

**ORDINANCE NO. 24-25 (f.k.a ORDINANCE No. 22-58)**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA,  
RELATING TO BUCKHEAD TRAILS II COMMUNITY  
DEVELOPMENT DISTRICT; PROVIDING LEGISLATIVE  
FINDINGS; SPECIFYING AUTHORITY; SPECIFYING  
INTENT AND PURPOSE; AMENDING THE BOUNDARIES  
OF THE DISTRICT PURSUANT TO SECTION 190.046(1),  
FLORIDA STATUTES, BY ADDING APPROXIMATELY 36.51  
ACRES OF LAND; AMENDING SECTION 2-8-82 OF THE  
MANATEE COUNTY CODE OF ORDINANCES TO  
DESCRIBE THE AMENDED BOUNDARIES OF THE  
DISTRICT AS EXPANDED; PROVIDING FOR RELIANCE  
UPON REPRESENTATIONS; 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**, section 190.046(1), Florida Statutes, authorizes the Board of County Commissioners to adopt an ordinance granting a petition for amendment expanding the boundaries of a community development district established by county ordinance; and

**WHEREAS**, Buckhead Trails II Community Development District (the “District”) has been created by law and established pursuant to Manatee County Ordinance No. 22-58, adopted on December 6, 2022, effective as filed with the Secretary of State of Florida on December 8, 2022; and

**WHEREAS**, Ordinance No. 22-58 described the boundaries of the District, which included approximately 409.16 acres of land; and

**WHEREAS**, based on the information provided by the district board of supervisors, the District is active and in good legal standing, and the Board of County Commissioners of Manatee County, Florida (Board), has relied thereon in adopting this Ordinance; and

**WHEREAS**, the District board of supervisors (Petitioner) has filed a petition with the Board to adopt an ordinance amendment expanding the boundaries of the District pursuant to section 190.046(1), Florida Statutes; and

**WHEREAS**, this petition designates approximately 36.51 acres of land to be added to the District's existing acreage, as described therein; and

**WHEREAS**, pursuant to sections 190.046(1)(g) and 125.66, Florida Statutes, as amended, the filing of the petition for ordinance amendment by the Petitioner constitutes consent of the landowners within the District other than those landowners whose land is proposed to be added to the District; and

**WHEREAS**, EPG Buckeye Road Holdings, LLC, a Florida limited liability company, is the owner of the approximately 36.51 acres of land proposed to be added to the District; has consented in writing to the addition to said land to the District; and

**WHEREAS**, the Board has conducted a public hearing on the petition in accordance with the requirements and procedures of sections 190.046(1)(b) and 125.66, Florida Statutes, as amended; and

**WHEREAS**, the Board has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e), Florida Statutes, as amended, in making its determination to grant or deny the petition for ordinance amendment expanding the boundaries of the District; and

**WHEREAS**, the Board has relied upon the representations made in the petition and other documents attached thereto as exhibits in adopting this Ordinance; and

**WHEREAS**, the District established under Ordinance No. 22-58, as amended by this ordinance, as an independent ~~special~~ district and a local unit of special purpose government and shall continue to be governed by Chapter 190, Florida Statutes, and all other applicable federal, state, and local laws within the amended boundaries described and depicted in Exhibit "A," attached hereto and incorporated herein; and

**WHEREAS**, the expanded District will constitute 445.67 acres, and this amendment of the boundaries of the District will protect, promote, and enhance the public health, safety, and 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. This Ordinance is adopted pursuant to Sections 190.046(1)(b) and 125.66, 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 amend the boundaries of the 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.

Section 4. Expansion of Boundaries. The boundaries of the District are hereby amended pursuant to section 190.046(1), Florida Statutes, by adding approximately 36.51 acres of land to the geographic boundaries and expanding the boundaries of the District to a total of approximately 445.67 acres of land, as described and depicted in **Exhibit "A."**

Section 5. Amending Subsection 2-8-82 of the Manatee County Code of Ordinances. Section 2-8-82(b) of the Manatee County Code of Ordinances is hereby amended and restated to read as follows:

**Section 2-8-82. Buckhead Trails II Community Development District.**

\* \* \*

(b) Boundaries. The boundaries of the district are described in the metes and bounds description attached to Ord. No. 24-25 as Exhibit "A".

\* \* \*

Section 6. Reliance upon representations. The amendment of the boundaries of the District is specifically based upon the representations made in the request to amend the external boundaries of the District described in Ordinance 22-59 through PETITION TO EXPAND THE BOUNDARIES OF THE BUCKHEAD TRAILS II COMMUNITY DEVELOPMENT DISTRICT (the Petition), dated October 30, 2023, and signed by Brian K. Lamb, Agent for Petitioner, with Exhibits "A" through "K," which are collectively part of said Petition.

Section 7. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Section 5 of this ordinance into the Code.

Section 8. 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 9. 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 10. Effective Date. This Ordinance shall take effect immediately upon the filing of a copy of this 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 22<sup>nd</sup> day of February 2024.



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

By: \_\_\_\_\_

*[Handwritten signature of Michael Rahn]*  
**Michael Rahn, Chairman**

**ATTEST: ANGELINA COLONNESE  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER**

By: Julissa Santana  
Deputy Clerk

**PETITION TO EXPAND THE BOUNDARIES OF  
BUCKHEAD TRAILS II**

**COMMUNITY DEVELOPMENT DISTRICT**

**SUBMITTED TO:  
MANATEE COUNTY, FLORIDA**



**BOARD OF COUNTY COMMISSIONERS**

**PREPARED BY:**



**October 30, 2023**

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**PETITION TO EXPAND THE BOUNDARIES OF  
BUCKHEAD TRAILS II  
COMMUNITY DEVELOPMENT DISTRICT**

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**PETITION TO EXPAND THE BOUNDARIES  
OF THE BUCKHEAD TRAILS II  
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Buckhead Trails II Community Development District (the "District"), petitions the Board of County Commissioners of Manatee County, Florida pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to amend Ordinance 22-58 adopted by the Board of County Commissioners, Manatee County, Florida on December 8, 2022, (the "Ordinance"), for purposes of expanding the boundaries of the District, and designating the area for which the District is authorized to manage and finance the delivery of basic community infrastructure services.

1. Petitioner is Buckhead Trails II Community Development District. The resolution by the Board of Supervisors consenting to this action is attached as **Exhibit "A"**. The Authorized Agent to act on behalf of the District is Brian K. Lamb as attached in **Exhibit "B"**.

2. A map showing the general location of the project and an aerial photograph are attached as **Exhibit "C"**.

3. The current land area contained in the District is approximately 409.16 acres more or less of land and is located entirely within Manatee County, Florida. The District is petitioning to expand its boundaries by approximately 36.51 acres more or less with the addition of part of one parcel. A metes and bounds legal description or the parcels and a sketch of the expansion area is attached as **Exhibit "D" (the "Expansion Area")**.

4. After the Expansion Area is added, the District will be approximately 445.67 acres more or less. The CDD is currently comprised of 1,227 lots, all of which are residential. The expansion area will have approximately 150 additional units for an approximate total of 1,377 residential lots. The lots will be a mix of 45' x 120' square ft; 50' x 120' square feet; and 60' x 120' square feet. A metes and bounds legal description and a sketch of the new boundaries of the District is attached as **Exhibit "E"**. Sections 190.005(1)(a); 190.046(l){a}, Florida Statutes.

5. The written consents to the expansion of the District boundaries by the landowners (as defined in Section 190.003(13), Florida Statutes) of 100% of the real property within the Expansion Area are attached as **Exhibit "F"**. Section 190.005(1)(a)2, Florida Statutes.

6. The five persons who presently serve as members of the Board of Supervisors of the District are identified in **Exhibit "G"** attached hereto. All of the Supervisors are residents of the State of Florida and citizens of the United States of America. Section 190.005(1)(a)3, Florida Statutes.

7. The major trunk water mains, sewer interceptors and outfalls in existence to serve the Expansion Area are shown on **Exhibit "H"** attached hereto. Section 190.005(l)(a)5, Florida Statutes.

8. The estimates of cost to construct services and facilities within the overall District, including, but not limited to, the Expansion Area, based upon available data, are attached as **Exhibit "I"**. Sections 190.005(l)(a)6; 190.046(l)(a), Florida Statutes.

9. The future general distribution, location, and extent of public and private uses of land proposed for the area within the Expansion Area are incorporated into the adopted and approved Manatee County Comprehensive Plan Land Use Element. The proposed land uses are consistent with the Manatee County Comprehensive Plan

Land Use Element. A copy of the pertinent portion of the Manatee County Comprehensive Plan Land Use Element is attached as **Exhibit "J"**. Sections 190.005(l)(a)7; 190.046(l)(a), Florida Statutes.

10. The statement of estimated regulatory costs of the granting of this petition and the expansion of the District boundaries pursuant thereto is attached as **Exhibit "K"**. Sections 190.005(l)(a)8; 190.046(1)(a), Florida Statutes.

11. The property within the Expansion Area is amenable to operation with the original district as an independent special district for the following reasons:

(a) The expansion of the District boundaries and all land uses and services planned within the District are consistent with applicable elements or portions of the State Comprehensive Plan and all elements of the adopted and approved Manatee County Comprehensive Plan.

(b) The area of land within the expanded District boundaries is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.

(c) The District provides the best mechanism for delivering community development services and facilities for the Expansion Area. The expansion of the District boundaries promotes development of the land within the District by providing for a more efficient use of resources. Such development benefits Manatee County and its residents outside the District by increasing the ad valorem tax base of Manatee County.

(d) The community development services and facilities of the expanded District will be compatible with the capacity and use of existing local and regional community development services and facilities. In addition, the District is a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities.

Respectfully submitted on this 30<sup>th</sup> day of October 2023.



Brian K. Lamb  
Agent for Petitioner

## **EXHIBIT A**

**RESOLUTION NO. 2023-31**

**A RESOLUTION AUTHORIZING THE AMENDMENT OF THE BOUNDARIES OF THE BUCKHEAD TRAILS II COMMUNITY DEVELOPMENT DISTRICT AND AUTHORIZING THE SUBMITTAL OF A PETITION TO AMEND THE BOUNDARIES OF THE DISTRICT TO THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, UNDER SECTION 190.046, FLORIDA STATUTES.**

**WHEREAS**, the Buckhead Trails II Community Development District (the "District") is a local unit of special-purpose government organized and existing in accordance with the Uniform Community Development District Act of 1980, as amended, Chapter 190, Florida Statutes; and

**WHEREAS**, the Board of Supervisors of the District (the "Board") desires to amend the boundaries of the District and to submit a petition to amend the boundaries of the Buckhead Trails II Community Development District (the "Petition") for the area described in **Exhibit "A"** attached hereto.

**NOW THEREFORE, BE IT RESOLVED** that:

1. The Board hereby authorizes and approves the amendment of the District boundaries, and the Board hereby authorizes and directs the Chair to sign and submit the Petition to the Board of County Commissioners of Manatee County, Florida.

2. The Board hereby authorizes and directs the Chair, the Vice Chair, any other member of the Board, the District Counsel, and the District Manager to take any action or to offer testimony in any proceeding held in connection with obtaining approval of the Petition from the Board of County Commissioners of Manatee County, Florida.

