscape, Landscape & Irrigation	\$660,000
Amenities	\$2,500,000
Conservation Areas	\$225,000
Offsite Improvements	\$750,000
Professional Services	\$1,323,300
Contingency (20%)	\$4,411,000
Total	\$27,789,300

It is important to note that the various costs 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 Project costs.



Once the decision is made to issue bonds, it is expected that assessments will be levied against benefited property owners within the proposed District. The revenue generated by payment of these assessments will be used to repay the bonds. The obligation to pay the assessments will "run with the land" and will be transferred to new property owners upon sale of any portions of the property. It should be noted that the District may not fund all of its planned public infrastructure improvements via the issuance of long-term bonds.

To fund the cost of maintaining infrastructure that the District maintains, operation and maintenance assessments may be imposed on the District property owners. As with the special assessments for infrastructure acquisition and construction, the property owner will be responsible for payment of these assessments on the basis of the amount of benefited property owned.

All persons choosing to acquire property in the District will be responsible for such assessments in addition to the taxes or assessments imposed by the County or other taxing authorities.

In exchange for the payment of these special assessments, there are potential benefits to be derived by the future property owners. Specifically, these persons can expect to receive a higher level of services because they, the property owners, will elect the members of the District's Board of Supervisors. Further, the District is limited in jurisdiction and responsibility to this single project. Therefore, the District should be extremely responsive to the needs of the property owners within the District.

5. 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:

Establishing the District should not have any negative impact on small businesses. Any business, large or small, has the option of locating itself in a CDD provided the local governmental authority has issued the appropriate land use approvals. Those that choose this option will be subject to the financial obligations imposed by the District and will accrue the benefits resulting from being in the District.

Furthermore, the District must operate according to Florida's "Sunshine" laws and must follow certain competitive bidding requirements for certain goods and services it will purchase. As a result, small businesses should be better



able to compete for District business serving the lands to be included within the District.

A CDD does not discriminate in terms of the size of businesses that can be located within the boundaries or transact business with the CDD.

Establishment of the District should have a positive impact on the small businesses of the local economy. As outlined above, success of the Project should generate increased employment and stimulate economic activity in the area through increased construction expenditures related to infrastructure and private development, thus providing enhanced opportunity for small businesses.

Manatee County is not defined as a small county, for purposes of this requirement.

In addition, establishment of a District should not have a negative impact on small cities or counties, because the cost to construct the infrastructure is borne entirely by the property owners within the District.

6. ANY ADDITIONAL INFORMATION THAT THE AGENCY DETERMINES MAY BE USEFUL:

Certain data utilized in this report was provided by the Petitioner and represents the best information available at this time. Other data was provided by Rizzetta & Company and was based on observations, analysis and experience with private development and other CDD's in various stages of existence.

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 County could finance the public infrastructure improvements, either directly or through the use of a County-controlled special taxing or assessment district. However, the County undertaking the implementation of the improvements would naturally have an impact on the finances of the County. Unlike the District, this alternative would require the 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 County-created district could impact the 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. Finally, the District has the ability to issue tax exempt municipal-grade bonds to finance the construction of infrastructure improvements providing for a mechanism to lower the impact of costs

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 County responsibilities.

7. 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:

Not applicable.



Rizzetta & Company

EXHIBIT 9

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jere Earlywine of Kutak Rock LLP, to act as agent for Petitioner, **M/I Homes of Sarasota, LLC**, with regard to any and all matters pertaining to the Petition to the Board of Commissioners of Manatee County, Florida, to Establish the Southpointe of Manatee County Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

Witnessed:

M/I HOMES OF SARASOTA, LLC
PETITIONER

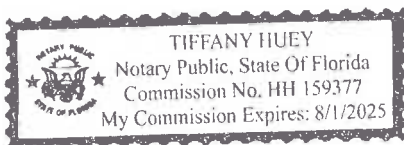
Print Name: Zach Berkley

Print Name: Kim Byers

By: Michael E. Stephens
Its: VP Land

STATE OF Florida
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23 day of March, 2023, by Michael E. Stephens, as VP Land of M/I Homes of Sarasota, LLC, on its behalf. He is personally known to me or ☐ produced _____ as identification.