3. This Resolution shall take effect immediately upon its adoption.

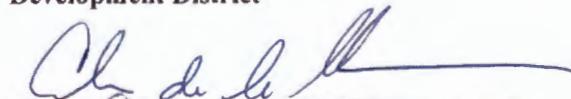
**PASSED AND ADOPTED ON THE 23RD DAY OF FEBRUARY 2023.**

Attest:



Name: Brian L. Loh  
Secretary/Assistant Secretary

**Buckhead Trails II Community Development District**

  
Name: Carlos de la Ossa  
Chair/Vice Chair of the Board of Supervisors

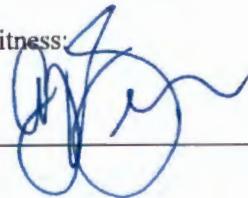
## **EXHIBIT B**

## Authorization of Agent

This letter shall serve as a designation of Brian K. Lamb, whose address is 2005 Pan Am Circle, Suite 300 Tampa FL, 33607 to act as agent for Buckhead Trails II Community Development District with regard to any and all matters pertaining to the Petition to expand the Buckhead Trails II Community Development District in Manatee County, Florida, pursuant to Chapter 190, Florida Statutes. This authorization shall remain in effect until revoked.

Executed this 7<sup>th</sup> day of June, 2023.

Witness:



Witness:



By:



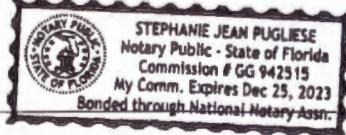
Carlos de la Ossa – Vice Chair

Buckhead Trails II CDD

STATE OF FLORIDA  
COUNTY OF MANATEE

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization, this 7<sup>th</sup> day of June, 2023, by Carlos De La Ossa,  
as Vice Chair of Buckhead Trails II CDD, a corporation. He/she  is personally known to me, or  has produced as identification.

  
NOTARY PUBLIC, STATE OF FLORIDA



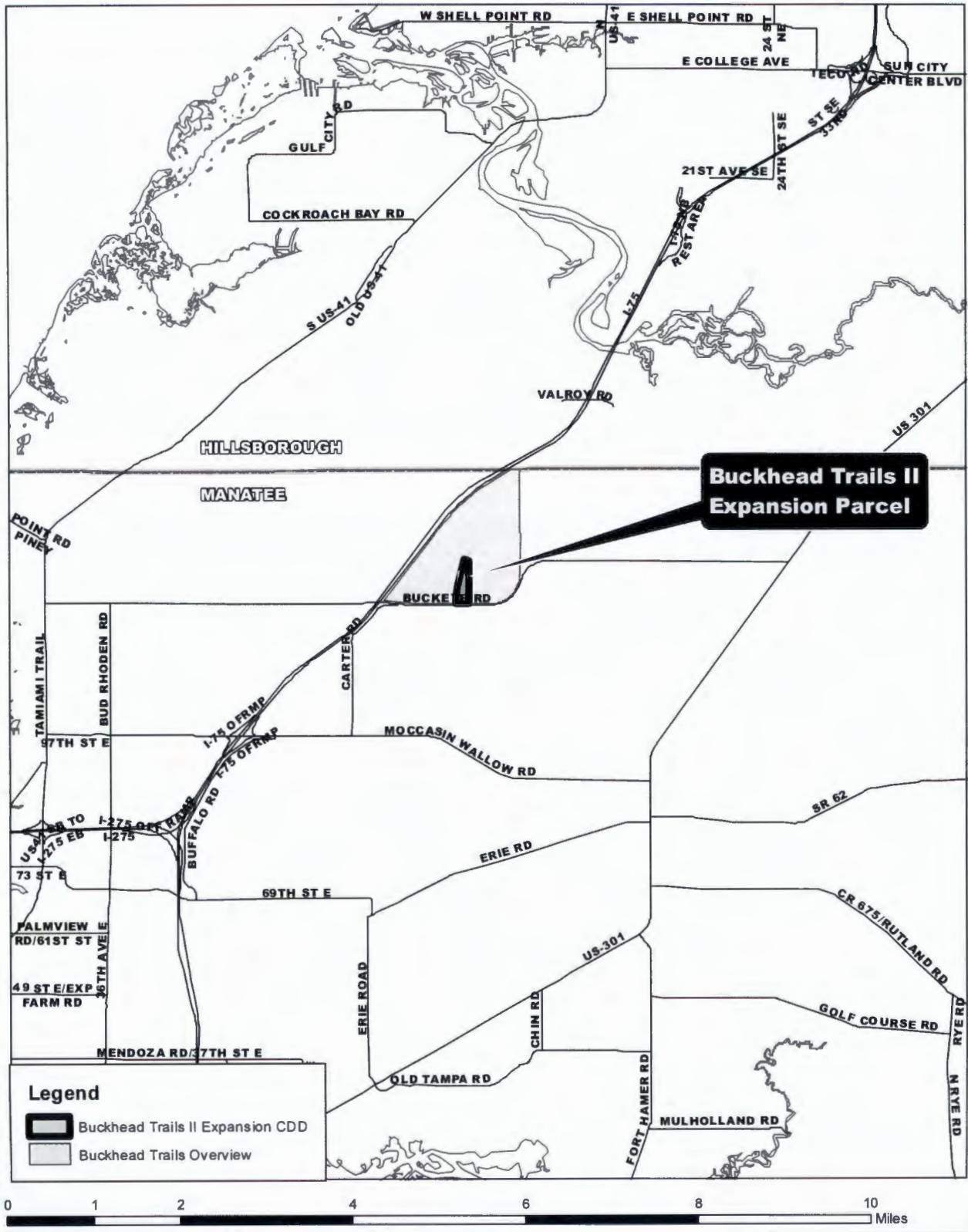
(Print, Type or Stamp Commissioned Name of  
Notary Public)

## **EXHIBIT C**

## Buckhead Trails II CDD Aerial Map



## Buckhead Trails II Expansion Parcel CDD



## **EXHIBIT D**

**EXHIBIT A**

CERTIFICATE OF AUTHORIZATION # LB 6982  
 201 5th AVENUE DRIVE EAST  
 BRADENTON, FLORIDA 34208  
 (941) 748-8080  
 FAX (941) 748-3747

**DESCRIPTION (PARCEL):**

A PARCEL OF LAND BEING A PORTION OF THAT PARCEL AS RECORDED IN INSTRUMENT NUMBER 202241014559 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 1 AND 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, THENCE ALONG THE NORTH LINE OF SAID SECTION 12, S89°53'24"W, 21.97 FEET TO POINT ON THE WESTERLY RIGHT-OF-WAY OF BUCKEYE ROAD AS RECORDED IN ROAD PLAT BOOK 5, PAGES 1 TO 82 OF SAID PUBLIC RECORDS, THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID BUCKEYE ROAD S01°46'28"W, 1241.54 FEET; THENCE CONTINUING ALONG SAID BUCKEYE RIGHT-OF-WAY LINE, AS RECORDED IN OFFICIAL RECORDS BOOK 1678, PAGE 529, OF SAID PUBLIC RECORDS THE FOLLOWING FIVE COURSES: (1) S23°24'03"W, 413.28 FEET TO A POINT ON A NON-TANGENTIAL CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS N66°36'20"W, 1640.00 FEET, AND HAVING A CENTRAL ANGLE OF 12°20'53"; (2) ALONG THE ARC OF SAID CURVE 353.44 FEET TO A POINT ON A NON-TANGENTIAL LINE; (3) N54°20'21"W, 10.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS N54°15'56"W, 1630.00 FEET AND HAVING A CENTRAL ANGLE OF 54°06'58"; (4) ALONG THE ARC OF SAID CURVE 1539.54 FEET TO A POINT ON A NON-TANGENTIAL LINE; (5) S00°06'39"E, 42.41 FEET; THENCE ALONG AFOREMENTIONED BUCKEYE ROAD RIGHT-OF-WAY RECORDED IN ROAD PLAT BOOK 5, PAGE 1 THE FOLLOWING TWO COURSES: (1) N89°56'58"W, 1214.12 FEET; (2) S89°58'35"W, 235.65 FEET TO THE POINT OF BEGINNING; THENCE, S89°58'35"W, 780.94 FEET; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY, N00°01'25"W, 271.12; THENCE, N05°58'19"E, 641.34 FEET; THENCE, N04°46'47", 111.33 FEET; THENCE, N14°16'35"E, 1756.83 FEET; THENCE, S76°58'28"E, 279.00 FEET; THENCE S00°00'00"E, 2659.29 FEET TO THE POINT OF BEGINNING

CONTAINING 1,590,319 SQUARE FEET OR 36.51 ACRES MORE OR LESS.

NOT A BOUNDARY SURVEY  
**DESCRIPTION & SKETCH**  
 OF  
 LAND  
 LOCATED IN  
**SECTION 1 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST**  
**MANATEE COUNTY, FLORIDA**

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NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

**SKETCH AND DESCRIPTION  
 PARCEL 4  
 N/F PID 589100109  
 MANATEE COUNTY, FLORIDA**

BY: KAVIN C. WILMOTT, P.S.M.  
 FLORIDA CERTIFICATE No. PLS 6809  
 DATE OF CERTIFICATION 03-10-2022

**SHEET 1 OF 3**

**EXHIBIT A**

CERTIFICATE OF AUTHORIZATION # LB 6982

201 5th AVENUE DRIVE EAST

BRADENTON, FLORIDA 34208

(941) 748-8080

FAX (941) 748-3747

**S76°58'28"E  
279.00'**

**N14°16'35"E 1756.83'**

N/F  
PID 589100109  
INSTRUMENT  
#202241014559

**PARCEL 4  
1,590,319± SQ. FT./  
36.51± ACRES**

**N05°58'19"E  
641.34'**

**L7**

**P.O.B.**

**S89°58'35"W 780.94'**

**BUCKEYE ROAD**

NOT A BOUNDARY SURVEY  
**DESCRIPTION & SKETCH**  
OF  
**LAND**  
LOCATED IN

**SECTION 1 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST  
MANATEE COUNTY, FLORIDA**

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**SKETCH AND DESCRIPTION  
PARCEL 4  
N/F PID 589100109  
MANATEE COUNTY, FLORIDA**

**S LINE SEC 1, T33S, R18E  
N LINE SEC 12, T33S, R18E**

**S89°53'24"W BEARING BASIS**

**P.O.C.  
NE CORNER  
SEC12, T33S, R18E**

**W R/W PER  
R.B. 5, PG. 1-82**

**E LINE SEC12, T33S, R18E**

**N R/W PER  
O.R.B. 1678, PG. 529**

**N66°36'20"W 1640.00' TO R.P.  
N54°15'56"W 1630.00' TO R.P.**

**NW R/W PER  
O.R.B. 1678, PG. 529**

**C1 C2 C3**

**BUCKEYE ROAD**

**BUCKEYE ROAD**

**SCALE 1"=500'**

**SEE DETAIL  
PAGE 3**

**SEE PAGE 3 FOR LINE  
AND CURVE TABLES.**

**LEGEND:**

<b>P.O.B.</b>	- POINT OF BEGINNING
<b>P.O.C.</b>	- POINT OF COMMENCEMENT
<b>P.C.</b>	- POINT OF CURVATURE
<b>R.B.</b>	- ROAD PLAT BOOK
<b>O.R.B.</b>	- OFFICIAL RECORD BOOK
<b>PG.</b>	- PAGE
<b>R/W</b>	- RIGHT-OF-WAY
<b>N/F</b>	- NOW OR FORMERLY
<b>PID</b>	- PARCEL IDENTIFICATION (NUMBER)
<b>SQ. FT.</b>	- SQUARE FEET
<b>±</b>	- MORE OR LESS
<b>□</b>	- SITE (AREA)

**NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°53'24"W.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.

**SHEET 2 OF 3**

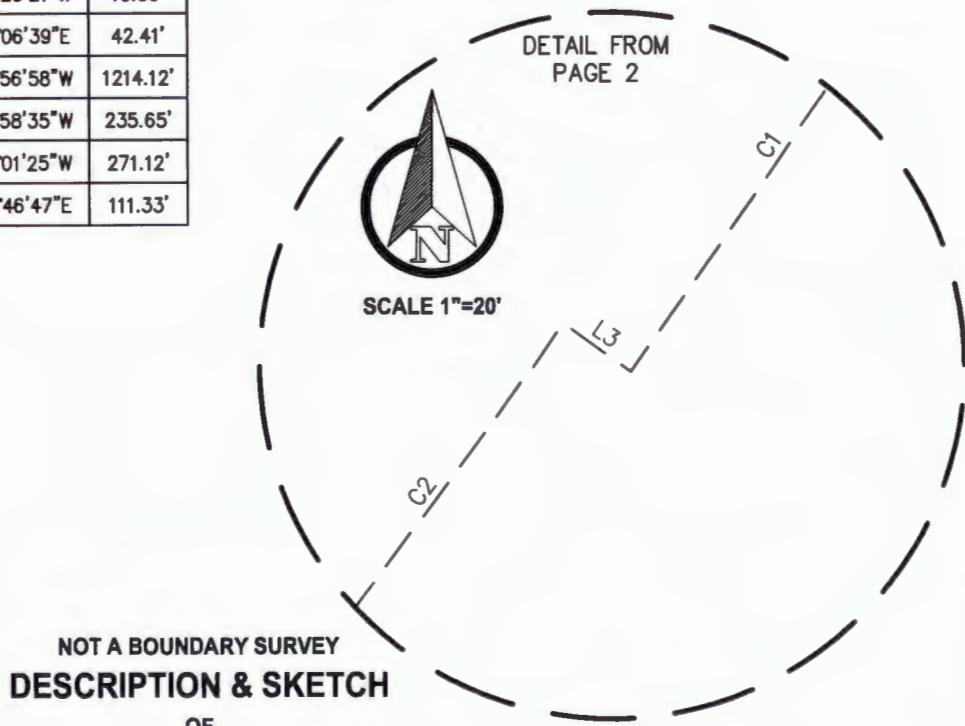
**EXHIBIT A**

CERTIFICATE OF AUTHORIZATION # LB 6982  
 201 5th AVENUE DRIVE EAST  
 BRADENTON, FLORIDA 34208  
 (941) 748-8080  
 FAX (941) 748-3747

**LINE & CURVE TABLES**

BOUNDARY LINE DATA		
LINE #	DIRECTION	LENGTH
L1	S89°53'24"W	21.97'
L2	S23°24'03"W	413.28'
L3	N54°20'21"W	10.00'
L4	S00°06'39"E	42.41'
L5	N89°56'58"W	1214.12'
L6	S89°58'35"W	235.65'
L7	N00°01'25"W	271.12'
L8	N04°46'47"E	111.33'

BOUNDARY CURVE DATA				
CURVE #	RADIUS	CENTRAL ANGLE	ARC	CHORD BEARING
C1	1640.00'	12°20'53"	353.44'	S29°34'07"W
C2	1630.00'	54°06'58"	1539.54'	S62°47'33"W



**DESCRIPTION & SKETCH**  
 OF  
 LAND  
 LOCATED IN

**SECTION 1 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST  
 MANATEE COUNTY, FLORIDA**

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**SKETCH AND DESCRIPTION  
 PARCEL 4  
 N/F PID 589100109  
 MANATEE COUNTY, FLORIDA**

**NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°53'24"W.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.

**SHEET 3 OF 3**

## **EXHIBIT E**

**DESCRIPTION (PARCEL):**

A PARCEL OF LAND BEING A PORTION OF THAT PARCEL AS RECORDED IN INSTRUMENT NUMBER 202241014559 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTION 1, 2, 11 AND 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, THENCE ALONG THE NORTH LINE OF SAID SECTION 12, S89°53'24"W, 21.97 FEET TO POINT ON THE WESTERLY RIGHT-OF-WAY OF BUCKEYE ROAD AS RECORDED IN ROAD PLAT BOOK 5, PAGES 1 TO 82 OF SAID PUBLIC RECORDS, THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID BUCKEYE ROAD S01°46'28"W, 1241.54 FEET; THENCE CONTINUING ALONG SAID BUCKEYE RIGHT-OF-WAY LINE, AS RECORDED IN OFFICIAL RECORDS BOOK 1678, PAGE 529, OF SAID PUBLIC RECORDS THE FOLLOWING FIVE COURSES: (1) S23°24'03"W, 413.28 FEET TO A POINT ON A NON-TANGENTIAL CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS N66°36'20"W, 1640.00 FEET, AND HAVING A CENTRAL ANGLE OF 12°20'53"; (2) ALONG THE ARC OF SAID CURVE 353.44 FEET TO A POINT ON A NON-TANGENTIAL LINE; (3) N54°20'21"W, 10.00 FEET TO A POINT ON A NON-TANGENTIAL CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS N54°15'56"W, 1630.00 FEET AND HAVING A CENTRAL ANGLE OF 54°06'58"; (4) ALONG THE ARC OF SAID CURVE 1539.54 FEET TO A POINT ON A NON-TANGENTIAL LINE; (5) S00°06'39"E, 42.41 FEET; THENCE ALONG AFOREMENTIONED BUCKEYE ROAD RIGHT-OF-WAY RECORDED IN ROAD PLAT BOOK 5, PAGE 1 THE FOLLOWING TWO COURSES: (1) N89°56'58"W, 1214.12 FEET; (2) S89°58'35"W, 36.73 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID BUCKEYE ROAD RIGHT-OF-WAY LINE AS RECORDED IN ROAD PLAT BOOK 5, PAGE 1, THE FOLLOWING FOUR COURSES: (1) S89°58'35"W, 1141.84 FEET; (2) N89°13'48"W, 1176.31 FEET; (3) S89°49'50"W, 409.87 FEET; (4) N88°22'47"W, 616.73 FEET; THENCE THE FOLLOWING FOUR COURSES ALONG THE NORTHERLY LINE OF BUCKEYE ROAD PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 13075-2406: (1) N00°09'43"W, 42.57 FEET; (2) N88°33'01"W, 990.85 FEET; (3) N80°31'38"W, 787.25 FEET; (4) N89°40'22"W, 282.70 FEET; THENCE ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF INTERSTATE 75 (STATE ROAD 93) PER OFFICIAL RECORDS BOOK 867, PAGE 368 OF SAID PUBLIC RECORDS THE FOLLOWING TWO COURSES: (1) N38°11'05"E, 5730.00 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 11329.16 FEET, A CENTRAL ANGLE OF 13°59'40"; (2) ALONG THE ARC OF SAID CURVE 2767.12 FEET TO A POINT ON A NON-TANGENTIAL LINE; THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY S01°06'57"W, 4045.66 FEET; THENCE S00°35'29"W, 2635.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 19,413.387 SQUARE FEET OR 445.67 ACRES MORE OR LESS.

**NOT A BOUNDARY SURVEY  
 DESCRIPTION & SKETCH**

**OF  
 LAND**

LOCATED IN

**SECTION 1, 2, 11 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST  
 MANATEE COUNTY, FLORIDA**

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NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

**SKETCH AND DESCRIPTION  
 PARCEL 1  
 N/F PID 589100109  
 MANATEE COUNTY, FLORIDA**

BY: KAVIN C. WILMOTT, P.S.M.  
 FLORIDA CERTIFICATE No. PLS 6809  
 DATE OF CERTIFICATION 03-10-2022

**SHEET 1 OF 4**

**EXHIBIT A**

CERTIFICATE OF AUTHORIZATION # LB 6982  
 201 5th AVENUE DRIVE EAST  
 BRADENTON, FLORIDA 34208  
 (941) 748-8080  
 FAX (941) 748-3747

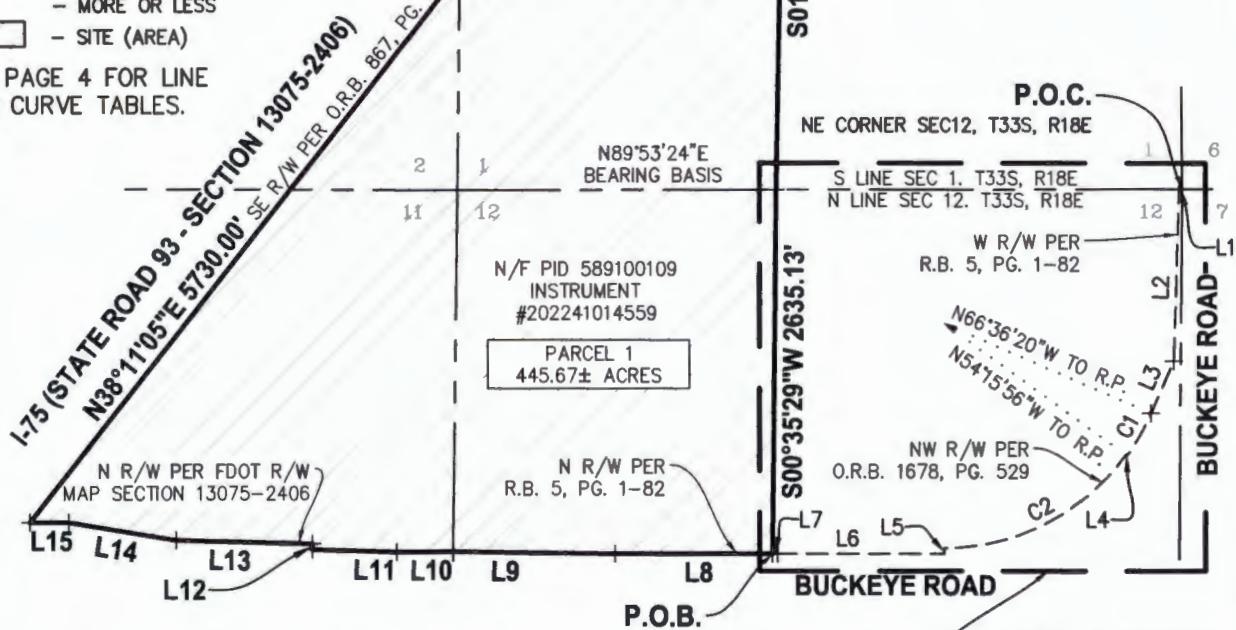


SCALE 1"=1200'

**LEGEND:**

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.C. - POINT OF CURVATURE
- R.B. - ROAD PLAT BOOK
- O.R.B. - OFFICIAL RECORD BOOK
- PG. - PAGE
- R/W - RIGHT-OF-WAY
- N/F - NOW OR FORMERLY
- PID - PARCEL IDENTIFICATION  
(NUMBER)
- FDOT - FLORIDA DEPARTMENT OF  
TRANSPORTATION
- SQ. FT. - SQUARE FEET
- R.P. - RADIUS POINT
- ± - MORE OR LESS
- - SITE (AREA)

SEE PAGE 4 FOR LINE  
AND CURVE TABLES.