Tiffany Huey
Notary Public, State of Florida

ORDINANCE NO. 23-94

AN ORDINANCE OF MANATEE COUNTY REGARDING PUBLIC SERVICES; ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-86 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED “SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT,” ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND CONSENTING TO CERTAIN SPECIAL POWERS BY THE DISTRICT’S BOARD OF SUPERVISORS PURSUANT TO SUBSECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has enacted and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, a community development district serves a governmental and public purpose by financing, providing, and managing certain basic infrastructure systems, facilities, and services as allowed by Florida law, specifically Chapter 190, Florida Statutes, for the use and enjoyment of the general public, and only property owners within the district are assessed through the district for these improvements within the district boundaries; and

WHEREAS, Subsection 190.005(2), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for the establishment of a community development district of less than 2,500 acres in size; and

WHEREAS, M/I Homes of Sarasota, LLC (Petitioner), has filed a petition with the Manatee County Board of County Commissioners (Board) to adopt an ordinance establishing the Southpointe of Manatee County Community Development District (District) pursuant to Chapter 190, Florida Statutes, and

WHEREAS, the owner of approximately 137.4 acres of real property proposed for inclusion within the District has consented in writing to the establishment of the District; and

WHEREAS, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.005(2)(b) and 190.005(1)(d), Florida Statutes, as amended; and

WHEREAS, the Board has considered the record of the public hearing and the factors set forth in sections 190.005(2)(c) and 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for the establishment of the community development district; and

WHEREAS, the District established under this Ordinance, as an independent special district and local unit of special purpose government, shall be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws; and

WHEREAS, the establishment of the District will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District; and

WHEREAS, section 190.012, Florida Statutes, as amended, authorizes the District to exercise numerous special powers listed in section 190.012(1), Florida Statutes; and

WHEREAS, section 190.012, Florida Statutes, as amended, provides that the local general-purpose government must consent to the exercise by the District board of supervisors of those additional special powers listed in section 190.012(2), Florida Statutes; as amended; and

WHEREAS, section 190.005(2)(d), Florida Statutes, as amended provides that in an ordinance establishing a community development district, the Board may consent to any of the optional special powers under section 190.012(2), Florida Statutes, as amended, at the request of the Petitioner; and

WHEREAS, the petition submitted by the Petitioner requests that the Board consent to the exercise by the District board of supervisors of the additional special powers for parks and recreation and security, as listed in sections 190.012(2)(a) and (2)(d), Florida Statutes, as amended;

WHEREAS, the exercise of such additional special powers by the District board of supervisors shall be governed by Chapter 190, Florida Statutes, as amended, and all other applicable federal, state, and local laws; and

WHEREAS, the Board desires to consent to the exercise by the District board of supervisors of such additional special powers; and

WHEREAS, the Board's consent to the exercise of the District board of supervisors of such additional special powers will protect, promote, and enhance the public health, safety, and general welfare of the County and its inhabitants, including the inhabitants of the District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Legislative findings. The Board of County Commissioners of Manatee County, Florida, hereby adopts the "WHEREAS" clauses stated above as legislative findings in support of this Ordinance.

Section 2. Authority. The Ordinance is adopted pursuant to Subsection 190.005(2), Florida Statutes, as amended, and other applicable provisions of law governing county ordinances.

Section 3. Intent and Purpose. It is the intent and purpose of this Ordinance to establish the Southpointe of Manatee County Community Development District pursuant to Chapter 190, Florida Statutes, as amended, with all the rights and obligations, appertaining thereto, including all obligations accruing pursuant to applicable federal, state, and local laws. It is further the intent and purpose of this Ordinance to grant the consent of the Board to the exercise by the District board of supervisors of certain additional special powers pursuant to section 190.012(2), Florida Statutes, as amended, with all rights and obligations appertaining thereto, including all obligations pursuant to applicable federal, state, and local laws.