**NOT A BOUNDARY SURVEY  
DESCRIPTION & SKETCH**

**OF  
LAND**

LOCATED IN

**SECTION 1, 2, 11 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST  
MANATEE COUNTY, FLORIDA**

**NOTES:**

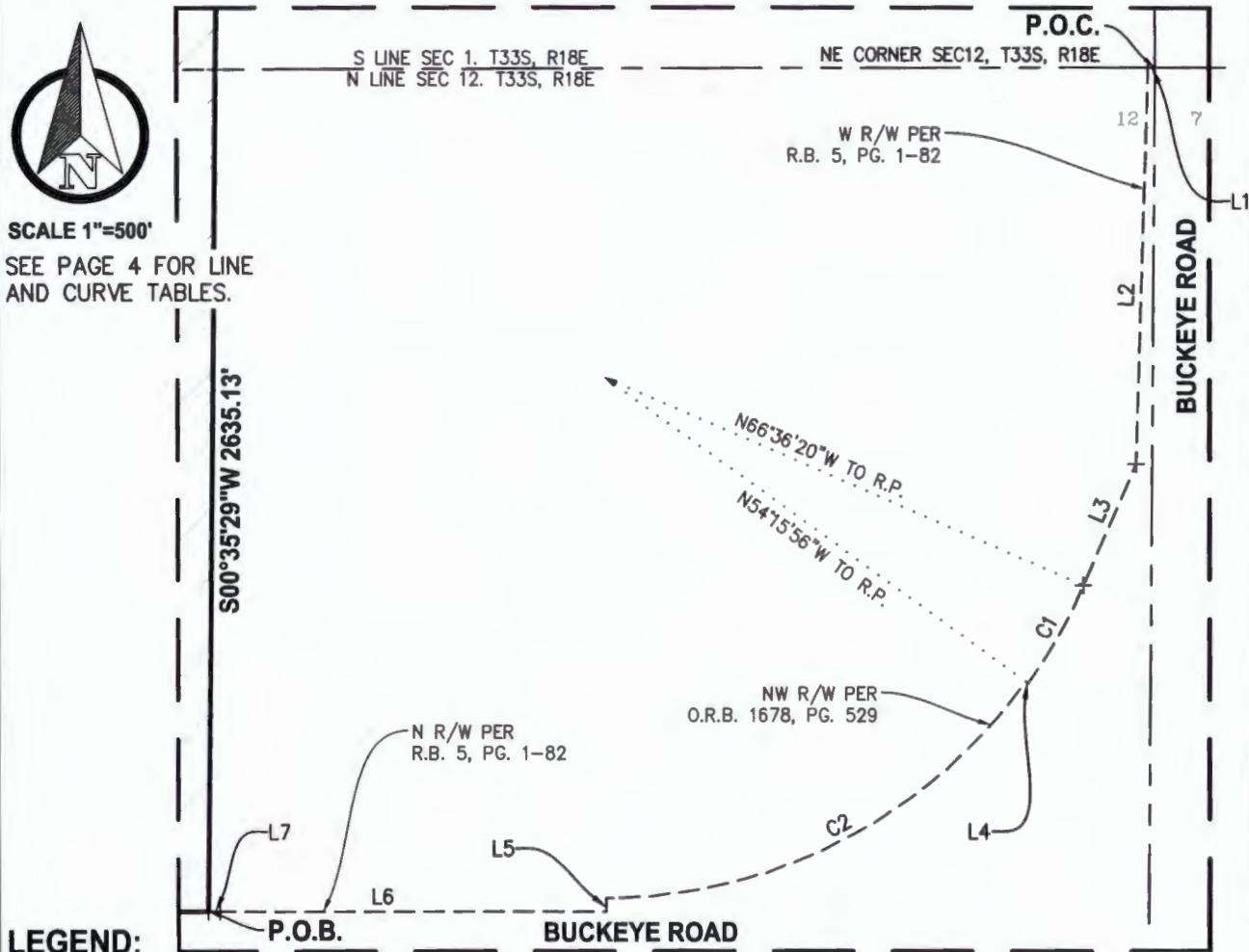
1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°53'24"E.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.

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 CHAPTER 119.

**SKETCH AND DESCRIPTION  
PARCEL 1**  
 N/F PID 589100109  
 MANATEE COUNTY, FLORIDA

**SHEET 2 OF 4**

DETAIL FROM PAGE 2



LEGEND:

P.O.B.	- POINT OF BEGINNING	SQ. FT.	- SQUARE FEET
P.O.C.	- POINT OF COMMENCEMENT	R.P.	- RADIUS POINT
P.C.	- POINT OF CURVATURE	±	- MORE OR LESS
R.B.	- ROAD PLAT BOOK	<input type="checkbox"/>	- SITE (AREA)
O.R.B.	- OFFICIAL RECORD BOOK		
PG.	- PAGE		
R/W	- RIGHT-OF-WAY		
N/F	- NOW OR FORMERLY		
PID	- PARCEL IDENTIFICATION (NUMBER)		
SQ. FT.	- SQUARE FEET		

NOT A BOUNDARY SURVEY

DESCRIPTION & SKETCH

OF

LAND

LOCATED IN

**SECTION 1, 2, 11 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST  
 MANATEE COUNTY, FLORIDA**

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°53'24" W.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.

**SHEET 3 OF 4**

**EXHIBIT A**

CERTIFICATE OF AUTHORIZATION # LB 6982  
 201 5th AVENUE DRIVE EAST  
 BRADENTON, FLORIDA 34208  
 (941) 748-8080  
 FAX (941) 748-3747

**LINE & CURVE TABLES**

BOUNDARY LINE DATA		
LINE #	DIRECTION	LENGTH
L1	S89°53'24"W	21.97'
L2	S01°46'28"W	1241.54'
L3	S23°24'03"W	413.28'
L4	N54°20'21"W	10.00'
L5	S00°06'39"E	42.41'
L6	N89°56'58"W	1214.12'
L7	S89°58'35"W	36.73'
L8	S89°58'35"W	1141.84'

BOUNDARY LINE DATA		
LINE #	DIRECTION	LENGTH
L9	N89°13'48"W	1176.31'
L10	S89°49'50"W	409.87'
L11	N88°22'47"W	616.73'
L12	N00°09'43"W	42.57'
L13	N88°33'01"W	990.85'
L14	N80°31'38"W	787.25'
L15	N89°40'22"W	282.70'

BOUNDARY CURVE DATA				
CURVE #	RADIUS	CENTRAL ANGLE	ARC	CHORD BEARING
C1	1640.00'	12°20'53"	353.44'	S29°34'07"W
C2	1630.00'	54°06'58"	1539.54'	S62°47'33"W
C3	11329.16'	13°59'40"	2767.12'	N45°10'54"E

NOT A BOUNDARY SURVEY  
**DESCRIPTION & SKETCH**  
 OF  
**LAND**  
 LOCATED IN  
**SECTION 1, 2, 11 & 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST**  
**MANATEE COUNTY, FLORIDA**

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**SKETCH AND DESCRIPTION  
 PARCEL 1**  
 N/F PID 589100109  
 MANATEE COUNTY, FLORIDA

**NOTES:**

1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 12, TOWNSHIP 33 SOUTH, RANGE 18 EAST, BEING S89°53'24"W.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.

**SHEET 4 OF 4**

## **EXHIBIT F**

**CONSENT AND JOINDER OF LANDOWNER  
TO THE EXPANSION OF THE BUCKHEAD TRAILS II COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of land described within the ~~Metes and Bounds Description~~ attached as Exhibit A of this consent, herein further described as ("Property"). This Property is partially contained within Parcel Id: 589100109.

The undersigned understands and acknowledges that Buckhead Trails II LLC ("Petitioner") intends to submit a petition to expand the Buckhead Trails II Community Development District in accordance with the provisions of Chapter 190 of the Florida Statutes.

As an owner of Property which are intended to constitute a portion of the Buckhead Trails II Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the expansion of the Buckhead Trails II 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 expansion of the Buckhead Trails II Community Development District which will include 100% of the Property within the lands to be 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 expansion of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is expanded or three years from the date hereof, which ever shall first occur. The undersigned further agrees that this consent shall be deemed to run with the Property and be binding upon the owner and its successors and assigns as to the Property or portions thereof.

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 20<sup>th</sup> day of April, 2022.

Witnessed:

EPG Buckeye Road Holdings, LLC

Signature 

Print Name John Canterbury

Signature 

Print Name STEVEN K LUCE

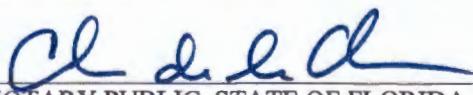
By:   
Its: Authorized Representative

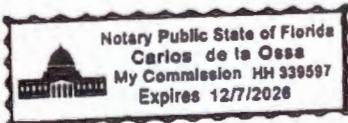
Printed Name: Nicholas J. Dister

STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 20<sup>th</sup> day of April, 2023, by  
Nicholas Dister, as Authorized Rep. of  
EPG Buckeye Road Holdings, LLC. He/She  is personally known to  
me, or  has produced \_\_\_\_\_ as identification.

  
NOTARY PUBLIC, STATE OF FLORIDA



Carlos de la Ossa  
(Print, Type or Stamp Commissioned Name of  
Notary Public)

PREPARED BY AND RETURN TO:

Timothy A. Knowles, Esq.  
Porges, Hamlin, Knowles & Hawk, P.A.  
1205 Manatee Avenue West  
Bradenton, Florida 34205

Space above this Line for Recording Data

**NOTE TO RECORDER: THIS TRANSFER IS FROM THE TRUSTEE TO A BENEFICIARY OF THE LAND TRUST IN THE AMOUNT OF THE BENEFICIARY'S INTEREST THEREIN AND IS EXEMPT FROM FLORIDA DOCUMENTARY STAMP TAXATION PURSUANT TO RULE 12B-4.013(28)(e), FLORIDA ADMINISTRATIVE CODE. NO CONSIDERATION HAS BEEN DELIVERED FOR THIS TRANSFER, AND ONLY MINIMUM DOCUMENTARY STAMP TAXES ARE DUE.**

**TRUSTEE DEED**

THIS TRUSTEE DEED is made and executed as of this 28<sup>th</sup> day of January, 2022 by **Timothy A. Knowles**, as Trustee of the Buckhead Trails 933 Acre Land Trust, under Land Trust Agreement dated January 28, 2022, whose mailing address is 1205 Manatee Ave. West, Bradenton, FL, 34205, with full power and authority to protect, conserve, sell, convey, lease, encumber, and to otherwise manage and dispose of the real property described below pursuant to Section 689.073(1), Florida Statutes, whose mailing address is 1205 Manatee Ave West, Bradenton FL, 34205 ("Grantor") to and in favor of **EPG BUCKEYE ROAD HOLDINGS, LLC, a Florida limited liability company**, whose mailing address is 111 S. Armenia Ave., Suite 201, Tampa, FL 33609 ("Grantee").