Section 4. Creation of Section 2-8-86 of Manatee County Code of Ordinances. Section 2-8-__ of the Manatee County Code of Ordinances (“Code”) is hereby created to read as follows:

Sec. 2-8-86. Southpointe of Manatee County Community Development District.

(a) Establishment. The Southpointe of Manatee County Community Development District is hereby established pursuant to Chapter 190, Florida Statutes.

(b) Boundaries. The boundaries of the District are described in the metes and bounds Description attached hereon as **Exhibit “2”**.

(c) Initial Board of Supervisors. The names of the five (5) persons designated as the initial members of the board of supervisors for the District are as follows:

(1) Michael Stephens

(2) Chad Burlingame

(3) Lauren Schrandt

(4) Greg Crawford

(5) Christopher Gore

(d) Special powers. Pursuant to sections 190.005(2)(d) and 190.012(2), Florida Statutes, as amended, the Board of County Commissioners hereby consents to the exercise by the District board of supervisors of the following special powers listed in sections 190.012(2)(a) and (2)(d), Florida Statutes. Specifically, the District shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, and security, including but not limited to, guardhouse, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by property governmental agencies.

Section 5. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 4 of this Ordinance into the Code.

Section 6. Administrative Correction of Scrivener's Errors. The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the County Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the County Clerk.

Section 7. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 8. Effective date. This Ordinance shall take effect immediately upon the filing of a certified copy of the Ordinance with the Secretary of State pursuant to Section 125.66, Florida Statutes.

PASSED AND ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: _____
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

EXHIBIT A

THE NE1/4 OF SEC 20 TWP 33 S, RNG 18 E, LESS RD R/W, ALSO THE NE1/4 OF THE SE1/4 OF SEC 20, TWP 33 S, RNG 18 E LESS THE FOLLOWING DESC PROPERTY: COM AT THE NE COR OF SD SEC 20; TH S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 30.00 FT TO A PT ON THE S R/W LN OF MOCCASIN WALLOW RD, FOR A POB; TH CONT S 00 DEG 01 MIN 07 SEC W, ALG THE E LN OF SD SEC 20, 1616.69 FT; TH N 89 DEG 30 MIN 53 SEC W, 1569.26 FT; TH N 00 DEG 01 MIN 07 SEC E, 1616.69 FT TO THE AFOREMENTIONED S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 30 MIN 53 SEC E, ALG SD R/W LN, 1569.26 FT TO THE POB BEING MORE PARTICULARLY DESC AS FOLLOWS: FROM THE NE COR OF SEC 20, RUN S 00 DEG 06 MIN 54 SEC W, ALG THE E LN OF SD SEC 20, 1646.69 FT TO THE POB; TH CONT S 00 DEG 06 MIN 54 SEC W, A DIST OF 980.81 FT TO A FOUND CONC MON AT THE NE COR OF THE NE1/4 OF THE SE1/4 OF SD SEC 20; TH S 00 DEG 07 MIN 54 SEC W, A DIST OF 1386.58 FT TO A FOUND CONC MON AT THE SE COR OF SD NE1/4 OF THE SE1/4; TH N 89 DEG 57 MIN 51 SEC W, A DIST OF 1327.93 FT TO THE SE COR OF THE SD NE1/4 OF THE SE1/4; TH N 00 DEG 31 MIN 02 SEC E, A DIST OF 1389.93 FT TO A FOUND IRON ROD AT THE SE COR OF THE SW1/4 OF THE NE1/4 OF SD SEC 20; TH N 89 DEG 49 MIN 15 SEC W, A DIST OF 1318.58 FT TO A FOUND IRON PIPE AT THE SW COR OF THE SD SW1/4 OF THE NE1/4; TH N 00 DEG 54 MIN 03 SEC E, ALG THE W LN OF THE NE1/4 OF SD SEC 20, A DIST OF 2609.38 FT TO THE S R/W LN OF MOCCASIN WALLOW RD; TH S 89 DEG 33 MIN 49 SEC E, ALG SD R/W LN AND 30 FT S OF THE N LN OF SD SEC 20, A DIST OF 1032.16 FT; TH S 00 DEG 06 MIN 54 SEC W, AND PARALLEL WITH THE E LN OF SD SEC 20, A DIST OF 1616.69 FT; TH S 89 DEG 33 MIN 49 SEC E, AND PARALLEL WITH THE N LN OF SD SEC 20, A DIST OF 1569.26 FT TO THE POB LYING AND BEING IN SEC 20 TWP 33 S, RNG 18 E, CONTAINING 140.00 AC, M/L LESS ORB 1604/0085 DESC AS: A PARCEL OF LAND IN THE SW 1/4 OF THE NE 1/4 OF SEC 20 TWP 33 S, RNG 18 E DESC AS: COM AT THE SW COR OF SD SW 1/4 OF THE NE 1/4; TH N 00 DEG 40 MIN 30 SEC E, ALG THE W LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 30 FT TO A PT ON THE N MON R/W LN OF AMLONG RD (89TH ST E), SD PT BEING THE POB; TH CONT N 00 DEG 40 MIN 30 SEC E ALG SD W LN A DIST OF 210 FT; TH S 89 DEG 55 MIN 03 SEC E PARALLEL TO THE S LN OF SD SW 1/4 OF THE NE 1/4 A DIST OF 210 FT; TH S 00 DEG 40 MIN 30 SEC W 210 FT TO A PT ON THE AFOREMENTIONED N R/W LN OF AMLONG RD; TH N 89 DEG 55 MIN 03 SEC W ALG SD N R/W LN A DIST OF 210 FT TO THE POB CONT 1.01 AC M/L. SUBJECT TO CONSERVATION EASEMENT REC IN OR 1942/2598; ALSO LESS INST# 202141163303 FOR RD R/W DESC AS FOLLOWS: COM AT THE NW COR OF THE NE 1/4 OF SEC 20, TWP 33 S, RNG 18 E, MANATEE COUNTY FL; TH ALG THE W LN OF THE NE 1/4 OF SD SEC, S 00 DEG 54 MIN 27 SEC W, A DIST OF 30 FT TO A PT ON THE EXISTING R/W LN OF MOCCASIN WALLOW RD PER OR BK 2010 PG 3621 PRMCF AND THE POB; TH ALG SD EXISTING R/W LN, S 89 DEG 33 MIN 30 SEC E, A DIST OF 1032.10 FT; TH S 00 DEG 07 MIN 13 SEC W, A DIST OF 50.58 FT; TH N 88 DEG 53 MIN 01 SEC W, A DIST OF 133.09 FT TO A PC OF A CURVE CONCAVE SLY WITH A RAD OF 4511.66 FT; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 06 DEG 14 MIN 33 SEC, A DIST OF 491.56 FT TO A P.T.; TH S 84 DEG 52 MIN 26 SEC W, A DIST OF 53.33 FT TO A PC OF A CURVE CONCAVE NLY WITH A RAD OF 4655.66; TH WLY ALG THE ARC OF SD CURVE THROUGH A C/A OF 04 DEG 23 MIN 29 SEC, A DIST OF 356.83 FT TO A PT ON THE W LN OF THE NE 1/4 OF SD SEC; TH ALG SD W LN, N 00 DEG 54 MIN 27 SEC E, A DIST OF 96.14 FT TO THE POB. CONT 68,7610 SQ T OR 1.578 AC M/L. PI# 6460.0005/9