**WITNESSETH:**

THAT Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee, certain real property located in Manatee County, Florida, which is more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Property").

TOGETHER with all the easements, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining; and

TO HAVE AND TO HOLD, the same in fee simple forever.

AND Grantor hereby covenants with Grantee that Grantor will warrant and defend the Property against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other, and that the Property is free of all encumbrances, except taxes accruing subsequent to January 1, 2022, and except for matters as they appear on Exhibit "B" attached hereto and by this reference made a part hereof, provided that this reference shall not serve to reimpose same.

*[Signature on the following page.]*

[SIGNATURE PAGE TO TRUSTEE DEED]

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed effective on the day and year first above written.

Witnesses:

Print Name: TRACY L. JUDY

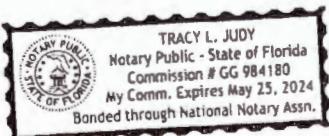
Print Name: BRYAN RUSSELL

Trustee:

Timothy A. Knowles, as Trustee of the  
Buckhead Trails 933 Acre Land Trust,  
under Land Trust Agreement dated  
January 28, 2022

STATE OF FLORIDA  
COUNTY OF MANATEE

Acknowledged and subscribed before me, by means of  physical presence or  online notarization, this 27 day of January, 2022, by **Timothy A. Knowles, as Trustee of the Buckhead Trails 933 Acre Land Trust, under Land Trust Agreement dated January 28, 2022**, on behalf of the Trust. Who is:  personally known to me or  who has produced identification.



(NOTARY SEAL)

Signature of Notary Public

TRACY L. JUDY

Print Name of Notary Public

I am a Notary Public of the State of Florida and my commission expires on \_\_\_\_\_.

00

EXHIBIT "A"

**Buckhead Trails 933 Acre Land Trust Property - DESCRIPTION**

All of Section 1, Township 33 South, Range 18 East, Manatee County, Florida lying Southeasterly of Interstate 75 as described in Order of Taking recorded in O.R. Book 867, Page 368 TOGETHER WITH all of Section 2, Township 33 South, Range 18 East, Manatee County, Florida lying Southeasterly of Interstate 75 as described in Order of Taking recorded in O.R. Book 867, Page 368 TOGETHER WITH the North 1/2 of Section 11, Township 33 South, Range 18 East, Manatee County, Florida lying Southeasterly of Interstate 75 as described in Order of Taking recorded in O.R. Book 867, Page 368.

LESS Right-of-Way for Buckeye Road as recorded in Road Plat Book 5, Pages 1 through 82, of the Public Records of Manatee County, Florida.

TOGETHER WITH The North 1/2 of Section 12, Township 33 South, Range 18 East, Manatee County, Florida.

LESS Right-of-Way for Buckeye Road as recorded in Road Plat Book 5, Pages 1 through 82, of the Public Records of Manatee County, Florida.

LESS the following described four (4) parcels as conveyed to County of Manatee as recorded in O.R. Book 1678, Page 529, of the Public Records of Manatee County, Florida:

**Parcel (1): Parcel 100 - Right of Way**

A portion of the Northeast 1/4 of Section 12, Township 33 South, Range 18 East, Manatee County, Florida, being described as follows:

Commence at the Southeast corner of the Northeast 1/4 of said Section 12; thence N 00°19'16" E for 1110.18 feet along the East line of said Northeast 1/4; thence N 89°40'44" W for 57.83 feet a point on the maintained right of way line of Buckeye Road per Road Plat Book 5, Pages 1 thru 82 of the Public Records of Manatee County, Florida, and to the Point of Beginning; thence S 23°15'17" W for 109.99 feet to a point of curvature of a curve; thence Southwesterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1760.00 feet, a central angle of 19°15'16", an arc length of 586.33 feet and a chord bearing and distance of S 32°47'56" W, 583.63 feet; thence N 47°39'26" W for 20.00 feet to a point on the arc of a non-tangent curve (a radial line bears N 47°39'26" W to the center of said curve); thence Southwesterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1740.00 feet, a central angle of 31°11'21", an arc length of 947.17 feet and a chord bearing and distance of S 57°56'14" W for 935.52 feet to a point on said maintained right of way line; thence along said maintained right of way line the following four (4) courses: (1) S 89°43'17" W for 129.39 feet; (2) S 88°34'32" W for 100.02 feet; (3) S 89°43'17" W for 200.00 feet; (4) N 89°42'20" W for 55.76 feet; thence N 00°16'43" W for 42.44 feet to a point on the arc of a non-tangent curve (a radial line bears N 00°16'43" W to the center of said curve); thence Northeasterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1630.00 feet, a central angle of 54°07'11", an arc length of 1539.64 feet, and a chord bearing and distance of N 62°39'42" E for 1483.04 feet; thence S 54°23'54" E for 10.00 feet to a point on the arc of a non-tangent curve (a radial line bears N 54°23'54" W to the center of said curve); thence Northeasterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1640.00 feet, a central angle of 12°20'49", an arc length of 353.41 feet, and a chord bearing and distance of N 29°25'42" E for 352.73 feet; thence N 23°15'17" E for 413.34 feet; to a point on said maintained right of way line; thence along said maintained right of way line the following two (2) courses: (1) S 02°06'36" W for 76.76 feet; (2) S 01°32'13" W for 249.49 feet to the Point of Beginning.

**Parcel (2): Parcel 100 - Pond 1**

A portion of Section 12, Township 33 South, Range 18 East, Manatee County, Florida, being described as follows:



Commence at Southeast corner of the Northeast 1/4 of said Section 12; thence N 00°19'16" E for 1110.18 feet along the East line of said Northeast 1/4; thence N 89°40'44" W for 57.83 feet to a point on the maintained right of way line of Buckeye Road per Road Plat Book 5, Pages 1 thru 82 of the Public Records of Manatee County, Florida; thence S 23°15'17" W for 109.99 feet to a point of curvature of a curve; thence Southwesterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1760.00 feet, a central angle of 1°15'33" an arc length of 376.59 feet, and a chord bearing and distance of S 29°23'05" W for 375.88 feet, to the Point of Beginning; thence S 60°40'00" E for 244.47 feet to a point on said maintained right of way line; thence along said maintained right of way line the following four (4) courses: (1) S 00°57'50" W for 2.00 feet; (2) S 01°32'13" W for 100.00 feet; (3) S 02°40'58" W for 100.02 feet; (4) S 01°32'13" W for 10.50 feet; thence S 75°40'56" W for 416.64 feet; thence N 88°38'36" W for 189.30 feet; thence N 35°43'27" W for 49.88 feet to a point on the arc of a non-tangent curve (a radial line bears N 35°43'27" W to the center of said curve); thence Northeasterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1740.00 feet, a central angle of 11°55'59" an arc length of 362.39 feet and a chord bearing and distance of N 48°18'33" E for 361.74 feet; thence S 47°39'26" E for 20.00 feet to a point on the arc of a non-tangent curve (a radial line bears N 47°39'26" W to the center of said curve); thence Northeasterly along the arc of said curve concave Northwesterly, having for its elements a radius of 1760.00 feet, a central angle of 06°49'41", an arc length of 209.74 feet, and a chord bearing and distance of N 38°55'43" E for 209.62 feet to the Point of Beginning.

Parcel (3) - Parcel A

A Portion of the Northeast 1/4 of Section 12, Township 33 South, Range 18 East, Manatee County, Florida, being described as follows:

Commence at the Southeast corner of the Northeast 1/4 of said Section 12; thence N 00°19'16" E for 1110.18 feet along the East line of said Northeast 1/4; thence N 89°40'44" W for 57.83 feet to a point on the Westerly maintained right of way line of Buckeye Road per Road Plat Book 5, Pages 1 thru 82 of the Public Records of Manatee County, Florida, and the Point of Beginning; thence continue along said maintained right of way line of Buckeye Road for the following five (5) courses: (1) S 01°32'13" W for 50.54 feet; (2) S 00°57'50" W for 100.00 feet; (3) S 01°32'13" W for 100.00 feet; (4) S 02°06'36" W for 200.01 feet; (5) S 00°57'50" W for 98.00 feet; thence N 60°40'00" W for 244.47 feet to a point on a non-tangent curve concave Northwesterly; thence Northeasterly along the arc of said curve, having for its elements a radius of 1760.00 feet, a central angle of 12°15'35", an arc length of 376.59 feet and a chord bearing and distance of N 29°23'05" E for 375.88 feet; thence N 23°15'17" E for 109.99 feet to the Point of Beginning.

Parcel (4) - Parcel B:

A portion of the Northeast 1/4 of Section 12, Township 33 South, Range 18 East, Manatee County, Florida, being described as follows:

Commence at the Southeast corner of the Northeast 1/4 of said Section 12; thence N 00°19'16" E for 85.09 feet along the East line of said Northeast 1/4; thence N 89°40'44" W for 89.59 feet to a point on the Northerly maintained right of way line of Buckeye Road per Road Plat Book 5, Pages 1 thru 82 of the Public Records of Manatee County, Florida and the Point of Beginning; thence continue along said maintained right of way line of Buckeye Road for the following seven (7) courses: (1) S 73°06'16" W for 42.81 feet; (2) S 72°27'41" W for 105.00 feet; (3) N 83°56'18" W for 18.11 feet; (4) S 89°43'17" W for 500.00 feet; (5) S 88°34'32" W for 100.02 feet; (6) S 89°08'54" W for 100.00 feet; (7) S 89°43'17" W for 270.61 feet to a point on a non-tangent curve concave Northwesterly; thence Northeasterly along the arc of said curve, having for its elements a radius of 1740.00 feet, a central angle of 19°15'22", an arc length of 584.78 feet, and a chord bearing and distance of N 63°54'14" E for 582.03 feet; thence S 35°43'27" E for 49.88 feet; thence S 88°38'36" E for 189.30 feet; thence N 75°40'56" E for 416.64 feet to a point on the Westerly maintained right of way line of Buckeye Road per said Road Plat Book 5, Pages 1 thru 82; thence along said maintained right of way line for the following four (4) courses: (1) S 01°32'13" W for 89.50 feet; (2) S 09°40'01" W for 21.21 feet; (3) S 01°32'13" W for 79.00 feet; (4) S 05°21'04" W for 75.17 feet to the Point of Beginning.