FOR A TOTAL OF 137.412 ACRES.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to sections 190.005 and 125.66, Florida Statutes, that the Manatee County Board of County Commissioners will hold a Public Hearing on July 25, 2023, at 9:00 a.m. (or as soon thereafter as may be heard) at the Manatee County Administration Building, First Floor, Honorable Patricia M. Glass Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider and act upon the following request made by M/I Homes of Sarasota, LLC, a Foreign Limited Liability Company, (Petitioner):

ORDINANCE NO. 23-94

AN ORDINANCE OF MANATEE COUNTY REGARDING PUBLIC SERVICES; ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE FINDINGS; SPECIFYING AUTHORITY; SPECIFYING INTENT AND PURPOSE; CREATING SECTION 2-8-86 OF THE MANATEE COUNTY CODE OF ORDINANCES, ENTITLED “SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT,” ESTABLISHING THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, DESCRIBING THE BOUNDARIES OF THE DISTRICT, NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT, AND TO CONSENT TO CERTAIN SPECIAL POWERS BY THE DISTRICT BOARD OF SUPERVISORS PURSUANT TO SECTION 190.012(2), FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Southpointe of Manatee County Community Development District (“District”), comprising approximately 137.4 acres is generally located south of County Road 6, east of County Road 683, and northwest of the intersection of I- 275 and I- 75, Manatee County, Florida, as depicted below.

All interested parties are invited to appear at this hearing and be heard, subject to the proper rules of conduct. Additionally, any comments filed with the Director of Development Services Department will be considered by the Board of County Commissioners and entered into the record. Copies of the proposed ordinance, the petition and other information regarding the petition are available for public inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday at the Manatee County Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida. Interested parties may obtain assistance regarding this matter by calling (941) 749-3070 or emailing at planning.agenda@mymanatee.org during normal business hours.

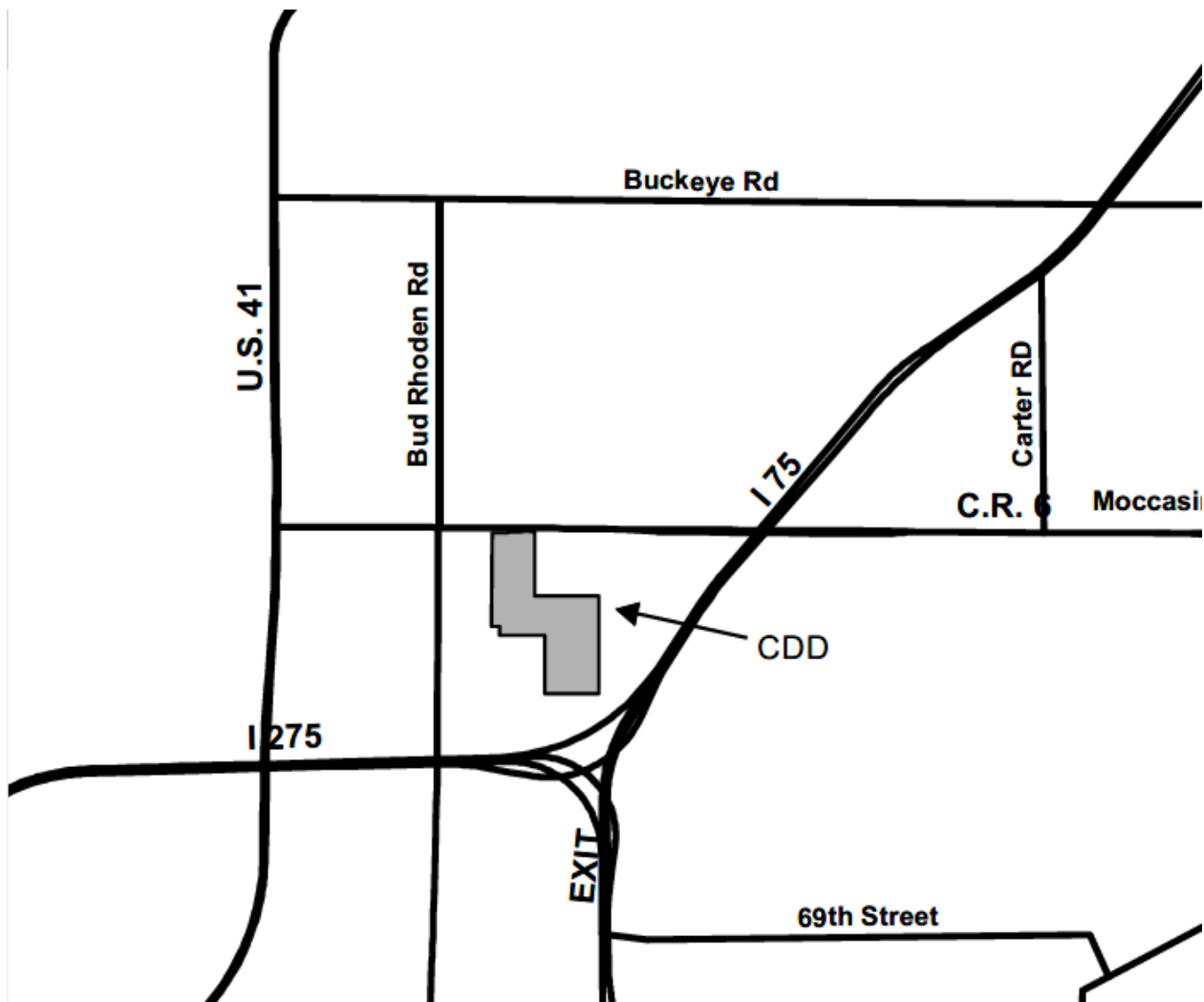
In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made with respect to any matters considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to assure that verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

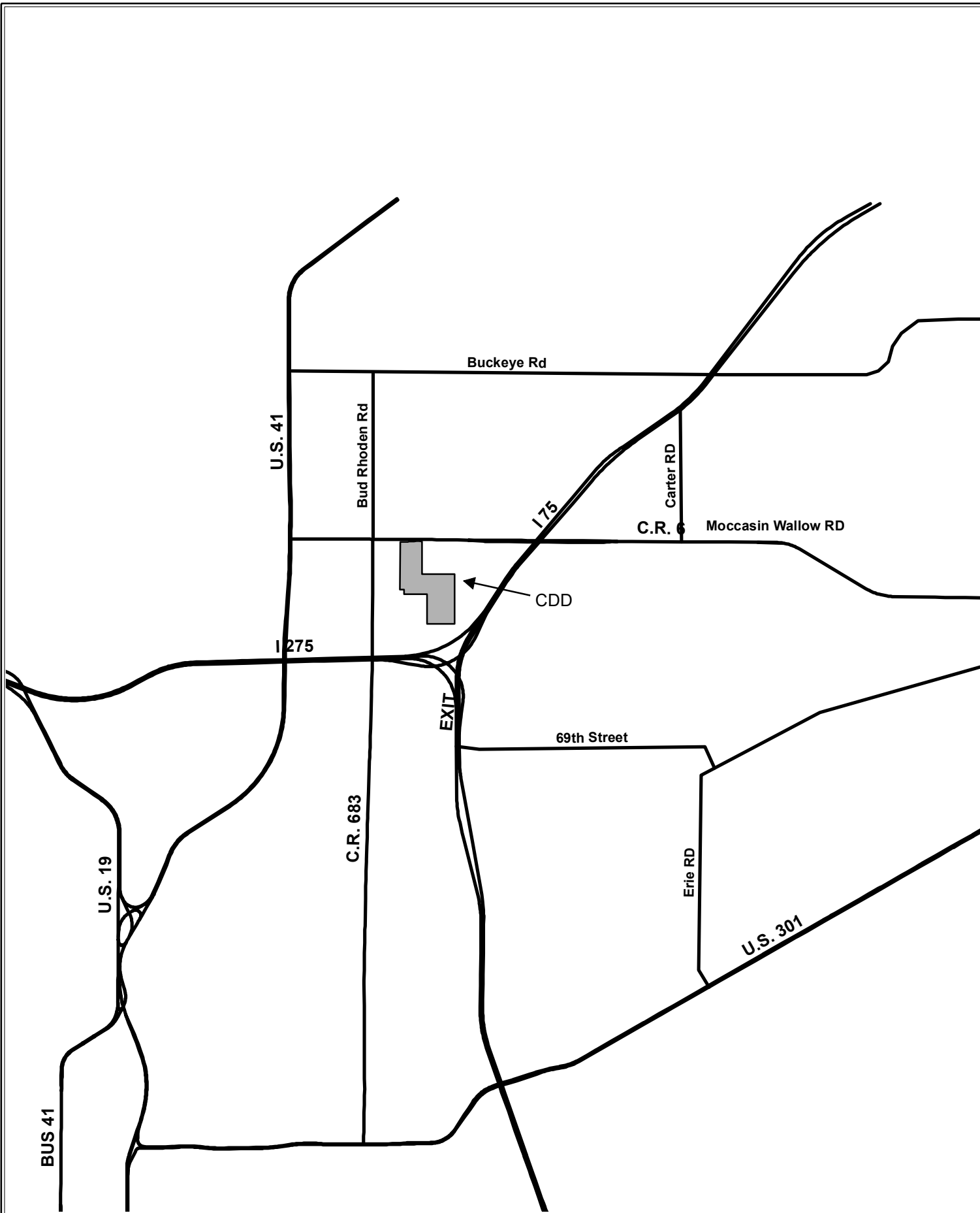
American With Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to and participation in public hearings. Anyone requiring reasonable accommodations for this meeting as provided for in the ADA should contact Carmine DeMilio at 941-792-8784 ext. 8303 or carmine.demilio@mymanatee.org.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