END OF EXHIBIT "A"



**EXHIBIT "B"**  
**Exceptions to Deed**

1. Easement granted to Florida Power & Light Company recorded in O.R. Book 1006, Page 2513, of said records.
2. Reservation of the oil, gas and mineral rights underlying the land contained in deed recorded in Deed Book 199, Page 184; which was purportedly transferred by instrument recorded in O.R. Book 625, Page 63; and subsequently purportedly transferred by deed recorded in O.R. Book 1646, Page 3319. (this exception is applicable only as to that portion of the Property located in the Southwest 1/4 of the Northwest 1/4 of Section 1, Township 33 South, Range 18 East, Manatee County, Florida). NOTE: The Right of Entry and Exploration with respect to the aforesaid reservation has been released by the provisions of Florida Statute 704.05.
3. All rights of ingress, egress, light, air and view between the captioned property and any facility constructed on the land described in Order of Taking for I-75 right of way recorded in Official Records Book 867, Page 368, of the Public Records of Manatee County, Florida.
4. Moccasin Wallow Consortium Wastewater Participation Agreement (Main Branch) recorded in O.R. Book 2221, Page 3744, together with Notice recorded in O. R. Book 2261, Page 4230, of the Public Records of Manatee County, Florida.
12. Wastewater Participation Agreement Moccasin Wallow Consortium (Main Branch-Partial Oversizing) recorded in O.R. Book 2221, Page 4045, of the Public Records of Manatee County, Florida.
13. Moccasin Wallow Consortium Wastewater Participation Agreement (East Branch) recorded in O.R. Book 2221, Page 4227, of the Public Records of Manatee County, Florida.
14. Riparian and littoral rights, if any, (as to Curiosity Creek and/or No Nonsense Creek)
15. Title to that portion of subject property lying below the mean or ordinary high water mark of Curiosity Creek and/or No Nonsense Creek.
16. Rights of others to use the waters of any water body extending from the insured land onto other lands.
17. Rights of upper and lower stream owners in and to the use of the waters of creeks running through the property and to the continued uninterrupted flow thereof.
18. Notice of Establishment of the Buckhead Trails Community Development District recorded in O.R. Book 2563, Page 2814, of the Public Records of Manatee County, Florida.
19. Recorded Notice of environmental Resource Permit recorded in O.R. Book 2616, Page 2171, of the Public Records of Manatee County, Florida.

END OF EXHIBIT "B"



## **EXHIBIT G**

**BOARD OF SUPERVISORS**

**BULKHEAD TRAILS II COMMUNITY DEVELOPMENT DISTRICT**

1. RYAN MOTKO
2. STEVE LUCE
3. NICHOLAS DISTER
4. CARLOS DE LA OSSA
5. ALBERTO VIERO

## **EXHIBIT H**

## Buckhead Trails II CDD Utility Map



## **EXHIBIT I**

Buckhead Trails II Expansion  
Community Development District  
Proposed Infrastructure Plan

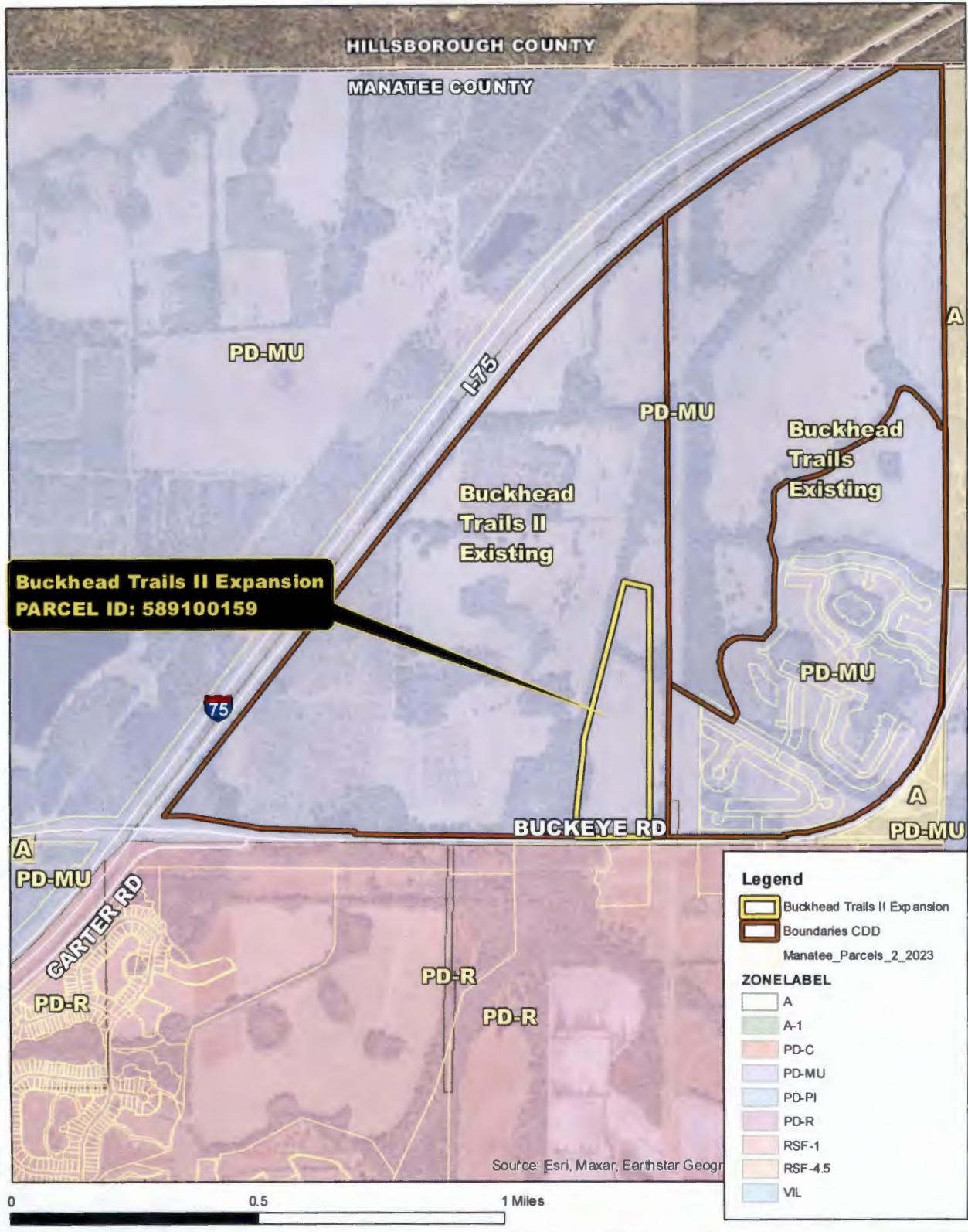
<u>Facility</u>	<u>Construction Funded By</u>	<u>Ownership</u>	<u>Operation &amp; Maintenance</u>
Stormwater Management	CDD	CDD	CDD
Utilities	CDD	County	County
Roads (Includes ROW Landscape/Hardscape)	CDD	County	County
Amenity, Parks & Recreation	CDD	CDD	CDD
Off-Site Improvements	CDD	CDD	CDD
Professional Fees, Permitting & Contingency	CDD		

Buckhead Trails II Expansion  
Community Development District  
Proposed Infrastructure Costs and Timeline

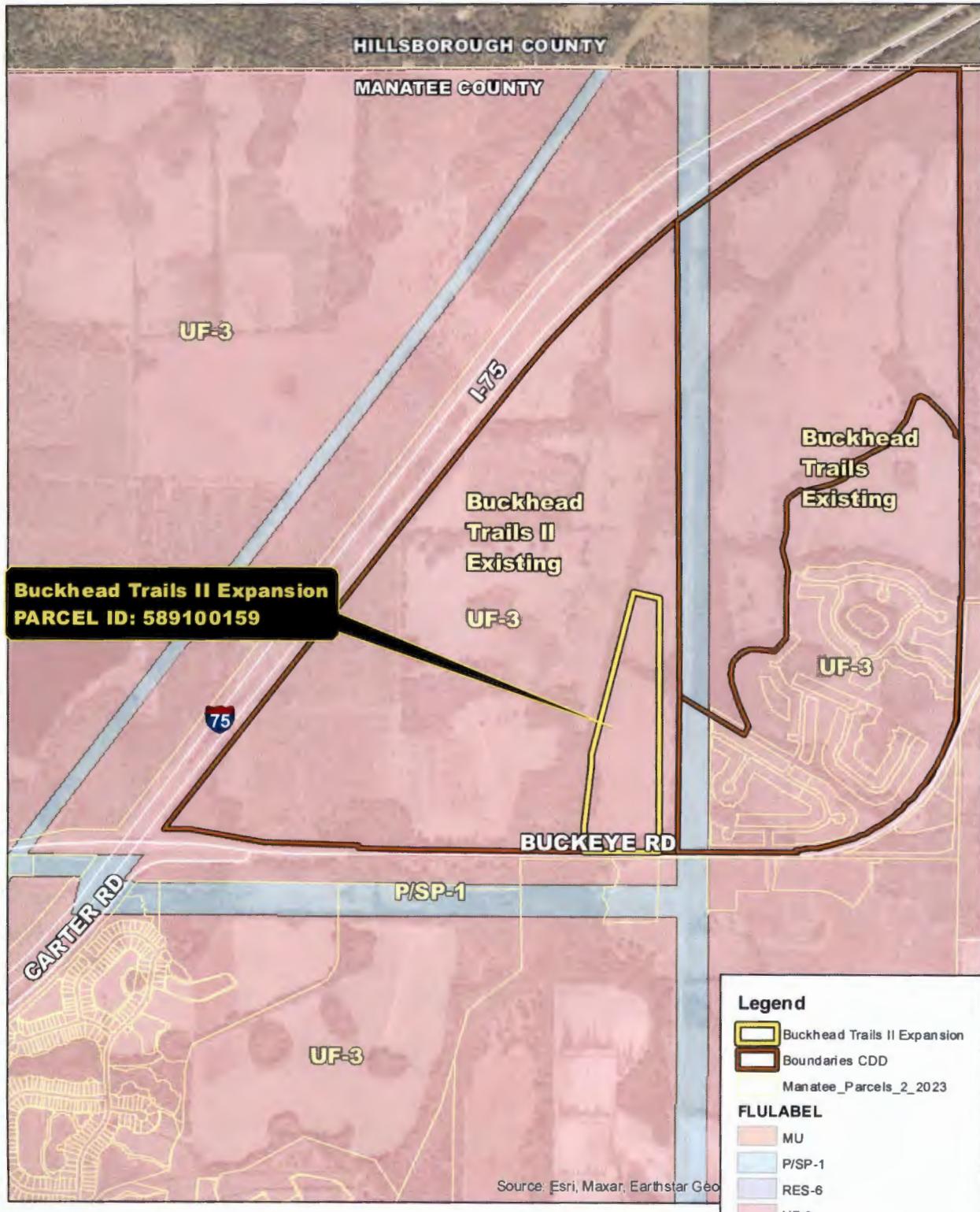
<u>Description</u>	<u>2023-2024 District Estimated Cost</u>	<u>2025-2026 District Estimated Cost</u>	<u>Total</u>
Stormwater Management	\$ 2,023,644	\$ 674,548	\$ 2,698,192
Utilities	\$ 1,590,513	\$ 681,649	\$ 2,272,162
Roads (Includes ROW Landscape/Hai	\$ 1,491,106	\$ 639,046	\$ 2,130,152
Amenity, Parks & Recreation	\$ 160,162	\$ 373,711	\$ 533,873
Off-Site Improvements	\$ 400,404	\$ -	\$ 400,404
Professional Fees, Permitting & Conti	\$ 723,130	\$ 482,087	\$ 1,205,217
<b>TOTAL</b>	<b>\$ 6,388,960</b>	<b>\$ 2,851,040</b>	<b>\$ 9,240,000</b>

## **EXHIBIT J**

## Buckhead Trails II CDD Zoning Map



## Buckhead Trails II CDD FLU Map



## **EXHIBIT K**

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STATEMENT OF ESTIMATED REGULATORY COSTS  
PETITION TO EXPAND THE BOUNDARIES OF

---

BUCKHEAD TRAILS II  
COMMUNITY DEVELOPMENT DISTRICT

---

PREPARED BY:



AN EXPERIENCED TEAM OF SPECIAL TAXING DISTRICT EXPERTS

2005 Pan Am Circle  
Suite 300  
Tampa, Florida 33607  
(813) 873-7300

**SEPTEMBER 28, 2023**

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## **I. INTRODUCTION**

### **1. Definitions**

The following defined terms are used throughout this document:

“Agency” means each other unit of government in the state, including counties and municipalities, to the extent they are expressly made subject to this act by general or special law or existing judicial decisions.

“County” means Manatee County, Florida

“Developer” means EPG Buckeye Road Development, LLC

“District” means Buckhead Trails II Community Development District

“Petition” means the petition filed with Manatee County to expand the Buckhead Trails II Community Development District

“Petitioner” means the Buckhead Trails II Community Development District

“Properties” means the proposed land parcels to be added into the existing Buckhead Trails II Community Development District. These lands would be subject to annual assessments consistent with current levies.

“Ordinance” means the order creating the expanded boundaries of the Buckhead Trails II Community Development District

“Expansion Area” means land that is petitioned for expanding the District

### **2. Purpose**

This Statement of Estimated Regulatory Costs (“SERC”) is intended to fulfill the requirements of Section 190.005, Florida Statutes (“F.S.”) which outlines the required elements of a valid petition to expand the boundaries of a community development district. A SERC was prepared as a component of the petition filed with the Board of County Commissioners of Manatee County, Florida to expand the boundaries of the Buckhead Trails II Community Development District (“District”), in accordance with F.S. 190.005. Specifically, Section 190.005(1)(a) 8, F.S., requires, as part of the petition, a Statement of Estimated Regulatory Costs be prepared pursuant to Section 120.541 F.S. That petition was approved through Ordinance 15.13 enacted March 10<sup>th</sup>, 2015.

The scope of this SERC is limited to the factors considered to be material or relevant to the Community Development District expansion process, and more specifically those items for inclusion required by Section 120.541(2), F.S.

Manatee County considered the establishment SERC presented in conjunction with the original Petition to Establish the Buckhead Trails II Community Development District (the “Establishment SERC”). The intent of this SERC (the “Supplemental SERC”) is to indicate lands that the District seeks to add into the District

("Expansion Area") and provide a review of the approved Statement of Estimated Regulatory Costs, as presented in the Establishment SERC. All information supplied in the Establishment SERC is consistent with the Supplemental SERC, with exception to references made to the expansion of District boundaries.

### **3. Overview of Buckhead Trails II Community Development District**

The Buckhead Trails II Community Development District currently encompasses approximately 409.16 acres. The original petition served the purpose of creating the District and establishing a plan to finance, acquire, construct, and maintain the following types of infrastructure including, but not limited to: water management and control, water supply, sewer, wastewater management, bridges or culverts, District roads and street lights, transportation facilities, parking improvements, parks and recreational facilities and certain other projects when expressly approved or required by a local government. The Petitioner is seeking the authority to add approximately 36.51 acres of undeveloped property to the District with a current capacity of 154 townhome units. Expansion of the aforementioned lands will provide for a levy of annual assessments consistent with the existing debt obligations across all benefiting properties currently within the existing District boundaries. The authorization to Expand the Properties into the District will not only generate revenues necessary to fulfill the anticipated annual debt service obligation, which relates to the project, but also expands the base population of the District which will assist in the economics of the District by economy of scale with regard to administrative costs of operation of the District. This expanded area will contribute to the maintenance of infrastructure in place, which is currently providing benefit to the properties that are the subject of this petition as well as provide a means for the maintenance of the Expansion Area which will be held by the District as public lands.

The District will finance the infrastructure improvements described above through special or non-ad valorem assessment revenue bonds. Annual assessments will be levied against all benefited properties within the District through special or non-ad valorem assessments. Par values are assigned to individual units to permit a prepayment of the debt service obligation if desired by the property owner. On-going operations and maintenance for District-owned facilities will be funded through maintenance assessments levied against all benefited properties within the District. The District is structured to be financially independent as intended by the Legislature and does not require any subsidy from the State of Florida or from any tax dollars from those residents of the County generated outside the District. It will not place any additional economic burden on those persons not residing within the District.

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**II. STATUATORY REQUIREMENTS**

Section 120.541 (2), F.S., read in conjunction with Section 190.005(1)(a)8, F.S., outlines the requirements of a valid SERC:

- (1) An economic analysis showing whether the rule 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;
  - 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; or
  - c. 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.
- (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.
- (3) 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 ordinance, and any anticipated effect on state or local revenues.
- (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. As used in this paragraph, "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 ordinance, additional operating costs incurred, the cost of monitoring and reporting and any other costs necessary to comply with the Ordinance.
- (5) An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined in Section 120.52, F.S..
- (6) Any additional information that the agency determines may be useful.
- (7) A description of any regulatory alternatives or the reasons for rejecting the alternative in favor of the expansion of the District.

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**1. An Economic Analysis Showing Whether The Rule 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;**
- 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; Or**
- c. 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.**

The Expansion of the District is not likely to have an adverse impact on the items described above in (1) a. (1) b. (1) c. above.

*Economic Growth*

The Expansion Area is currently vacant and in raw land condition. Expanding the District boundary would likely yield a reduction to the amount collected annually, from individual landowners, to fund governmental expenditures while increasing the total revenues collected by local governments. The expansion of the District will likely have no adverse impact in excess of \$1 million. To the contrary, the expansion of the District boundary will likely encourage economic growth over the next 5 years. The increase to costs associated with providing additional public infrastructure and services for the development will be matched by a comparable increase in revenues. These revenues will be generated by levying assessments against the expansion area; the relative ratio of revenues to expenditures will change little over time. The District is structured to be self-sufficient in relation to the acquisition of revenues necessary to fund budgeted expenditures and has positive direct impact on economic growth.

In addition, the District provides a financing mechanism to (i) fund public Infrastructure at a low cost of capital, and (ii) on a timely, self-sufficient basis. The District is being used to finance basic public infrastructure and services. Owners of the property within the District agree to a lien on their property that will be reduced over time through the annual payment of a special assessment. The assessment is used to pay debt service on bonds and/or annual infrastructure maintenance and District operating expenditures, which are secured further by the assessed property as collateral. Assessment liens are superior to private liens, such as construction or mortgage loans. This structure results in a lower cost of capital than is otherwise available to fund public infrastructure, and supports community development. New development results in increased property values, a larger tax base, and more tax revenues for the community at large. It also creates an immediate demand for new streets, water and sewer capacity, and other infrastructural necessities. Consequently, a cash-flow mismatch exists between the upfront costs of public facilities and generation of tax revenue to pay for same. To fill this gap, the District is established to fund infrastructure directly, and developers can fund the public-use components of new neighborhoods before improvements are conveyed to the general purpose government or municipality. The result is that new growth can "pay for itself" instead of burdening an entire community with its costs.

*Job Creation*

Compared to the property's existing land use, development of the District and subsequent residential improvements would trigger private job creation. In general, volatility in the amount of home-building projects taking place in a region can have considerable ramifications on the productivity levels of many other local industries. A jump in residential construction drives up the demand for steel, wood, electricity, glass,

plastic, wiring, piping and concrete. The need for skilled construction workers such as bricklayers, carpenters and electricians soars as well. By one estimate, some 1,500 fulltime jobs are created for every 500 single-family homes under construction. In 2012, the National Association of Home Builders (NAHB) estimated that the impacts of increased home-building included the creation of 3 new jobs and \$23,000 in state and local taxes from constructing one average new single family home. In May of 2014, the NAHB released its estimates of the economic impact that residential construction has on the economy, which included the following:

- Building an average single-family home: 2.97 jobs, \$110,957 in taxes
- Building an average rental apartment: 1.13 jobs, \$42,383 in taxes
- \$100,000 spent on remodeling: 0.89 jobs, \$29,779 in taxes

*Transactional Costs and Competitiveness*

It is not likely that transactional costs in excess of \$1 million, in the aggregate, will result within 5 years after the expansion of the District occurs. Any transactional costs are covered by the assessments described above. The expansion of the District is not likely to have an adverse impact on business competitiveness, including: the ability of persons or entities to conduct trade with businesses located in other states and/or domestic business partners, productivity, or innovation in excess of \$1 million in the aggregate within 5 years. Home building will increase the property tax base which is responsible for generating revenues that support local schools and community infrastructure and will ultimately lead to a more competitive County.

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**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: The State of Florida and its residents, the County and its residents, current property owners within the District, and future property owners within the District.

**THE STATE OF FLORIDA**

The State of Florida and its residents and general population will not incur any compliance costs related to the expansion of the District and will only be affected in connection with the expenditures the State incurs through nominal administrative costs outlined in Section 3 below.

**MANATEE COUNTY**

The County and its residents not residing within the District will be affected to the degree that human resources are expended in review of documents and in the partnership approach with which this development has required. A petition review fee has been determined by the County and such fee should compensate for the efforts of County staff in the boundary expansion review process.

**CURRENT PROPERTY OWNERS WITHIN THE DISTRICT**

The current property owners of the lands within the District will not be negatively affected by the expansion of the District's boundaries. In fact, the current property owners will benefit from the expansion of the District if approved through the resulting financial support provided by the benefitting properties otherwise not assessable.

**FUTURE PROPERTY OWNERS**

The future property owners are those who will own property in the proposed District or own property that is subject to the expansion of the District. Property owners that are currently contained within the District will not be negatively impacted by the boundary modification, as debt assessment levels will not change. Those future owners of property subject to the expansion of the District will be required to pay their fair share of any future indebtedness, including District debt service and operations. Property owners subject to future District assessments will be properly noticed as defined by the State of Florida.

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**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.**

*3.1. Cost To The Agency, And To Any Other State And Local Entities, Of Implementing And Enforcing The Proposed Ordinance*

**State Government Entities**

Upon modification of the District boundaries, 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. These reporting requirements have been in effect since of the establishment of the District and the boundary modification will not create the need for additional reporting or District expenditures. To offset these costs, the Legislature has established a maximum fee of \$200 per District per year to pay the costs incurred by the Special Districts Information Program to administer the reporting requirements of Chapter 189, F.S. Because the District, as defined in Chapter 190, F.S., is designed to function as a self-sufficient, independent 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 has been placed on the State due to the boundary modification.

**Manatee County**

Once the District boundaries are modified, the County will not incur any quantifiable on-going costs resulting from its existence. The District would be responsible for submitting its annual budget, financial report, audit and public financing disclosures to the County. Since there are no legislative requirements for review or action, neither agency will necessarily incur any costs. The County, however, may choose to review these documents, which are offset by a fee paid to the County for the administrative review process.

In addition, the District may choose to engage with the Manatee County Property Appraiser and Manatee County Tax Collector to collect special or non-ad valorem assessments levied to repay bonds issued to acquire and construct public infrastructure improvements. Fees charged to the District will offset the costs incurred by these agencies to make these collections. Therefore, no additional burden is placed on the County for the collection of the revenue.

*3.2. Any Anticipated Effect on State and Local Revenues*

It is anticipated that approval of this petition will not have any negative effect on state revenues. The District does have 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, infrastructure installation 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. Additional revenues will be generated by the future residents of the District, including but not limited to; increased gas tax collections, increased utility taxes and fees from both public utilities and private utilities. 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.

There is no cause for concern that a District obligation could become a State or County obligation, thereby negatively effecting 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.

**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 the expansion of 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. When the District determines to issue bonds, assessments will be levied against benefited property owners within the District. The revenue generated by the payment of these assessments will be used to repay the bonds. The obligation to pay the assessments is secured by the real estate within the district and is transferred proportionately to new property owners upon the sale of any portions of the property.

To fund the cost of maintaining infrastructure, operations and maintenance assessments will be imposed on the District property owners. As with the special assessments for infrastructure acquisition and construction, landowners are responsible for the payment of these assessments on the basis of their relative property ownership of the areas receiving benefit from infrastructure improvements and subsequent maintenance.

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 and/or other taxing authorities.

In exchange for the payment of these special assessments, landowners receive substantial benefit. Specifically, these persons can expect to receive a higher level of services because they, the property owners, elect the members of the Districts' Board of Supervisors. Furthermore, the District is limited in jurisdiction and responsibility is constrained to a single development. Therefore, the District administrators should be extremely accessible and responsive to the needs of the property owners within the District. Community Development Districts offer the opportunity for a higher level of service to residents of the County without impacting the service capacity of other local governments.

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**5. An Analysis Of The Impact On Small Businesses As Defined By Section 288.703, F.S., And An Analysis Of The Impact On Small Counties And Small Cities As Defined By Section 120.52, F.S..**

Section 288.703, F.S., defines “Small Business” as:

An independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As applicable to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

Section 120.52, F.S., defines “Small City” as:

Any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census.

Section 120.52, F.S. defines “Small County” as:

Any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census. According to the 2010 US Census’s Rank of Florida Counties by Population Size in 2010 and Population Distribution, the total estimated population of the County was 1,229,226 making it the 4<sup>th</sup> largest county in the state.

The proposed District boundary modification should not have any negative impact on small businesses. Any business, large or small, has the option of locating their operating facilities within a community development district, 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, but will enjoy the resulting benefits derived from operating within the District’s boundaries. At this time, the proposed District does not contain any potential commercial property and therefore would not contribute to any competition with the local business community.

The financial obligations would be in the form of special assessments while the benefits would be in the form of a higher quality and lower cost development. This should, in theory, be more conducive to the economic success of a business.

Furthermore, the District operates according to Florida’s “Sunshine” laws and must follow certain competitive bidding requirements for certain goods and services it will purchase. As a result of the District’s expansion, and the subsequent development, small businesses should be better able to compete for District business serving the lands to be included within the District. The District does not discriminate in terms of the size of businesses that can be located within the boundaries or transact business with the District.

The District will have a positive impact on the small businesses of the local economy. As outlined above, success of the development will 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.

The County is not a small county; the development and improvement of the property subject to this expansion petition should have no effect on nearby small cities.

**6. Any Additional Information That the Agency Determines May Be Useful**

Certain data utilized in this report was provided by the Developer/Petitioner and represents the best information available at this time. Inframark LLC has prepared this report and the assertions and findings are based on research, observation and experience both in Public Policy Making and District Management Experiences of its employees.

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**7. An Analysis of Alternatives for Delivering Community Development Services and Facilities**

**Analysis Of Alternatives For Delivering Community  
Development Services And Facilities  
To The Expansion Area To Be Served By The  
Buckhead Trails II Community Development District**

**(Section 190.005(1)(e)4, Florida Statutes)**

Alternative	Description	Analysis
County Financing	The County is responsible for the management of the construction of the roadways, and all other infrastructure associated with the development. In addition, the County is responsible for maintenance of the utilities.	Regardless of the specific mechanism (i.e., MSTU, MSBU, Dependent District), the County would incur costs associated with financing and management of the construction. The source of necessary construction funds would be the County's general revenue fund, or issuance of additional debt, therefore, these costs, along with annual maintenance costs, will be borne by County residents, not just property owners within the District. The County, however, may already have a policy prohibiting the construction of "Subdivision level" infrastructure, as do many other general-purpose local governments.
Private Conventional Financing	The cost of constructing infrastructure is financed through conventional bank financing or a combination of private financing and equity financing.	Private financing is difficult to obtain and when available, is very expensive. This may result in housing that is less affordable and/or a decrease in the level of service(s) provided. In addition, annual maintenance would likely be delegated to a Homeowners' Association (HOA/POA) which does not have the same legal backing to enforce dues and assessments as does the CDD.
Community Development District	A combination of public and private entities establishes a mechanism to finance, construct, maintain and manage community development services and facilities.	The CDD will incur the cost of issuing Bonds necessary to finance the construction of the necessary infrastructure, will oversee and manage all phases of construction, and will be responsible for the maintenance and management of the common areas on an ongoing basis. All costs associated with these activities will be borne only by those property owners within the District that benefit from the improvements. No County general funds will be used and no County residents outside of the District will incur costs.

**RECOMMENDED  
ALTERNATIVE**

III. CONCLUSION

The purpose of this SERC is to support the petition filed with the County to expand the Buckhead Trails II Community Development District, as required by Florida Statute, Chapter 190, and prepared in accordance with F.S. Section 120.541. The scope of this SERC is limited to the factors considered to be material or relevant to the expansion process, and more specifically those items for inclusion required by F.S. Section 120.541 (2). The table below summarizes the items in the SERC required by F.S. Section 120.541 (2).

Item	Result
<i>Estimate of the number and type of individuals and entities likely to be required to comply with/affected by the ordinance</i>	The State of Florida and its residents, the County and its residents, current property owners within the District, and future property owners may be required to comply with the ordinance.
<i>Estimate of the cost to the Agency, and to any other state and local government entities, of implementing and enforcing the proposed ordinance</i>	The involvement of State/Local Government Entities will be limited to reviewing, interpreting, and summarizing the petition expanding the District. State/Local Government Entities already have the necessary staff in place to process these reports and the costs related to these changes are nominal. Section 189.427, F.S., sets forth an annual fee schedule applicable to special districts to help compensate for the minimal costs.
<i>Any anticipated effect on state or local revenues</i>	The County and its staff will review, conduct a public hearing, and vote upon the Petition to expand the CDD. The modest costs to perform these tasks will be offset by the filing fee. In addition, the Petitioner must fund and publish the notice of public hearing within a newspaper of general, local circulation in accordance with statutory noticing requirements.
<i>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</i>	Expansion of the District should have no negative impact on state and local revenues.
<i>An analysis of the impact on small businesses, small counties and small cities.</i>	Local tax revenues may be impacted positively due to the potential increase in long-term property values both within, and within close proximity to, the District. New commercial activity will increase revenue collection for state and local agencies.
	The majority of the transactional costs for the District result from the actual financing of the infrastructure improvements, which are typically borne entirely by the District through bonds secured by special assessments.
	There should not be any major transactional costs incurred by local government entities (i.e. the County) related to the ordinance expanding the District.
	An overall increase in local economic activity (i.e. local small businesses within close proximity to the District) may be felt due to increased traffic, increased employment, and increased construction and development.
	Furthermore, certain contracts for goods and services needed by the District are competitively bid. This will allow many small businesses the opportunity to provide bids to the District for these goods and services.
	No negative impact on small cities or counties. The costs to fund the infrastructure improvements are financed entirely by the District, and furthermore that debt obligation is the responsibility of the property owners within the District.

**Buckhead Trails II Expansion  
Community Development District  
Proposed Infrastructure Plan**

<u>Facility</u>	<u>Construction Funded By</u>	<u>Ownership</u>	<u>Operation &amp; Maintenance</u>
Stormwater Management	CDD	CDD	CDD
Utilities	CDD	County	County
Roads (Includes ROW Landscape/Hardscape)	CDD	County	County
Amenity, Parks & Recreation	CDD	CDD	CDD
Off-Site Improvements	CDD	CDD	CDD
Professional Fees, Permitting & Contingency	CDD		



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

February 23, 2024

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

Dear Honorable Angelina Colonneseo:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 24-25, which was filed in this office on February 22, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh

**From:** [municodeords@civicplus.com](mailto:municodeords@civicplus.com)  
**To:** [Robin.Toth@mymanatee.org](mailto:Robin.Toth@mymanatee.org)  
**Subject:** Manatee County, FL Code of Ordinances - 1981 (10428) Supplement 122  
**Date:** Thursday, February 29, 2024 11:02:45 AM

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Below, you will find the material that we have received/recorded to your account. This material is being considered for inclusion in your next/current update, Supplement 122

Document	Adopted Date	Recorded	Recorded Format
Ordinance No. 21-32	8/24/2021	7/11/2023	PDF
Ordinance No. 23-101	8/8/2023	8/16/2023	Word
Ordinance No. 23-104	1/9/2024	1/26/2024	Word
Ordinance No. 23-105	10/10/2023	10/30/2023	Word
Ordinance No. 23-111	8/22/2023	8/25/2023	Word
Ordinance No. 23-113	10/10/2023	10/30/2023	Word
Ordinance No. 23-116	11/2/2023	12/28/2023	PDF
Ordinance No. 23-117	12/12/2023	12/28/2023	Word
Ordinance No. 23-121	11/14/2023	12/18/2023	Word
Ordinance No. 23-85	7/25/2023	8/4/2023	Word
Ordinance No. 23-86	8/22/2023	8/25/2023	Word
Ordinance No. 23-89	8/22/2023	8/25/2023	Word
Ordinance No. 23-91	12/12/2023	12/28/2023	Word
Ordinance No. 23-94	7/25/2023	8/4/2023	Word
Ordinance No. 23-95	8/8/2023	1/18/2024	Word
Ordinance No. 23-96	7/25/2023	10/30/2023	Word
Ordinance No. 23-99	9/26/2023	10/7/2023	Word
Ordinance No. 24-01	1/9/2024	1/26/2024	Word
Ordinance No. 24-05	2/15/2023	1/26/2024	Word



Update the internet version of your Code  
more often than a printed supplement.  
We can update the Internet quarterly, monthly,  
even weekly.



We can post newly enacted ordinances  
in the online Code after each meeting.