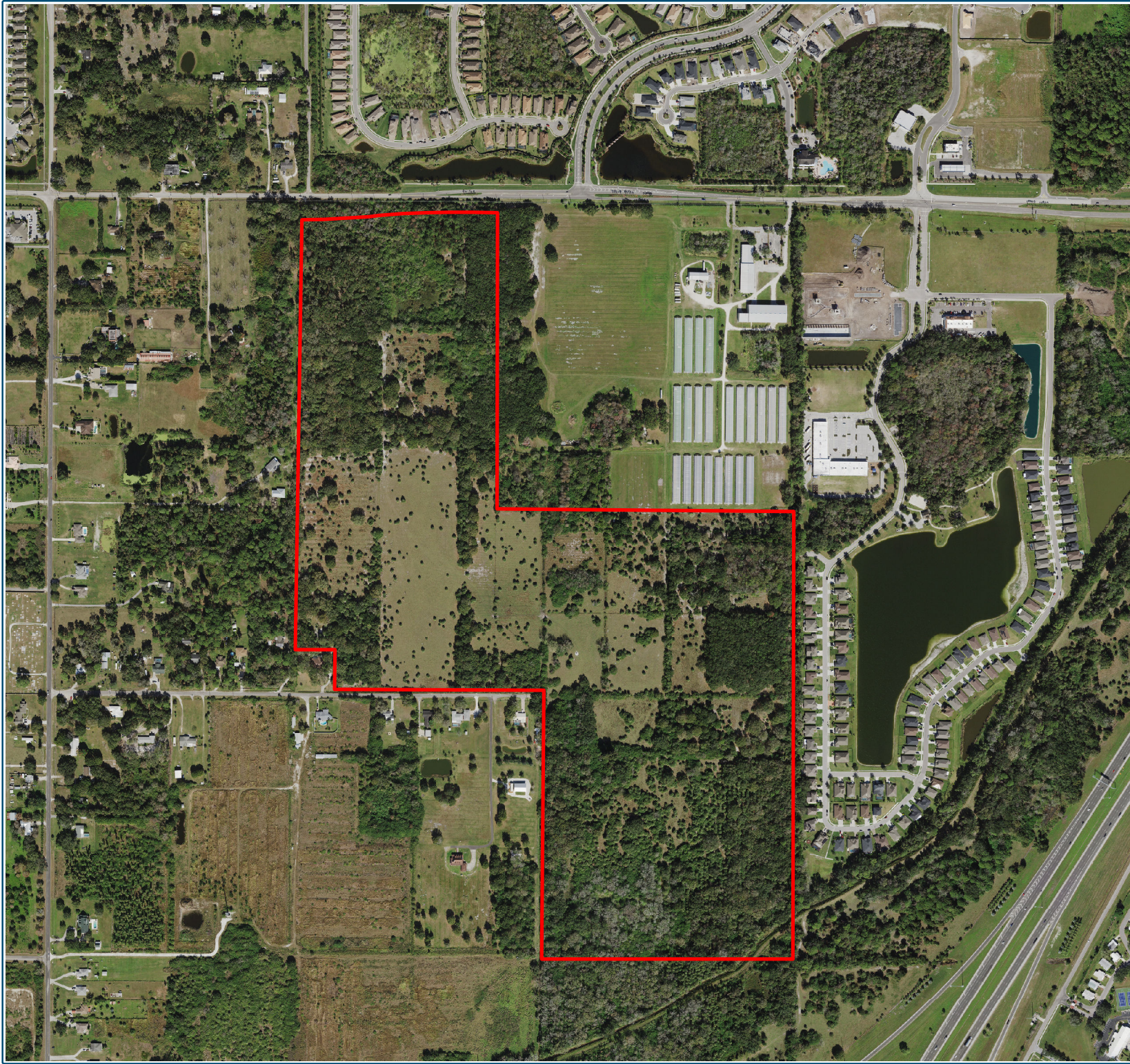
MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Development Services Department
Manatee County, Florida

THE SOUTHPOINTE OF MANATEE COUNTY COMMUNITY DEVELOPMENT DISTRICT

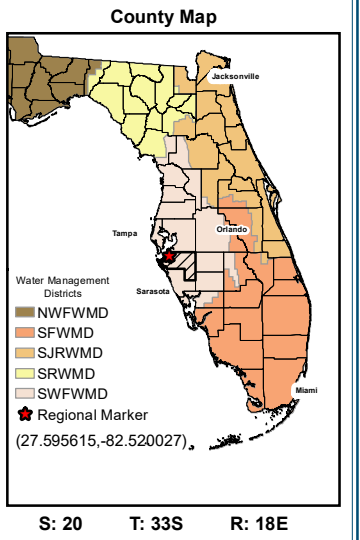




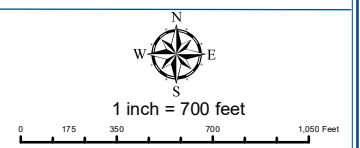
 Water Resource Associates, LLC <i>Engineering ~ Environmental Science~ Water Resource ~Survey</i> 4260 W. Linebaugh Ave. Phone: 813-265-3130 www.wraengineering.com	PROJECT: SouthPointe CDD	ORIGINAL DATE: 6/1/2022	 1 inch = 6,000 feet	
	South Pointe Manatee County, FL Location Map	REVISION DATE:		
		JOB NUMBER:2337		
		FILE NAME: Location Map		
		GIS OPERATOR: RJ		



 Project Boundary (136.95 ac.)



Notes:
Parcel ID: 646000059



Client: MI Homes		
Project Name: SouthPointe CDD		
Manatee County, FL		
File Name: Aerial Map		
Original Date: 6/1/2022		
GIS Operator: RJ	Job Number: 2337	Revision Date: