

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, REGARDING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF EPG SUNSTONE DEVELOPMENT, LLC., ESTABLISHING AND NAMING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING A SEVERABILITY CLAUSE; 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, EPG Sunstone Development, LLC– Florida, Inc. (the “Petitioner”) petitioned the City Council of the City of Groveland, Florida (the “Groveland City Council”), to enact an ordinance establishing the Sunstone Community Development District (the “District”) pursuant to Chapter 190, *Florida Statutes*, over the real property described in **Exhibit A**, attached hereto; and

WHEREAS, the Petitioner has obtained written consent to the establishment by the owners of one hundred percent of the real property to be included in the District; and

WHEREAS, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida, with a principal place of business of 111 South Armenia Ave, Suite 201, Tampa FL 33609; and

WHEREAS, a public hearing has been conducted by the Groveland City Council on April 3, 2023 in accordance with the requirements and procedures of section 190.005(2), *Florida Statutes*, and the applicable requirements and procedures of the City’s Charter and Code of Ordinances; all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at said duly noticed public hearing; and

WHEREAS, upon consideration of the record established at that hearing, the Groveland City Council determined that statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element of any portion of the state comprehensive plan or the City’s comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the

community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the District is amendable to separate special-district governance; and

**WHEREAS**, establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described, thereby providing a solution to the City's planning, management and financing needs for delivery of capital infrastructure therein without overburdening the City and its taxpayers; and

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

**SECTION 2. FINDINGS.** The foregoing recitals and findings are true and correct and are incorporated herein, adopted, and made part hereof.

**SECTION 3. DISTRICT NAME.** There is hereby created a community development district situated entirely within the incorporated boundaries of the City of Groveland, Florida, named the "Sunstone Community Development District."

**SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external boundaries of the District are described in **Exhibit A**, attached hereto and incorporated by reference. The District, overall, contains 732.2 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

**SECTION 5. FUNCTIONS AND POWERS.** The District is limited to the performance of those general powers and functions as described in Chapter 190, *Florida Statutes*, and the special powers as set forth in Sections 190.012 (2) (a) and (d), *Florida Statutes*. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies. The District shall not have any zoning or permitting powers governing land development or use of land.

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

<u>Name</u>	<u>Address</u>
Jeffery Hills	111 South Armenia Dr Suite 201 Tampa, Florida 33609
Nicholas Dister	111 South Armenia Dr Suite 201 Tampa, Florida 33609
Kyle Smith	111 South Armenia Dr Suite 201 Tampa, Florida 33609

Albert Viera

111 South Armenia Dr Suite 201  
Tampa, Florida 33609

Robert Ter Doest

111 South Armenia Dr Suite 201  
Tampa, Florida 33609

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

**SECTION 7. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of the ordinance with the City Clerk and recording a corrected copy of the ordinance in the public records of Lake County, Florida.

**SECTION 8. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 9. EFFECTIVE DATE.** This ordinance is effective upon adoption.

**DONE, THE FIRST READING AND THE PUBLIC HEARING,** by the City Council of the City of Groveland, Florida, at a regular meeting, March 20, 2023.

**DONE, THE PUBLIC NOTICES,** in a newspaper of general circulation in the City of Groveland, Florida, by the Petitioner, commencing the 27<sup>th</sup> day of February, 2023, and running once each week for four consecutive weeks, ending on the 20<sup>th</sup> day of March, 2023.

*[remainder of page intentionally left blank]*

**DONE, THE SECOND READING AND ENACTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Groveland, Florida, at a regular meeting, this 3rd day of April, 2023.

BY THE MAYOR OF THE CITY OF GROVELAND, FLORIDA:

Evelyn Wilson  
Evelyn Wilson, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA:

Virginia Wright  
Virginia Wright, City Clerk



APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF GROVELAND, FLORIDA:

Anita Geraci-Carver  
Anita Geraci-Carver, City Attorney

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL 1

THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4; THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 LYING NORTH OF THE TURNPIKE; AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 LYING NORTH OF THE TURNPIKE; ALL IN SECTION 16, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

PARCEL 2

THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.  
LESS THE RIGHT OF WAY FOR COUNTY ROAD AND LESS THE FOLLOWING DESCRIBED LAND:

COMMENCE AT A CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST; THENCE RUN SOUTH 89°45'01" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 FOR A DISTANCE OF 342.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°45'01" WEST FOR A DISTANCE OF 19.12 FEET; THENCE RUN SOUTH 01°50'37" EAST FOR A DISTANCE OF 287.85 FEET; THENCE RUN SOUTH 43°46'48" 72.83 FEET; THENCE RUN NORTH 02°02'51" WEST FOR A DISTANCE OF 132.36 FEET; THENCE RUN NORTH 39°45'08" WEST FOR A DISTANCE OF LESS RIGHT OF WAY OF O'BRIEN ROAD.

PARCEL 3

THE NORTH 290 FEET OF THE EAST 145 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND ALSO THE NORTH 30 FEET (LESS THE EAST 145 FEET) OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

PARCEL 4

THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. LESS THE RIGHT OF WAY FOR COUNTY ROAD.

PARCEL 5

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN EAST ALONG THE NORTH BOUNDARY OF THE SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 549 FEET; THENCE SOUTH AND PARALLEL WITH THE WEST FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 1613 FEET TO THE POINT OF BEGINNING.

PARCEL 6

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN EAST ALONG THE NORTH BOUNDARY OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 1024 FEET; THENCE SOUTH 29°32'15" WEST ALONG FENCE 257.43 FEET; THENCE SOUTH 43°08'35" WEST ALONG FENCE 204.94 FEET; THENCE SOUTH 55°29'17" WEST ALONG FENCE 415.76 FEET; THENCE SOUTH 70°22'30" WEST ALONG FENCE 758 FEET TO THE POINT OF BEGINNING.

PARCEL 7

THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THE SOUTH 1/2 OF THE NORTHEAST 1/4; THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS RIGHT-OF-WAY OF EAST DEWEY ROBBINS ROAD.

PARCEL 8

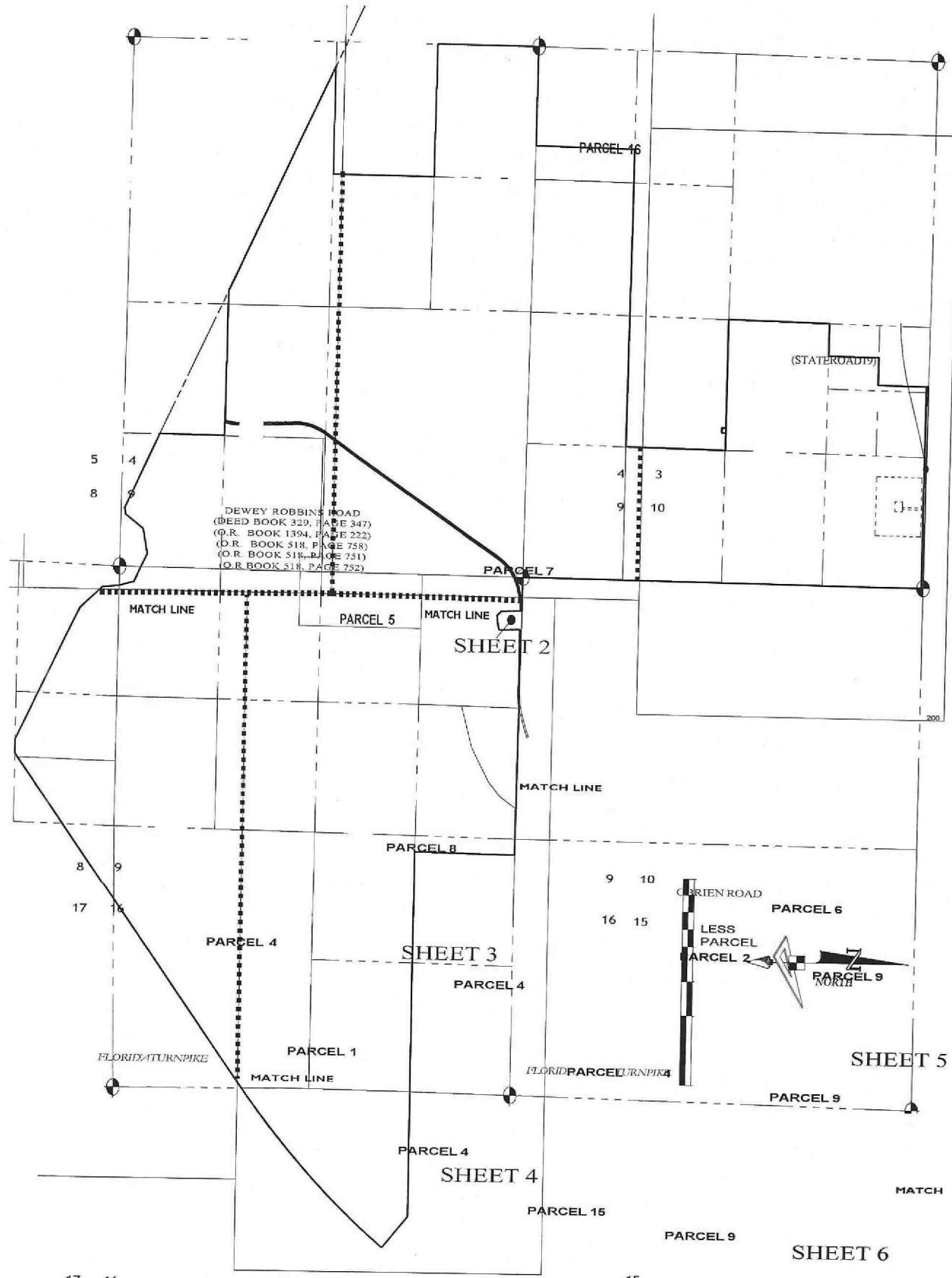
THE EAST 3/4 OF THE SOUTH 1/4 OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

PARCEL 9

THE WEST 165 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THE EAST 1/2 OF THE NORTHWEST 1/4; THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4; THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, AND THE WEST 1/2 OF THE SOUTHWEST 1/4, ALL IN SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS LANDS SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN EAST ALONG THE NORTH BOUNDARY OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 1024 FEET; THENCE SOUTH 29°32'15" WEST ALONG FENCE 257.43 FEET; THENCE SOUTH 43°08'35" WEST ALONG FENCE 204.94 FEET; THENCE SOUTH 55°29'17" WEST ALONG FENCE 415.76 FEET; THENCE SOUTH 70°22'30" WEST ALONG FENCE 443.43 FEET, MORE OR LESS, TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE NORTH 01°15' EAST ALONG SAID WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, 758 FEET TO THE POINT OF BEGINNING. ALSO, LESS: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN EAST ALONG THE NORTH BOUNDARY OF THE SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 549 FEET; THENCE SOUTH AND PARALLEL WITH THE WEST BOUNDARY OF SAID SECTION 15, A DISTANCE OF 1613 FEET; THENCE WEST 549 FEET TO A POINT ON THE WEST BOUNDARY OF SAID SECTION 15, SAID POINT BEING 1613 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 1613 FEET TO THE POINT OF BEGINNING.

PARCEL 10

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THAT PART OF THE SOUTHEAST 1/4 LYING NORTH OF STATE ROAD NO. 19, ALL IN SECTION 15, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.



17 16

15

21 22

SHEET 6

PARCER 17

# ATTACHMENT 2

PETITION TO ESTABLISH  
**SUNSTONE**  
COMMUNITY DEVELOPMENT DISTRICT

SUBMITTED TO:

**CITY OF GROVELAND, FLORIDA**



**CITY COUNCIL**

PREPARED BY:

 **INFRAMARK**  
INFRASTRUCTURE MANAGEMENT SERVICES

**JULY 28, 2022**

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**PETITION TO ESTABLISH**  
**SUNSTONE**  
**COMMUNITY DEVELOPMENT DISTRICT**

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**PETITION TO ESTABLISH  
SUNSTONE  
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, EPG Sunstone Development, LLC ("Petitioner"), hereby petitions the City Council of the City of Groveland 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. Location and Size. The proposed District is located entirely within the County of Lake, Florida, and covers approximately 732.2 acres of land, more or less. **Exhibit A** depicts the general location of the project. The site is generally located south of O'Brien Road, west of SR-191, north of the turnpike and east of US-27. The sketch and metes and bounds descriptions of the external boundary of the proposed District is set forth in **Exhibit B**.
2. Excluded Parcels. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District.
3. Landowner Consents. Petitioner has obtained written consent to establish the proposed 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<sup>1</sup>. Consent to the establishment of a community development district is contained in **Exhibit C**.
4. Initial Board Members. The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are listed in **Exhibit D**. All of the listed persons are residents of the state of Florida and citizens of the United States of America.
5. Name. The proposed name of the District is the Sunstone Community Development District.
6. Major Water and Wastewater Facilities. **Exhibit E** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District.
7. District Facilities and Services. **Exhibit F** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and install, as well as the estimated costs of construction. At present, these improvements are estimated to be made, acquired, constructed and installed in three (3) phases over an estimated three (3) year period from 2023 – 2025. 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. Existing and Future Land Uses. The existing use of the lands within the proposed District is vacant. The future general distribution, location and extent of the public and private land

uses within and adjacent to the proposed District by land use plan element are shown in **Exhibit G**. These proposed land uses are consistent with the Lake County Comprehensive Plan.

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

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The Petitioner has designated Brian Lamb as its authorized agent. See **Exhibit I - Authorization of Agent.** Copies of all correspondence and official notices should be sent to:

Brian Lamb  
Inframark  
2005 Pan Am Circle, Suite 300  
Tampa, FL 33607  
813.873.7300

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

a. Establishment of the proposed 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 Lake County Comprehensive Plan.

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

c. The establishment of the proposed District will prevent the general body of taxpayers in Lake County from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the proposed District. The proposed 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 proposed 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 proposed 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 proposed District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the proposed District's services and facilities.

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

WHEREFORE, Petitioner respectfully requests the City Council of the City of Groveland to:

- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;
- c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, each as authorized and described by Section 190.012(2), Florida Statutes; and
- d. grant such other relief as may be necessary or appropriate.

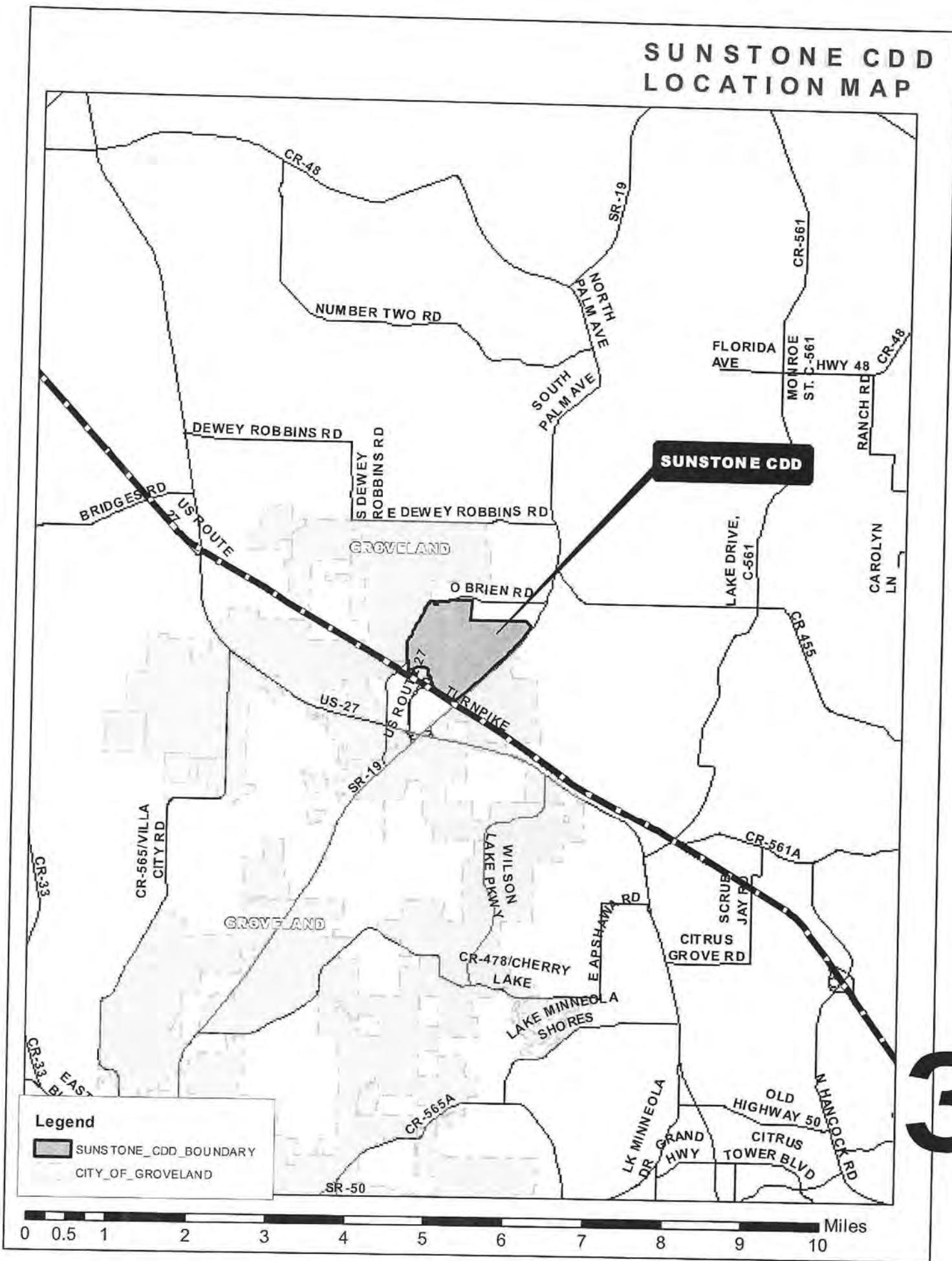
Respectfully submitted this 26<sup>th</sup> day of July, 2022.



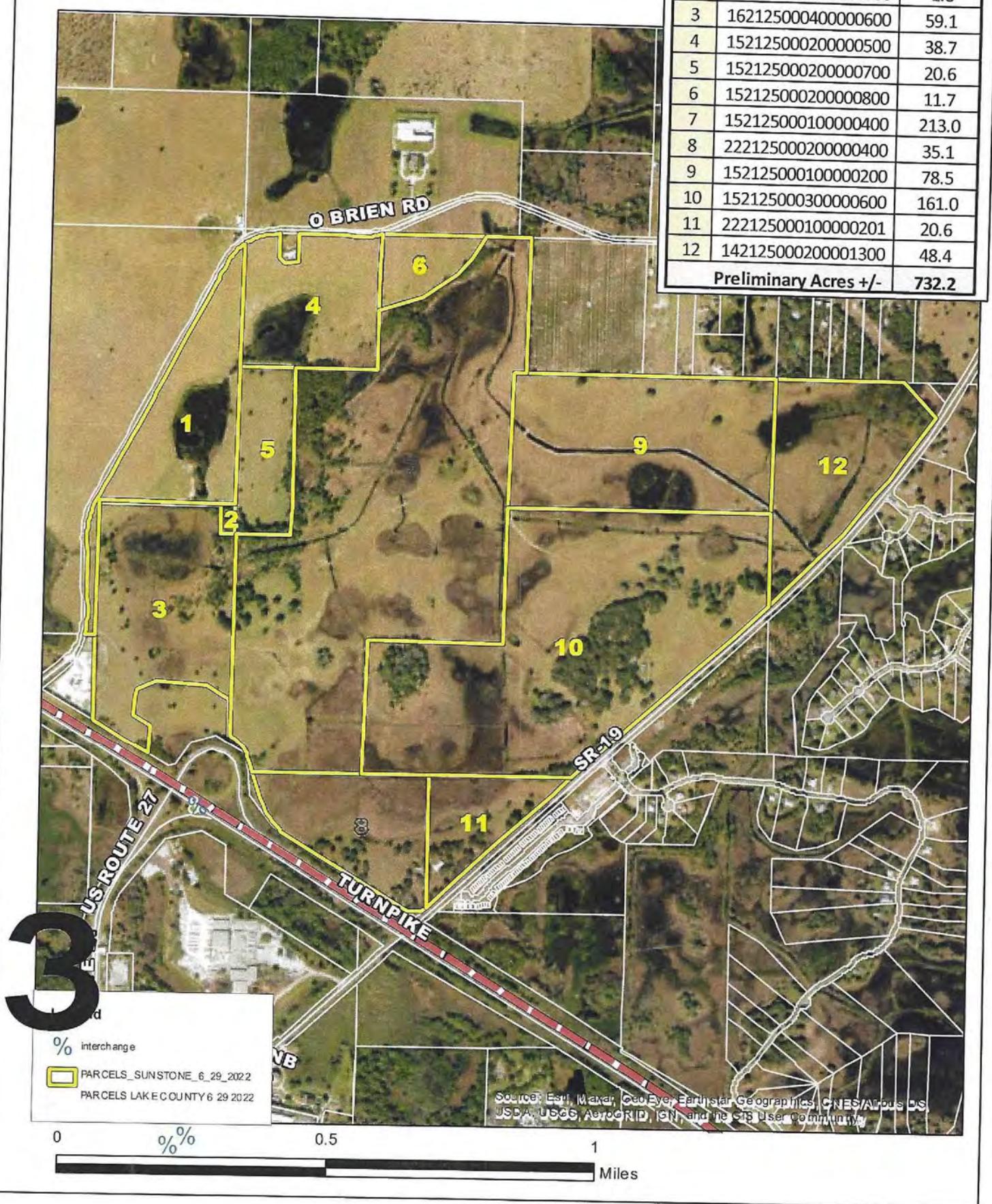
Brian K. Lamb  
Agent for Petitioner

# **EXHIBIT A**

# SUNSTONE CDD LOCATION MAP

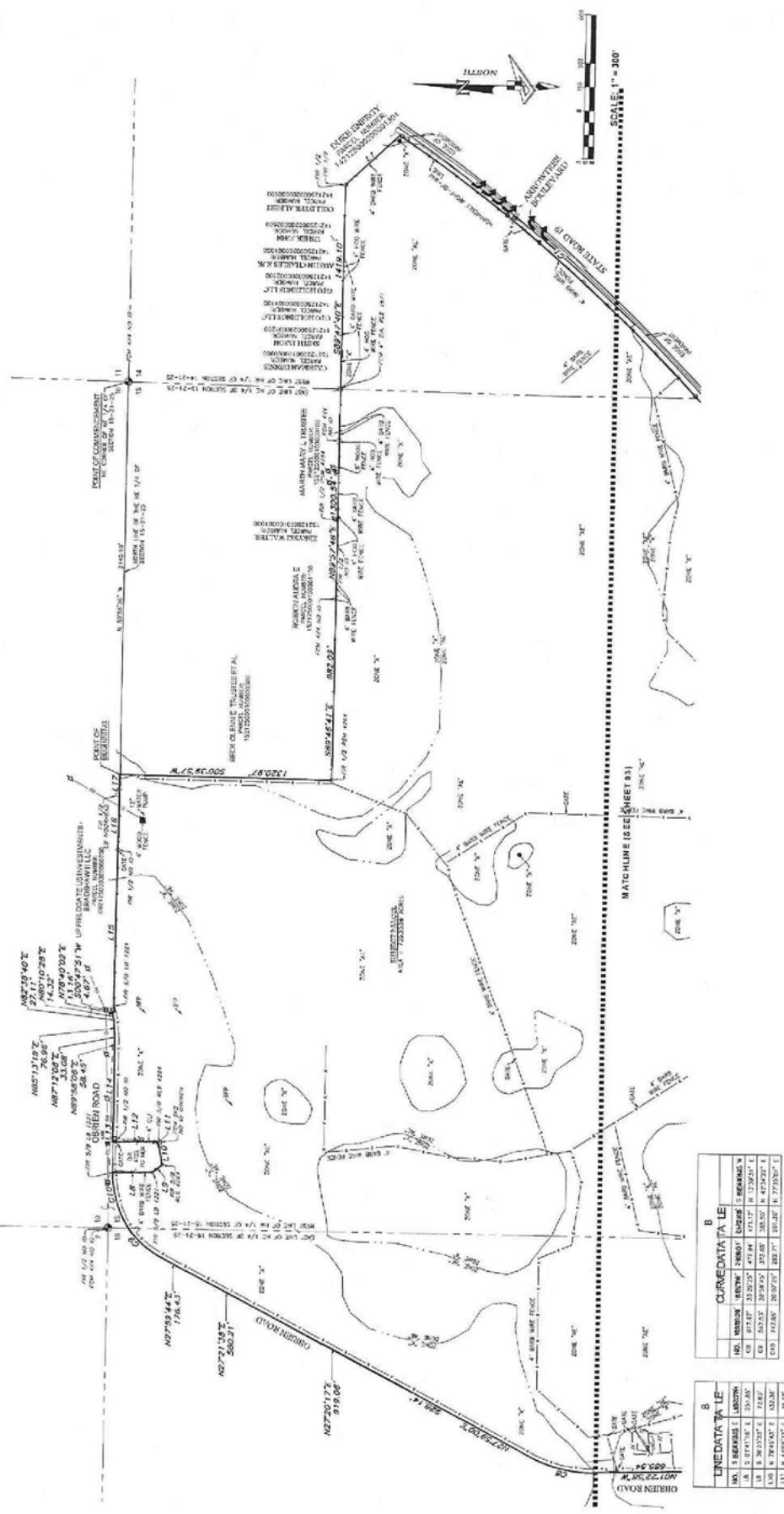


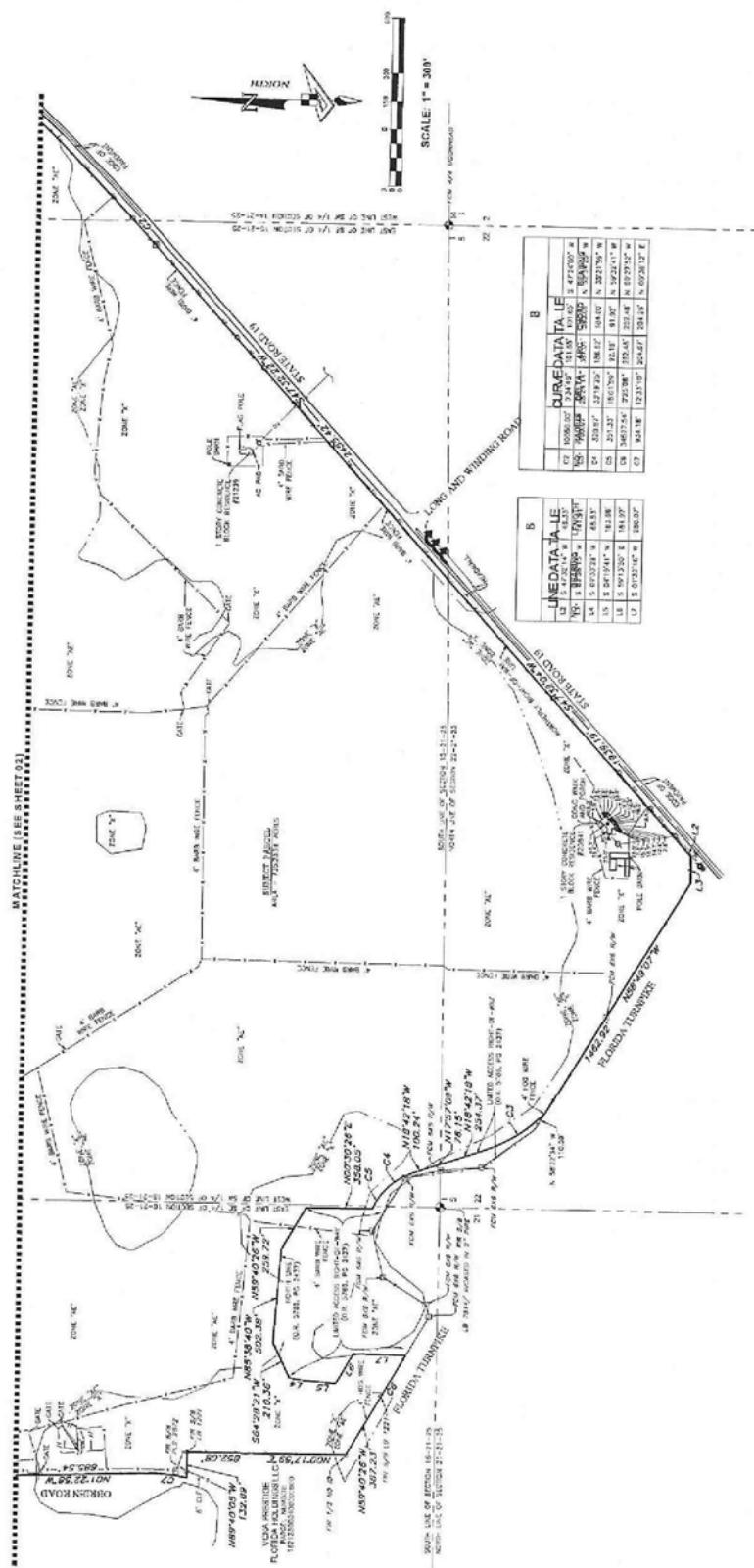
# SUNSTONE CDD AERIAL MAP



## **EXHIBIT B**







## **EXHIBIT C**

**CONSENT AND JOINDER OF LANDOWNER  
TO THE ESTABLISHMENT OF THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described within the Metes and Bounds Description attached as Exhibit A of this consent, herein further described as ("Property").

The undersigned understands and acknowledges that EPG Sunstone Development, LLC ("Petitioner") intends to submit an application to establish the Sunstone 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 Sunstone 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 establishment of the Sunstone 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 the Sunstone 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 establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established 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 5<sup>th</sup> day of July, 2022.

Witnessed:

EPG Sunstone Holdings, LLC

M Campbell

Signature

Michelle M. Campbell

June Kelly

Signature

June Kelly

NJ Dister

By: EPG Sunstone Holdings, LLC a Florida  
Limited Liability Company

Nicholas J. Dister  
Printed Name:

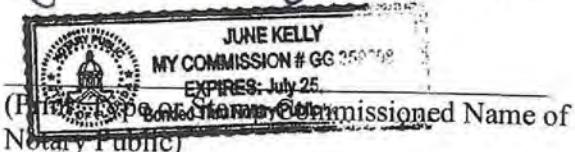
Its: Authorized Representative

STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 5<sup>th</sup> day of July, 2022, by  
Nicholas J. Dister, as Authorized Representative of  
EPG Sunstone Holdings LLC. He/She  is personally known to  
me, or  has produced \_\_\_\_\_ as identification.

June Kelly  
NOTARY PUBLIC, STATE OF FLORIDA



Consent Exhibit A

ID	Folio #	Approximate Acreage	Owner of Record
1	14-21-25-0002-000-01300	48.40	EPG Sunstone Holdings, LLC
2	15-21-25-0001-000-00200	78.50	EPG Sunstone Holdings, LLC
3	15-21-25-0001-000-00400	213.00	EPG Sunstone Holdings, LLC
4	15-21-25-0002-000-00500	38.70	EPG Sunstone Holdings, LLC
5	15-21-25-0002-000-00700	20.60	EPG Sunstone Holdings, LLC
6	15-21-25-0002-000-00800	11.70	EPG Sunstone Holdings, LLC
7	15-21-25-0003-000-00600	161.00	EPG Sunstone Holdings, LLC
8	16-21-25-0001-000-00100	43.70	EPG Sunstone Holdings, LLC
9	16-21-25-0004-000-00600	59.10	EPG Sunstone Holdings, LLC
10	16-21-25-0004-000-00700	1.80	EPG Sunstone Holdings, LLC
11	22-21-25-0001-000-00201	20.60	EPG Sunstone Holdings, LLC
12	22-21-25-0002-000-00400	35.10	EPG Sunstone Holdings, LLC
		<u>732.20</u>	

Prepared by and return to:  
H. William Perry, Esq.  
Gunster, Yoakley & Stewart, P.A.  
777 South Flagler Drive  
Suite 500 East Tower  
West Palm Beach, FL 33401

Property Tax I.D.

16-21-25-0004-000-00700; 15-21-25-0002-000-00800; 15-21-25-0001-000-00400; 15-21-25-0001-000-00200;  
14-21-25-0002-000-01300; 16-21-25-0001-000-00100; 15-21-25-0002-000-00500; 15-21-25-0002-000-00700;  
15-21-25-0003-000-00600; 22-21-25-0001-000-00201; 22-21-25-0002-000-00400; 16-21-25-0004-000-00600

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED, made this 28 day of April, 2022, by and between **LITTLE EVERGLADES FARM LLC**, a Florida limited liability company a/k/a **LITTLE EVERGLADES FARM, LLC**, a Florida limited liability company ("Grantor"), whose post office address is P.O. Box 658, Floral City, FL 34436, and **EPG SUNSTONE HOLDINGS, LLC**, a Florida limited liability company ("Grantee"), whose address is 111 South Armenia Ave., Suite 201, Tampa, FL 33609.

**WITNESSETH:**

THAT Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, hereby grants, bargains and sells to Grantee, its heirs, successors and assigns forever, the following described real property (the "Property"), situated in Lake County, Florida, which is more particularly described as:

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

SUBJECT TO restrictions, reservations, covenants, easements and matters set forth in Exhibit "B" attached hereto and made in part hereof provided that this instrument shall not reimpose same; taxes for the year 2022 and years subsequent thereto.

TO HAVE AND TO HOLD the said Property in fee simple forever, together with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; that it specially warrants the title to said Property; and that Grantor will warrant and defend the title to the same against the lawful claims of all persons, claiming by, through or under Grantor, but against none other.

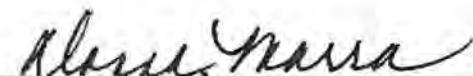
*[Signature page follows]*

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

Signed, sealed and delivered in the presence of:



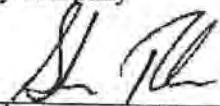
Print Name: Corin Chassman



Print Name: Donna Marras

**LITTLE EVERGLADES FARM LLC**, a Florida limited liability company a/k/a Little Everglades Farm, LLC, a Florida limited liability company

By:



Shawn Riordan, Manager

STATE OF FLORIDA )  
 )  
 ) S.S.  
COUNTY OF BROWARD )

26<sup>th</sup> The foregoing instrument was acknowledged before me by means of physical presence this day of April, 2022, by Shawn Riordan, as Manager of **LITTLE EVERGLADES FARM LLC**, a Florida limited liability company a/k/a Little Everglades Farm, LLC, a Florida limited liability company, on behalf of said company. He [ ] is personally known to me, or [ ] produced Florida Driver's License as identification.



Print or Stamp Name: Michelle A. McLeod

Notary Public State of Florida

My commission expires: May 23, 2023

Commission Number: GG 338015

(NOTARIAL SEAL)



Signature page to Special Warranty Deed

**EXHIBIT "A"****LEGAL DESCRIPTION****Parcel 2**

That part of the Northwest 1/4 of the Northwest 1/4 of Section 15, Township 21 South, Range 25 East, Lake County, Florida, lying South of O'Brien Road.

LESS the right of way for County Road and LESS the following described land:

Commence at a concrete monument at the Northwest corner of the Northwest 1/4 of Section 15, Township 21 South, Range 25 East; thence run South  $89^{\circ}45'01''$  East along the North line of said Northwest 1/4 for a distance of 342.16 feet to the POINT OF BEGINNING; thence continue South  $89^{\circ}45'01''$  East along said North line for a distance of 190.32 feet; thence run South  $01^{\circ}50'37''$  East for a distance of 287.85 feet; thence run South  $43^{\circ}46'48''$  West for a distance of 19.12 feet; thence run South  $79^{\circ}25'08''$  West for a distance of 132.36 feet; thence run North  $39^{\circ}45'08''$  West for a distance of 72.83 feet; thence run North  $02^{\circ}02'51''$  West for a distance of 270.82 feet to the aforesaid North line of the Northwest 1/4 and the POINT OF BEGINNING, LESS right of way of O'Brien Road.

**Parcel 3**

The North 290 feet of the East 145 feet of the Northeast 1/4 of the Southeast 1/4 and also the North 30 feet (less the East 145 feet) of the Northeast 1/4 of the Southeast 1/4 of Section 16, Township 21 South, Range 25 East, Lake County, Florida.

**Parcel 4**

That portion of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 21 South, Range 25 East, Lake County, Florida, lying East of O'Brien Road.

**Parcel 5**

Beginning at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 21 South, Range 25 East, Lake County, Florida, run East along the North boundary of the said Southwest 1/4 of the Northwest 1/4, a distance of 549 feet; thence South and parallel with the West boundary of said Section 15, a distance of 1613 feet; thence West 549 feet to a point on the West boundary of said Section 15, said point being 1613 feet South of the POINT OF BEGINNING; thence North 1613 feet to the POINT OF BEGINNING.

**Parcel 6**

Beginning at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 21 South, Range 25 East, Lake County, Florida, run East along the North boundary of said Northeast 1/4 of the Northwest 1/4, a distance of 1024 feet; thence South  $29^{\circ}32'15''$  West along fence 257.43 feet; thence South  $43^{\circ}08'35''$  West along fence 204.94 feet; thence South  $55^{\circ}29'17''$  West along fence 415.76 feet; thence South  $70^{\circ}22'30''$  West along fence 443.43 feet, more or less, to the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 15; thence North  $0^{\circ}15'$  East along said West line of the Northeast 1/4 of the Northwest 1/4, 758 feet to the POINT OF BEGINNING.

**Parcel 9**

The West 165 feet of the Northwest 1/4 of the Northeast 1/4; the East 1/2 of the Northwest 1/4; the Southwest 1/4 of the Northwest 1/4; the Northeast 1/4 of the Southwest 1/4, and the West 1/2 of the

Southwest 1/4, all in Section 15, Township 21 South, Range 25 East, Lake County, Florida, LESS lands heretofore conveyed to the Florida State Turnpike Authority. ALSO, LESS: Begin at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 21 South, Range 25 East, Lake County, Florida, run East along the North boundary of said Northeast 1/4 of the Northwest 1/4, a distance of 1024 feet; thence South 29°32'15" West along fence 257.43 feet; thence South 43°08'35" West along fence 204.94 feet; thence South 55°29'17" West along fence 415.76 feet; thence South 70°22'30" West along fence 443.43 feet, more or less, to the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 15; thence North 0°15' East along said West line of the Northeast 1/4 of the Northwest 1/4, 758 feet to the POINT OF BEGINNING. ALSO, LESS: Beginning at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 15, Township 21 South, Range 25 East, Lake County, Florida, run East along the North boundary of the said Southwest 1/4 of the Northwest 1/4, a distance of 549 feet; thence South and parallel with the West boundary of said Section 15, a distance of 1613 feet; thence West 549 feet to a point on the West boundary of said Section 15, said point being 1613 feet South of the POINT OF BEGINNING; thence North 1613 feet to the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT that portion of said Parcel 9 conveyed to the State of Florida, Department of Transportation, by virtue of the Warranty Deed recorded September 2, 2021 in Official Records Book 5786, Page 2437, Public Records of Lake County, Florida.

Parcel 10

The Southeast 1/4 of the Southwest 1/4 and that part of the Southeast 1/4 lying North of State Road No. 19, all in Section 15, Township 21 South, Range 25 East, Lake County, Florida.

Parcel 12

The West 1/2 of the Northeast 1/4 of the Northwest 1/4, all in Section 22, Township 21 South, Range 25 East, Lake County, Florida, LESS AND EXCEPT the right of way for State Road 19 heretofore conveyed to the State of Florida, and LESS lands heretofore conveyed to the Florida State Turnpike Authority.

and

The West 1/2 of the Northwest 1/4, Section 22, Township 21 South, Range 25 East, Lake County, Florida, lying Northeasterly of lands heretofore conveyed to the Florida State Turnpike Authority.

LESS AND EXCEPT that portion of said Parcel 12 conveyed to the State of Florida, Department of Transportation, by virtue of the Warranty Deed recorded September 2, 2021 in Official Records Book 5786, Page 2437, Public Records of Lake County, Florida.

Parcel 13

All of that property lying West of State Highway 19 of the South 1/2 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4, Section 14, Township 21 South, Range 25 East, Lake County, Florida, LESS that part of the South 1/2 of the Northwest 1/4 of Section 14, Township 21 South, Range 25 East, lying Northwesterly of the Northwesterly right-of-way line of State Highway No. 19 and Northeasterly of the Northeasterly line of a Florida Power Corporation property as described and recorded in Official Records Book 317, Page 86, Public Records of Lake County, Florida, to wit: From the Northwest corner of the South 1/2 of the Northwest 1/4 of Section 14, Township 21 South, Range 25 East, run North 89°46'32" East, 1499.14 feet to the POINT OF BEGINNING; thence South 43°51'30" East to the Northwesterly right of way of State Road No. 19; thence Northeast along the right of way of State Highway No. 19, having a concave curve Northwesterly with a radius of 9772.14 feet to intersection with the North line of the South 1/2 of the Northwest 1/4 of Section 14, Township 21 South, Range 25 East, aforesaid, thence run South 89°46'32" West along the North line of the South 1/2 of the Northwest 1/4 to the POINT OF BEGINNING. All of the above being in Lake County, Florida. ALSO LESS those lands described in Official Records Book 903, Page 98, Public Records of Lake County, Florida. ALSO LESS a 170 foot wide strip of land

through the South 1/2 of the Northwest 1/4, Section 14, Township 21 South, Range 25 East, being more particularly described as follows:

From the West 1/4 corner of Section 14, Township 21 South, Range 25 East, Lake County, Florida, run North 0°24'16" East along the West boundary of said Section 14, 1322.19 feet to the Northwest corner of the South 1/2 of the Northwest 1/4 of Section 14; thence run North 89°46'32" East along the North boundary of said South 1/2 of the Northwest 1/4, 1264.26 feet to the POINT OF BEGINNING; thence South 43°51'30" East, 475.14 feet to a point on the Northwesterly right of way line of State Road 19; thence Northeasterly along the said Northwesterly right of way line through a curve concave Northwesterly having a radius of 9772.14 feet, an arc distance of 175.19 feet to a point; thence North 43°51'30" West 252.58 feet to a point on the North boundary of the South 1/2 of the Northwest 1/4 of said Section 14; thence South 89°46'32" West along said North boundary of 234.88 feet to the POINT OF BEGINNING.

Parcel 14

The South 1/2 of the Northeast 1/4 of Section 15, Township 21 South, Range 25 East, Lake County, Florida.

Parcel 15

The East 1/2 of the Southeast 1/4 of Section 16, Township 21 South, Range 25 East, Lake County, Florida, LESS lands heretofore conveyed to the Florida State Turnpike Authority, ALSO LESS: The North 290 feet of the East 145 feet of the Northeast 1/4 of the Southeast 1/4 and ALSO LESS the North 30 feet (less the East 145 feet) of the Northeast 1/4 of the Southeast 1/4 of Section 16, Township 21 South, Range 25 East, Lake County, Florida.

LESS AND EXCEPT that portion of said Parcel 15 conveyed to the State of Florida, Department of Transportation, by virtue of the Warranty Deed recorded September 2, 2021 in Official Records Book 5786, Page 2437, Public Records of Lake County, Florida.

Parcel 17

That part of the Northwest 1/4 of the Northeast 1/4 and that part of the East 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 22, Township 21 South, Range 25 East, Lake County, Florida, lying Northwesterly of the Northwesterly line of the right of way of State Road No. 19.

Above parcels also being described as follows (AS SURVEYED DESCRIPTION):

DESCRIPTION: A parcel of land lying in Sections 14, 15, 16 and 22, Township 21 South, Range 25 East, Lake County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of the Northeast 1/4 of Section 15, thence run along the North line of said Northeast 1/4 of Section 15, N 89°56'36" W, a distance of 2440.90 feet to the POINT OF BEGINNING; thence departing said North line, run S 00°39'57" W, a distance of 1320.97 feet; thence S 89°46'41" E, a distance of 982.09 feet; thence N 89°57'48" E, a distance of 1300.54 feet; thence S 89°47'40" E, a distance of 1419.10 feet; thence S 43°21'36" E, a distance of 457.39 feet to a point on the Northerly Right-of-way line of State Road 19; thence run along said Northerly Right-of-way line the following five (5) courses: 1) southwesterly, 2478.51 feet along the arc of a non-tangent curve to the right having a radius of 10050.00 feet and a central angle of 14°07'49" (chord bearing S 40°02'43" W, 2472.24 feet); 2) southwesterly, 101.65 feet along the arc of a compound curve to the right having a radius of 10050.00 feet and a central angle of 00°34'46" (chord bearing S 47°24'00" W, 101.65 feet); 3) S 47°32'22" W, a distance of 2455.42 feet; 4) S 47°32'04" W, a distance of 1939.19 feet; 5) S 47°32'14" W, a distance of 46.33 feet; thence departing said Northerly right-of-way line, run S 89°56'15" W, a distance of 141.91 feet; thence N 58°49'07" W, a distance of 1462.92 feet to a point on the North line of State of Florida, Department of Transportation's Limited Access Right-of-way, as described in Official Records Book 5786, Page 2437, Public Records of Lake County, Florida; thence northwesterly along said North line, 387.01 feet along the

arc of a tangent curve to the right having a radius of 780.67 feet and a central angle of  $28^{\circ}24'14''$  (chord bearing N  $32^{\circ}54'25''$  W, 383.06 feet); thence N  $18^{\circ}42'18''$  W, a distance of 254.37 feet; thence N  $17^{\circ}57'09''$  W, a distance of 76.15 feet; thence N  $18^{\circ}42'18''$  W, a distance of 100.24 feet; thence northwesterly, 186.62 feet along the arc of a tangent curve to the left having a radius of 320.87 feet and a central angle of  $33^{\circ}19'25''$  (chord bearing N  $35^{\circ}21'59''$  W, 184.00 feet); thence northwesterly, 92.18 feet along the arc of a compound curve to the left having a radius of 351.33 feet and a central angle of  $15^{\circ}01'59''$  (chord bearing N  $59^{\circ}32'41''$  W, 91.92 feet); thence N  $00^{\circ}30'26''$  E, a distance of 358.05 feet; thence N  $59^{\circ}40'26''$  W, a distance of 259.72 feet; thence N  $85^{\circ}38'40''$  W, a distance of 502.38 feet; thence S  $64^{\circ}28'21''$  W, a distance of 210.36 feet; thence S  $09^{\circ}33'29''$  W, a distance of 68.53 feet; thence S  $04^{\circ}19'41''$  W, a distance of 183.66 feet; thence S  $59^{\circ}13'50''$  E, a distance of 184.97 feet; thence S  $01^{\circ}32'16''$  W, a distance of 280.07 feet; thence departing said North line, run northwesterly, 252.48 feet along the arc of a tangent curve to the left having a radius of 34527.54 feet and a central angle of  $00^{\circ}25'08''$  (chord bearing N  $59^{\circ}27'52''$  W, 252.48 feet); thence N  $59^{\circ}40'26''$  W, a distance of 367.23 feet; thence N  $00^{\circ}17'59''$  E, a distance of 852.08 feet; thence N  $89^{\circ}40'05''$  W, a distance of 132.89 feet; thence northerly, 204.67 feet along the arc of a non-tangent curve to the left having a radius of 934.18 feet and a central angle of  $12^{\circ}33'10''$  (chord bearing N  $05^{\circ}38'12''$  E, 204.26 feet); thence N  $01^{\circ}22'58''$  W, a distance of 685.54 feet; thence northerly, 477.94 feet along the arc of a non-tangent curve to the right having a radius of 817.67 feet and a central angle of  $33^{\circ}29'25''$  (chord bearing N  $12^{\circ}39'31''$  E, 471.17 feet); thence N  $27^{\circ}59'00''$  E, a distance of 928.14 feet; thence N  $27^{\circ}20'17''$  E, a distance of 919.06 feet; thence N  $27^{\circ}21'38''$  E, a distance of 580.21 feet; thence N  $27^{\circ}59'44''$  E, a distance of 176.43 feet; thence northeasterly, 372.65 feet along the arc of a non-tangent curve to the right having a radius of 547.53 feet and a central angle of  $38^{\circ}59'45''$  (chord bearing N  $46^{\circ}34'22''$  E, 365.50 feet); thence easterly, 262.71 feet along the arc of a non-tangent curve to the right having a radius of 747.95 feet and a central angle of  $20^{\circ}07'29''$  (chord bearing N  $77^{\circ}35'07''$  E, 261.36 feet); thence run along the land described in Official Records Book 4723, Page 1404, Public Records of Lake County, Florida, the following five (5) courses: 1) S  $01^{\circ}41'16''$  E, a distance of 251.85 feet; 2) S  $39^{\circ}23'33''$  E, a distance of 72.83 feet; 3) N  $79^{\circ}46'43''$  E, a distance of 132.36 feet; 4) N  $44^{\circ}08'23''$  E, a distance of 19.12 feet; 5) N  $01^{\circ}29'02''$  W, a distance of 272.99 feet; thence departing said land, run S  $89^{\circ}08'26''$  E, a distance of 119.41 feet; thence S  $89^{\circ}37'08''$  E, a distance of 454.43 feet; thence N  $89^{\circ}58'06''$  E, a distance of 58.45 feet; thence N  $87^{\circ}12'08''$  E, a distance of 33.08 feet; thence N  $85^{\circ}13'19''$  E, a distance of 76.96 feet; thence N  $82^{\circ}38'40''$  E, a distance of 27.11 feet; thence N  $80^{\circ}10'28''$  E, a distance of 14.32 feet; thence N  $78^{\circ}40'02''$  E, a distance of 13.16 feet; thence S  $00^{\circ}47'51''$  W, a distance of 4.67 feet to a point on said North line of the Northeast 1/4; thence run along said North line the following three (3) courses: 1) S  $89^{\circ}25'03''$  E, a distance of 1024.00 feet; 2) S  $89^{\circ}25'03''$  E, a distance of 304.73 feet; 3) S  $89^{\circ}56'36''$  E, a distance of 165.01 feet; to the POINT OF BEGINNING.

**EXHIBIT "B"****PERMITTED ENCUMBRANCES**

1. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.
2. Rights of access, terms, restrictions, covenants and provisions as set forth and contained in that certain Warranty Deed recorded August 23, 1962 in Official Records Book 212, Page 434, Public Records of Lake County, Florida. (As to Parcels 9, 12 and 15)
3. Rights of access, terms, restrictions, covenants and provisions as set forth and contained in that certain Warranty Deed recorded September 5, 1962 in Official Records Book 213, Page 476, Public Records of Lake County, Florida. (As to Parcel 12)
4. Rights of access, terms, restrictions, covenants and provisions as set forth and contained in that certain Executor's Deed and Warranty Deed to the Florida State Turnpike Authority, a body corporate and politic under the laws of the State of Florida, recorded December 27, 1962 in Official Records Book 225, Page 302, Public Records of Lake County, Florida. (As to Parcel 15)
5. Right of Way Easement in favor of Sumter Electric Cooperative, Inc., a Florida corporation, recorded March 18, 1963 in Official Records Book 231, Page 815, Public Records of Lake County, Florida. (As to Parcels 6 and 9)
6. Right of Way Easement in favor of Sumter Electric Cooperative, Inc., a Florida corporation, recorded June 3, 1968 in Official Records Book 360, Page 169, Public Records of Lake County, Florida. (As to Parcels 2 and 4)
7. Lake County Resolution No. 1994-225 Mining Site Plan #94/10/2-2 recorded June 26, 1995 in Official Records Book 1370, Page 235, Public Records of Lake County, Florida. (As to Parcel 4)
8. Lake County Ordinance No. #1998-26 MSP #94A/10/2-2 recorded April 8, 1998 in Official Records Book 1598, Page 1656, Public Records of Lake County, Florida. (As to Parcel 4)
9. Lake County Ordinance #2003-74 recorded September 18, 2003 in Official Records Book 2410, Page 1585, Public Records of Lake County, Florida. (As to Parcels 2, 3, 4, 5, 6, 10, 12, 13, 14, 15 and 17)
10. City of Groveland Ordinance No. 2008-08-28 recorded March 24, 2009 in Official Records Book 3747, Page 1579, Public Records of Lake County, Florida. (As to Parcels 2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 15 and 17)
11. Consent to Dedicate Right-of-Way recorded April 7, 2010 in Official Records Book 3892, Page 7, Public Records of Lake County, Florida. (As to Parcels 2, 3, 4, 5, 6, 10, 12, 13, 14, 15 and 17)
12. Ordinance No. 2013-29 Adopting a Interlocal Service Boundary Agreement between Lake

County; the City of Groveland; the City of Clermont; the Town of Howey-in-the-Hills; the City of Leesburg; the City of Mascotte and the City of Minneola, recorded November 15, 2013 in Official Records Book 4404, Page 477, Public Records of Lake County, Florida. (As to all parcels)

13. Right-of-Way Easement in favor of Sumter Electric Cooperative, Inc. recorded April 4, 2018 in Official Records Book 5089, Page 1833, Public Records of Lake County, Florida. (As to Parcel 13)
14. Rights of Fenco Farms, LLC, under that certain Agricultural Lease dated January 1, 2013 with Little Everglades Farm LLC.
15. Development Agreement between Grantor and Grantee executed and recorded simultaneously with this Special Warranty Deed.

NOTE: All recording references shall refer to the Public Records of Lake County, Florida.

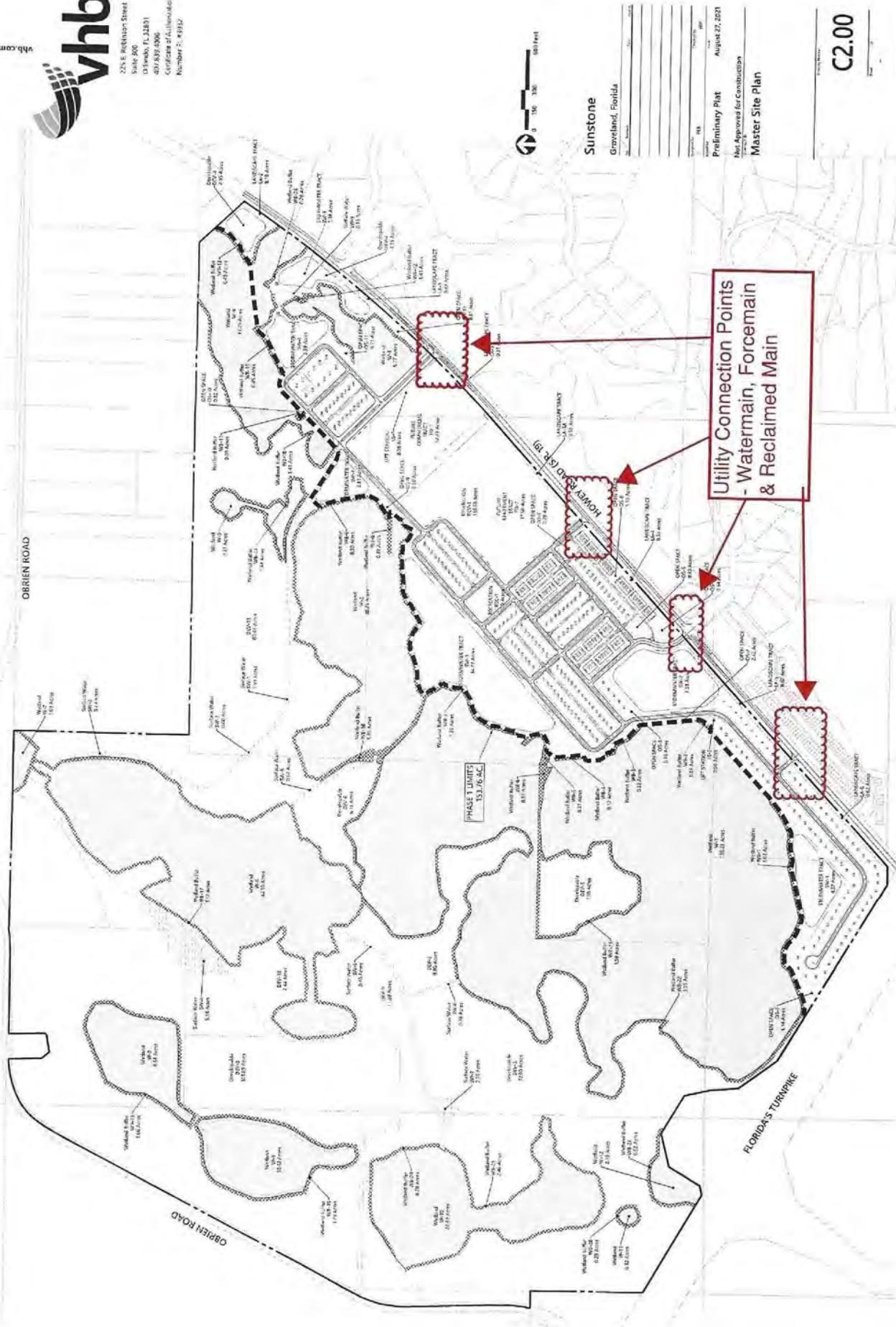
## **EXHIBIT D**

**PROPOSED INITIAL BOARD OF SUPERVISORS**

**SUNSTONE  
COMMUNITY DEVELOPMENT DISTRICT**

1. JEFFERY S. HILLS
2. NICHOLAS DISTER
3. KYLE SMITH
4. ALBERT VIERA
5. ROBERT TER DOEST

## **EXHIBIT E**



## **EXHIBIT F**

Sunstone Community Development District Proposed Infrastructure Costs						
<u>Description</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>District Estimated Cost</u>	
Amenities	\$ 7,719,643	\$ 7,719,643	\$ 7,719,643	\$ 7,719,642	\$ 30,878,571	
Roads	\$ 9,006,250	\$ 9,006,250	\$ 9,006,250	\$ 9,006,250	\$ 36,025,000	
Stormwater Management	\$ 5,146,429	\$ 5,146,429	\$ 5,146,429	\$ 5,146,429	\$ 20,585,714	
Utilities, Sewer & Water	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 12,351,429	
Hardscape/Landscape/Irrigation	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 12,351,429	
Professional Services/Contingency	\$ 771,964	\$ 771,964	\$ 771,964	\$ 771,964	\$ 3,087,857	
<b>TOTAL</b>	<b>\$ 28,820,000</b>	<b>\$ 28,820,000</b>	<b>\$ 28,820,000</b>	<b>\$ 28,819,999</b>	<b>\$ 115,280,000</b>	

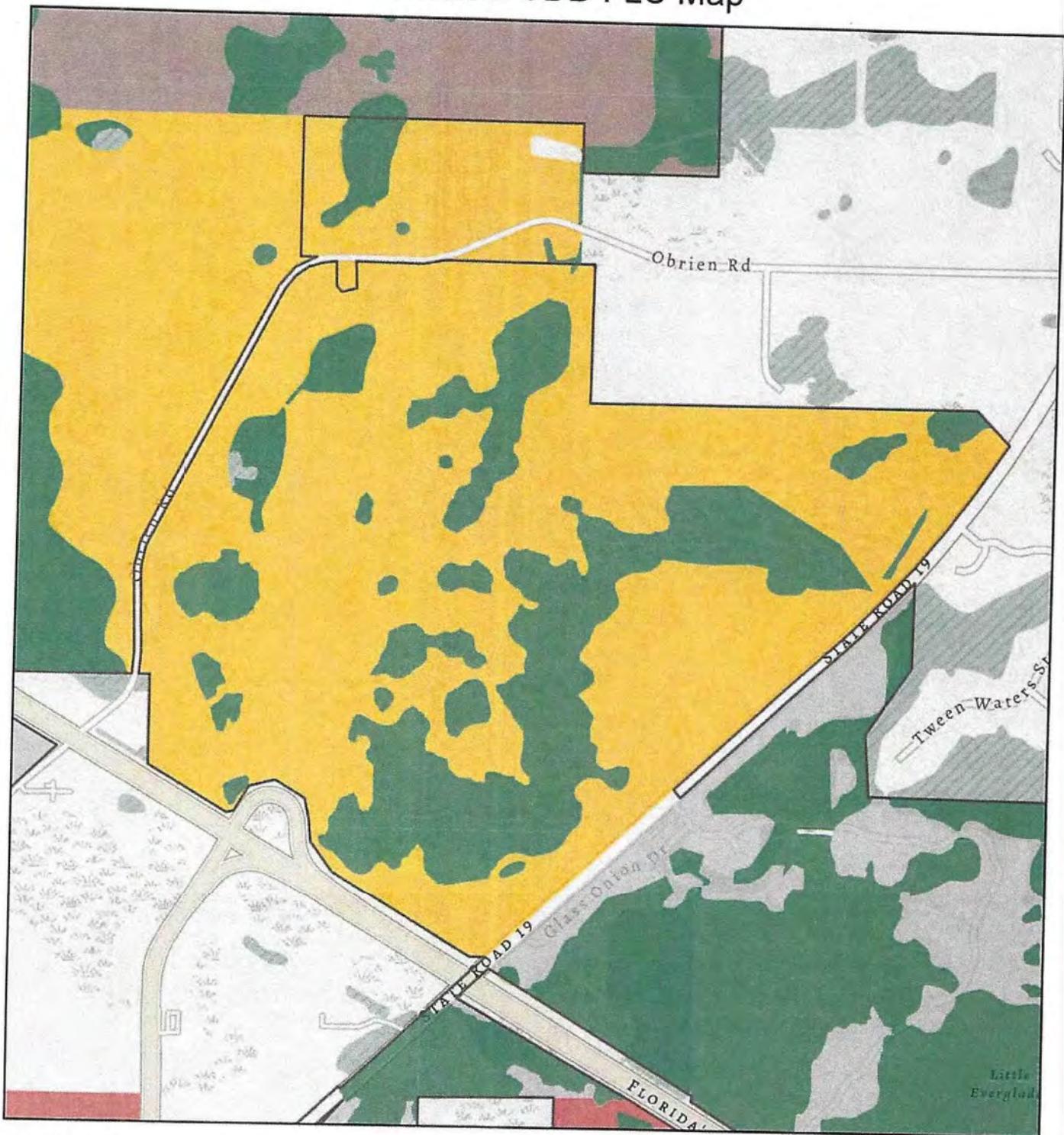
SUNSTONE  
Community Development District  
Proposed Infrastructure Plan

<u>Facility</u>	<u>Construction Funded By</u>	<u>Ownership</u>	<u>Operation &amp; Maintenance</u>
Stormwater Management	CDD	CDD	CDD
Utilities	CDD	CITY	CITY
Roads Within the District	CDD	CDD	CDD
Amenity, Parks & Recreation	CDD	CDD	CDD
Off-Site Improvements	CDD	CDD	CDD
Professional Fees, Permitting & Contingency	CDD	CDD	CDD

**NOTE:** Hardscape, Landscape, and irrigation, including bike trails and sidewalks, will be maintained by the CDD.

## **EXHIBIT G**

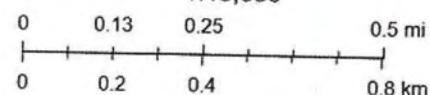
## Sunstone CDD FLU Map



June 30, 2022

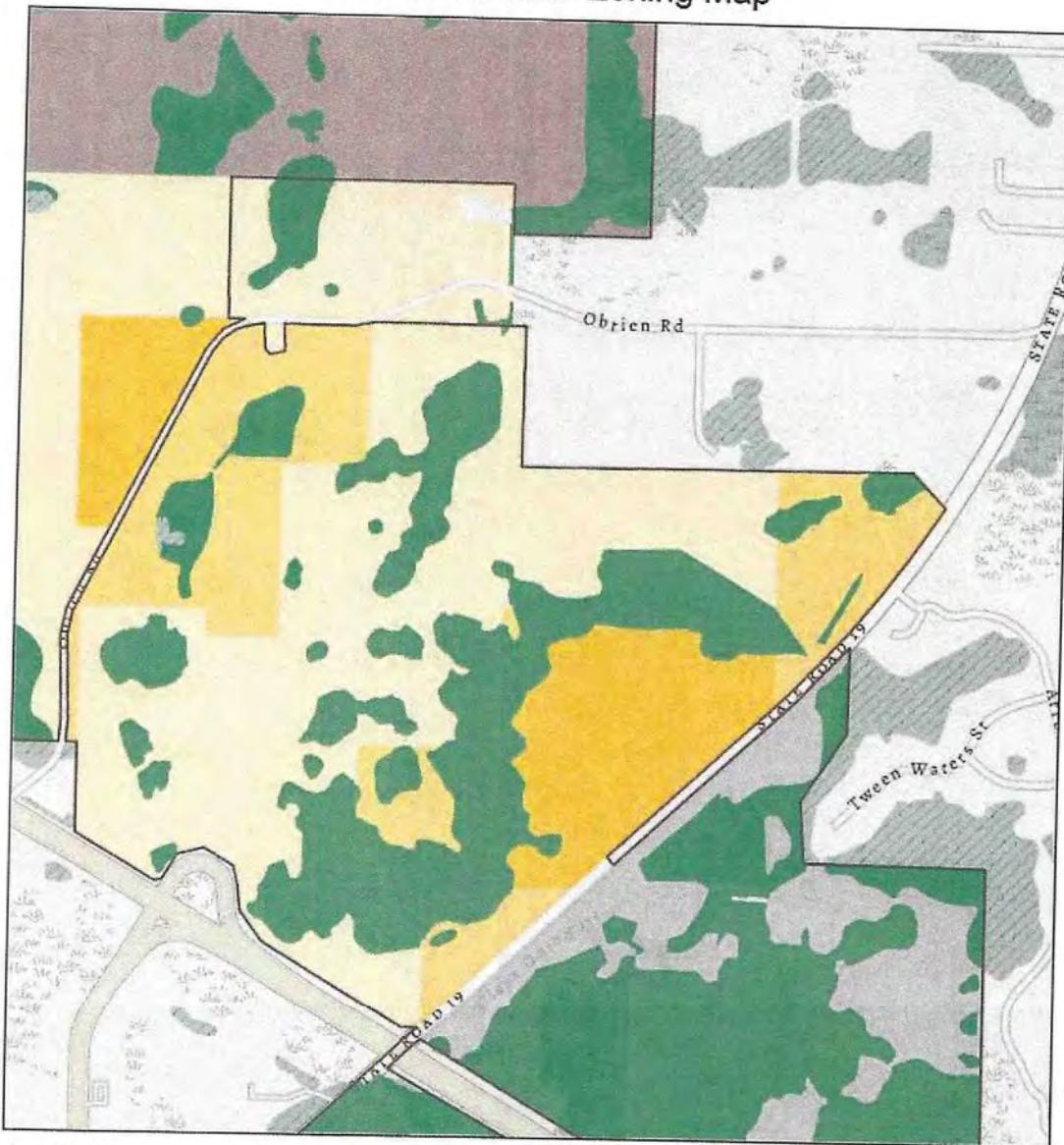
- City Limits
- Future Landuse Categories
- Conservation
- Established Neighborhood

- Hamlet
- Town
- Village



Esri Community Maps Contributors, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

## Sunstone CDD Zoning Map



June 30, 2022

<b>City Limits</b>	<b>Hamlet Center</b>
<b>Zoning Designation</b>	<b>Planned Unit Development</b>
<b>Village Core</b>	<b>Civic</b>
<b>Village Center</b>	<b>Conservation</b>
<b>Village Edge</b>	

Earl Community Map Contributors: FDEP, Earl, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA

## **EXHIBIT H**

**Statement of Estimated Regulatory Costs For  
Establishment of the**

**SUNSTONE  
COMMUNITY DEVELOPMENT DISTRICT**



**Prepared by**  
Meritus Districts  
2005 Pan Am Circle, Suite 300  
Tampa, FL 33607  
July 26, 2022

## **STATEMENT OF ESTIMATED REGULATORY COSTS**

### **1.0 Introduction**

#### **1.1 Purpose and Scope**

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Sunstone Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 732.2 +/- acres of land located within the City of Groveland, Florida (the "City") and is projected to contain approximately 2,096 residential dwelling units, which will make up the Sunstone development. The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) 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 (emphasis added)."*

#### **1.2 Overview of the Sunstone Community Development District**

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 2,096 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Sunstone.

#### **1.3 Requirements for Statement of Estimated Regulatory Costs**

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

- (a) An economic analysis showing whether the rule directly or indirectly:
  1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
  2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets,

productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

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

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

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

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Groveland, according to Census 2020, has a population of 18,505; therefore, it is not defined as a small City for the purposes of this requirement.)

(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.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

## **2.0 An economic analysis showing whether the ordinance 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 ordinance;
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 ordinance; 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 ordinance.

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business

competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

**2.1 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 ordinance.**

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 732.2 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 2,096 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

**2.2 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 ordinance.**

When assessing the question of whether the establishment of the District is likely to directly or indirectly 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, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private

solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will insure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

**2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The establishment of the District will not increase any regulatory costs of the State or the City by virtue that the District will be one of many already existing similar districts within the State and also one of a many already existing similar districts in the City. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the City to offset any expenses that the City may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the service and facilities provided by the District.

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 CDDs, 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.

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

The 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 City 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 herein. 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. City of Groveland

The City 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 herein, which will be offset by the filing fee submitted to the City. 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 City 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.

The proposed District will serve land that comprises an approximately 732.2 +/- acres master planned residential development currently anticipated to contain a total of approximately 2,096 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 7,336 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

**4.0 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.**

The City is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

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

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

##### State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of the City. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

##### City of Groveland, Florida

The proposed land for the District is located within City of Groveland, Florida and consists of less than 2,500 acres. The City and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the City will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the City already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the City, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City, or any monitoring expenses the City may incur if it establishes a monitoring program for this District.

#### **4.2 Impact on State and Local Revenues**

Adoption of the proposed ordinance will have no negative impact on state or local revenues. The District is an independent unit of local government. It is designed to provide 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. By Florida law, debts of the District are strictly its own responsibility.

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

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$115,280,000. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

**Table 1**  
**SUNSTONE COMMUNITY DEVELOPMENT DISTRICT**  
**Proposed Facilities and Services**

SUNSTONE 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	CITY	CITY
Roads Within the District	CDD	CDD	CDD
Amenity, Parks & Recreation	CDD	CDD	CDD
Off-Site Improvements	CDD	CDD	CDD
Professional Fees, Permitting & Contingency	CDD	CDD	CDD

**NOTE:** Hardscape, Landscape, and irrigation, including bike trails and sidewalks, will be maintained by the CDD.

**Table 2**  
**SUNSTONE COMMUNITY DEVELOPMENT DISTRICT**  
**Estimated Costs of Construction**

<b>Sunstone</b> <b>Community Development District</b> <b>Proposed Infrastructure Costs</b>						
<b>Description</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>District Estimated Cost</b>	
Amenities	\$ 7,719,643	\$ 7,719,643	\$ 7,719,643	\$ 7,719,642	\$ 30,878,571	
Roads	\$ 9,006,250	\$ 9,006,250	\$ 9,006,250	\$ 9,006,250	\$ 36,025,000	
Stormwater Management	\$ 5,146,429	\$ 5,146,429	\$ 5,146,429	\$ 5,146,429	\$ 20,585,714	
Utilities, Sewer & Water	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 12,351,429	
Hardscape/Landscape/Irrigation	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 3,087,857	\$ 12,351,429	
Professional Services/Contingency	\$ 771,964	\$ 771,964	\$ 771,964	\$ 771,964	\$ 3,087,857	
<b>TOTAL</b>	<b>\$ 28,820,000</b>	<b>\$ 28,820,000</b>	<b>\$ 28,820,000</b>	<b>\$ 28,819,999</b>	<b>\$ 115,280,000</b>	

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, City or its dependent districts, or City management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as cities, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

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

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

City of Groveland has a population of 18,505 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" City according to Section 120.52, F.S.

#### **7.0 Any additional useful information.**

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

In relation to the question of whether the proposed Sunstone Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the City could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Sunstone development. First, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and

facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Sunstone development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, then the residents and landowners of the Sunstone development would take their grievances and desires to the City Commission meetings.

Third, any debt of an independent CDD is strictly that District's responsibility. While it may be technically true that the debt of a City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low cost funds from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

**8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.**

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Sunstone Community Development District.

**APPENDIX A**  
**LIST OF REPORTING REQUIREMENTS**

REPORT	FL. STATUE CITATION	DATE
Annual Financial Audit	190.008 / 218.39	9 months after end of Fiscal Year.
Annual Financial Report	190.008 / 218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year.
TRIM Compliance Report	200.068	No later than 30 days following the adoption of the property tax levy ordinance / resolution (if levying property taxes).
Form 1 - Statement of Financial Interest	112.3145	Within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	Within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report.
Public Meetings Schedule	189.015	Quarterly, semi-annually or annually.
Bond Report	218.38	When issued; within 120 days after delivery of bonds.
Registered Agent	189.014	Within 30 days after first meeting of governing board.
Proposed Budget	190.008	Annually by June 15.
Adopted Budget	190.008	Annually by October 1.
Public Depositor Report	280.17	Annually by November 30.
Notice of Establishment	190.0485	Within 30 days after the effective date of an ordinance establishing the District.
Notice of Public Financing	190.009	File disclosure documents in the property records of the City after financing.

# **EXHIBIT I**

## 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 EPG Sunstone Development, LLC with regard to any and all matters pertaining to the Petition to the City of Groveland to establish the Sunstone Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Executed this 5<sup>th</sup> day of July, 2022.

Witnessed:

M Campbell

Print Name: Michael M. Campbell

June Kelly

Print Name: June Kelly

EPG Sunstone Development, LLC, a Florida Limited Liability Company

NJ Dister

By: Nicholas J. Dister

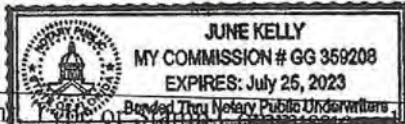
Its: AUTHORIZED REPRESENTATIVE

STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 5<sup>th</sup> day of July, 2022, by Nicholas J. Dister, as Authorized Representative. EPG Sunstone Development LLC has produced . He/She  is personally known to me, or  as identification.

June Kelly  
NOTARY PUBLIC, STATE OF FLORIDA



(Print Name of Notary Public) Name of Notary Public

# ATTACHMENT 3

## Campus

Continued from Page 1A.

deal.

UF would not respond to questions about efforts to obtain the Greene-owned land, or the naming rights he is seeking. Instead, UF provided a vague written statement that affirmed the university's continued efforts to create the campus.

"The University of Florida is fully engaged in West Palm Beach and continues to move forward with plans for a campus there. We are currently conducting our due diligence with the city, the county and other parties," the statement said.

The university also would not discuss any details of its plans for the West Palm Beach campus. This includes whether UF may consider building a downtown campus limited to the 7 acres already pledged by the county and city.

An update on the West Palm Beach campus plan will be made during a March university board of governors meeting, UF's statement added.

Greene declined to discuss details of his negotiations with UF. "It's still in the works," he said.

But one legal expert said naming rights are an important part of philanthropy. "Naming rights are almost always part of the discussion, and sometimes they are heavily negotiated," said Harvey Dale, a New York University professor and the director of the National Center on Philanthropy and the Law.

West Palm Beach Mayor Keith James did not respond to requests for comment. Palm Beach County Mayor Gregg Weisz declined to comment.

Much is riding on the UF campus in West Palm Beach, including the deployment of millions of dollars in public and private money.

Last year, Florida lawmakers approved an award of \$100 million to UF to create its West Palm Beach campus. The money seemingly is contingent on two factors: The receipt of 15 acres of donated land in Palm Beach County, and \$100 million in cash donations paid in full on or before July 1, 2027.

But the \$100 million contains a large loophole.

If UF doesn't meet both conditions and the West Palm Beach campus doesn't materialize, the \$100 million still stays with the university to use as it sees fit elsewhere in the state. According to the state's 2022-23 budget, UF's board could vote to use the \$100 million state award "in a location outside of Palm Beach County."

Although UF won't discuss the status of the promised West Palm Beach site, the university has been vocal about private pledges to help pay for it.

Last August, UF announced it had received commitments of \$500 million in private donations for the West Palm Beach campus. It is unclear if those commitments could be undone if UF cannot assemble the full 12-acre campus downtown.

The future of the 5 county acres pledged to UF could become iffy, too, if the university doesn't meet certain timetables.

On Aug. 23, for instance, the county agreed to donate 5 acres of land downtown worth \$42 million. The lands at 810 Datura St., an arca on the west side of downtown known as Government Hill.

In order to take title to the land, UF must adhere to several timelines. By August 2024, UF must complete the campus' master plan, including academic offerings. In addition, UF must start construction within five years of the August 2022 contract with the county.

County staffers had sought to require that construction permits be in place before the land could be conveyed to UF in a closing, but UF pushed back. The university said it couldn't link public-private partnerships if it did not control the land. The agreement instead calls for UF to certify that permits are "obtainable."

If these conditions aren't met, the donated property automatically reverts to the county.

At the August 2022 meeting of the Palm Beach County Commission, a UF official offered assurances the plan would be on track. Construction on the permanent campus is expected to start within three years, said Joe Glover, UF provost and senior vice president for academic affairs. Glover also told the commission that the university already was working to develop its academic



Land in the 700 and 800 block of Datura Street, left and Evernia Street, right, in West Palm Beach, Florida on August 24, 2021. GREG LOVETT/THE PALM BEACH POST

program with input from the deans of the colleges of business, engineering and law.

UF officials also told county commissioners that graduate programs in finance, technology and law would be offered in temporary classrooms starting in the fall of 2024, as UF worked to design and build its permanent classrooms on the land.

At the time the county linked its deal with UF, officials told county commissioners that a private donor still was working to complete an agreement to donate the remaining 5 acres.

And in an August interview, Greene confirmed negotiations still were ongoing. But in the interview, Greene also said that several issues needed to be resolved, including provisions that UF meet and maintain standards for enrollment and programming.

Greene said he wanted to make sure UF followed through with its promised plans. An early supporter of the UF campus, Greene met with UF officials at his home in the Hamptons as long ago as the summer of 2021. Since then, he's also held private fundraising events at his oceanfront Palm Beach mansion.

But as time has gone by, Greene said he's learned that donating land can be a complex endeavor. "There are a lot more issues than I thought there would be," he said. "What if they don't build what they said they're going to build? I want to make sure they deliver what they said they're going to deliver."

Greene said he "hopes we come to terms, but there are no guarantees." It's not clear precisely what parameters Greene is requiring of UF, but his concerns aren't unique.

County commissioners last year voiced similar concerns about making sure UF follows through with its promises before the county would hand over its downtown land.

"We have protected the asset of the residents, in that if there is a change of heart by UF that we would have an opportunity to back out of the deal and get our land back," former County Mayor Robert Wainright said during the August meeting.

The county has a mixed record when it comes to defending public land to outside players, adding urgency to protecting the county's valuable downtown property at a time when real estate developers and investors are willing to pay exorbitant prices for any piece of dirt.

Some county officials felt leery about another county land donation after their experience with Scripps Research, the California-based research center that expanded to Florida in 2005.

To lure Scripps to Palm Beach County, 70 acres in public and private land was leased to Scripps after Scripps officials made promises that a "biotech village" of companies and jobs would be built on the vacant Palm Beach Gardens property. The land is next to the AIA community on Donald Ross Road.

The land was to be conveyed to Scripps after a 15-year contract between the county and Scripps was up, on top of the \$310 million Scripps received from the state and \$269 million from the county. While the county staff said Scripps met the contract requirement to create 565 jobs and operate in the county for 15 years to be eligible for the land transfer, the biotech village never materialized.

Nevertheless, last year the 70-acre parcel was transferred to Scripps for \$1, as per the agreement with the

county.

UF Health now controls the land as part of its acquisition of Scripps Florida.

The stalled nature of the negotiations is starting to baffle stakeholders, some of whom say Greene is being absurdly difficult, according to real estate sources.

Since UF's plan to build in West Palm Beach was announced last year, several real estate developers bought land in and around the western edge of downtown with the expectation that the UF graduate campus would accelerate demand for apartments, offices, shops and hotels.

Meanwhile, UF continues to raise money for the campus from wealthy donors who may not be aware the West Palm Beach campus still isn't fully assembled.

In January, Related Cos. Chairman Stephen Ross, who owns the NFL's Miami Dolphins, held a fundraiser at his Palm Beach home to encourage potential donors to give money for the West Palm Beach campus. Ross even showed renderings of 10 buildings spread across the 12-acre campus, according to a donor familiar with the presentation.

Related is among several real estate companies betting big on a UF presence in downtown West Palm Beach. The New York-based developer, which built The Square, is building new office towers with hopes that a major educational institution will develop in the downtown. Like other developers, Related hopes a downtown UF presence will make the city even more appealing to expanding or relocating companies.

Kelly Smallridge, president of the Business Development Board, the county's business recruitment arm, said she was unaware that UF had not yet been able to lock down the Greene land for the campus. But Smallridge noted her focus now is on helping support UF's efforts to obtain feedback from companies about what they want to see in the graduate school programs.

"We are continuing to bring businesses to the table to help (shape) the curriculum," Smallridge said.



NOTICE OF PUBLIC HEARING  
SUNSTONE CDD LOCATION MAP  
The City of Groveland proposes to adopt Ordinance 2023-40. The City Council will hold a public hearing at the E.L. Punyer Building located at 243 E. Lake Avenue, Groveland, Florida on Monday, March 20, 2023 for the first reading and Monday, April 3, 2023 for the second reading. The City Council public hearings begin at 7:00 p.m. or as soon thereafter as possible. The title of the ordinance is as follows:

ORDINANCE NO. 2023-40

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, REGARDING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT, GRANTING PETITION OF EPG SUNSTONE DEVELOPMENT, LLC, ESTABLISHING AND NAMING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

You may appear at the Planning and Zoning Board and City Council public meetings and be heard with respect to the proposed Ordinance. Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meeting at 352-420-2114 ext. 2014.

The ordinance is available at the Community Development Department located in the Public Safety Complex at 6425 State Road 50, Groveland, Florida, for inspection on Monday through Friday, from 8:00 a.m. to 4:00 p.m.

Parcels are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

If you have any questions in advance of the scheduled public hearings, please contact the Community Development Department at 352-334-1751 or planning@groveland.fl.gov.

Publication Dates: February 20, February 27, March 6 and March 13, 2023

## Vouchers

Continued from Page 1A

public high school grading scale with the one used by private schools, which viewed the measure as a lowering of standards for public education. Public protest forced him to back down and he signed a similar bill the next year.

Last session, a proposal by Sen. Linda Stewart, D-Orlando, to require charter and private schools to participate in standardized testing, meet state-imposed academic standards, and for faculty to meet the same certification requirements as public-school teachers, was never heard in committee.

SB 202 gets its first hearing Tuesday in the Pre-K 12 Committee. Simon is the chair.

### Here's what to know

House Speaker Paul Renner last month showcased a proposal to make most Florida families eligible for private school vouchers. Renner had the bill filed by Rep. Kaylee Tuck, R-Lake Placid, numbered 1, signifying it is a top priority.

The Senate countered with Simon's SB 202, which only doubles down on the voucher expansion by making it universal, but also includes a broad and vague provision that Simon has said is designed for a fairer competition for students between private and public schools. The proposal is backed by Senate President Kathleen Passidomo.

### What SB 202 does

- Provides Education Savings Account for every K-12 student
- Extends the time from three years to five years

for teachers to complete certification

3. Allows flexibility in how school districts distribute names for teachers

4. Streamlines transportation regulations to allow for vehicles other than buses

5. Requires State Board of Education to review all Florida education statutes and issue recommendations to reduce regulations on public schools

6. Mandates the Board of Education to "consider input" from teachers, school boards, post-secondary institutions, home educators and others when writing recommendations to reduce regulations.

### What they are saying

"Universal choice means that every school has a chance to compete for students, and their parents can decide the best fit. Additionally, by reducing red tape that burdens our traditional public schools, these institutions, which have served our communities for generations, will have a meaningful chance to compete right alongside other school options," said Senate President Kathleen Passidomo.

"We want our schools to be the first choice for parents, not the default choice, and to do that we need to reduce some of the outdated, unnecessary, and quite frankly, burdensome regulations that public schools have to abide by," said former Sen. Bill Montford, chief executive officer of the Florida Association of District Schools.

"Two can play their game. Let them/GOP defend giving taxpayer dollars to unregulated private schools," Rosemarie Jensen said in a post on Simon's Facebook page.

*James Cott is a member of the USA TODAY NETWORK Florida Capital Bureau. He can be reached at jcott@tallahassee.com. Follow on Twitter: @CottTallahassee*

Publication Dates: February 20, February 27, March 6 and March 13, 2023

# Is a solar rep asking about your meter?

Here are some questions to ask

**Sara-Megan Walsh**  
Lakeland Ledger  
USA TODAY NETWORK

LAKELAND — Polk County's electric utility companies are seeing a quick up-tick in the number of homeowners interested in adding solar panels to their homes, but urge customers to look for red flags.

Some solar door-to-door salespeople are approaching homeowners and stating that they work for or with the area's electric company. The utilities say they do not have contracts with these solar companies to lease, sell or install any equipment or appliances.

The Ledger spoke with Lakeland Electric, Duke Energy and Tampa Electric Co. to compile this list of questions and tips to help determine whether a person is a contractor for the utility or a trustworthy solar salesperson.

## 'Can I see your company badge or identification?'

Duke, Lakeland Electric and TECO all said they provide most of their contractors with utility badges when out in the community performing work on their

behalf.

## No utility badge?

If the individual cannot provide a utility badge, customers should ask for their full name, company and what task they were assigned. Call your utility's customer service line to verify detail:

- Duke Energy: 800-700-8744
- Lakeland Electric: 863-634-9335
- TECO: 863-299-0800 (Polk)

## Ask more about their company

If a solar salesperson, ask how long their company has been in business and where the office is located.

## Did you make a request for service?

Utilities warn customers to be suspicious if an individual claims they are at a building to fix or replace broken equipment when no request for service was made.

## Be wary of the word 'free'

**Red flag:** Be cautious if someone makes an offer for a "net metering system" or solar panel installation that will be free.



A worker installing solar microinverters on a roof. PROVIDED BY ENPHASE ENERGY

## Think it's an imposter?

If you believe someone to be an imposter or posing as a utility worker, customers are encouraged to call their local police.

## Solar

Continued from Page 1A

are approached by these solar companies, often in their homes. A Ring doorbell video of a Lakeland Electric customer having a discussion with a solar sales representative shared with The Ledger demonstrates why.

"We're just here to check in with all the homeowners about their meter getting switched out by Lakeland Electric," the representative said.

Duke, Lakeland Electric and TECO said they have received customer calls after a door-to-door solar representative approached homeowners in a way that makes it seem like they work for or with the utility company. Often, they don't mention anything about solar energy or panels.

"This is a common issue," Jacobs said. "We're clear with our customers we do not have a partnership with any solar company. We do not have preferred solar installers. We do not work with any of the solar companies, nor do we sell solar panels or battery storage to our customers."

Even Lakeland Electric General Manager Mike Beckham was approached at his home by a sales representative claiming to work for the utility, according to LE spokesperson Kathryn Lacy.

Customers are advised to ask for company identification from any third-party company who approaches their home claiming to be doing electrical work on behalf of utilities. The power companies said they do sometimes hire contractors to perform work, but most of the time will provide the contractor with a badge bearing the utility's logo.

If they lack a badge, customers are advised to get the individual's name, company and the service they claim to be providing and verify it with their utility company before authorizing any work.

"When you ask them for a badge or identification, they'll often backtrack and clarify, 'We are working in the area of Lakeland Electric,'" Bishop said.

In the Ring doorbell video, the solar representative quickly admits when questioned that he does not work for Lakeland Electric. So, the representative switches his approach.

"We manage the net metering program here because whenever the meters were switched, the neighbors were seeing some issues. We are here to mitigate the problem," he says on video.

The representative's switch to talking about net metering is intentionally misleading, Bishop said.

"It's a confusing initial statement," he said. "They are trying to get you to ask more questions so they can start up a conversation."

Net metering is a term for a method used by utility companies to bill solar customers. It allows the utility to charge a rate for any electricity provided to the customer during the night or cloudy days, while giving them credit for any excess electricity produced by their solar installation that's sent back to the grid to help power other users.

The sales representative's statement indicating a widespread problem with net metering is misleading because homes and businesses aren't usually put on a net metering if they don't have a solar energy system installed.

## The real costs of solar

Polk's utility companies face dealing with frustrated customers who sign a contract for solar panels through one of these companies, then sometimes find out the economic benefit doesn't match what was promised.

Aside from whatever a customer might be paying the solar company for the equipment and service, most electric companies charge a base fee for just connecting to their grid, regardless of whether customers use electricity from that grid.

All Lakeland Electric customers will face a monthly \$1 customer charge — increasing soon to \$12 — plus other fees. Duke Energy has implemented a minimum monthly bill of \$30 for all customers to help share costs of maintaining its systems across all electric users, regardless of their class. TECO does not have a minimum

bill for its customers.

For those debating whether going solar might help save money, Lakeland Electric offered free home energy audits to its customers that include an assessment of whether their home has the right features to go solar. Lacy said a trained auditor will assess the home's roof, its positioning, to what degree it is covered by shade and the home's energy needs.

"They are non-biased," she said. "All we care about at the end of the day is whether you can put it on safely."

Lakeland Electric has seen an increase in demand for its free home energy audits. The utility performed 3,202 in 2021, Lacy said, and 3,561 audits in 2022. In the first quarter of the 2023 fiscal year, 1,200 energy audits were performed, setting a pace for even more year.

Lacy said improperly installed, unpermitted solar installations can cause issues for utility companies because it can create potentially dangerous back-feed

on the electrical lines or cause a structural fire.

"We'll provide the facts for you, but we won't make the decision for you," she said.

Duke Energy's website offers an interconnection portal where customers can submit their application to install solar online. It also provides detailed instructions on what customers need to install and billing plans at [www.duke-energy.com/home/products/renewable-energy/generate-your-own](http://www.duke-energy.com/home/products/renewable-energy/generate-your-own).

TECO offers a similar solar connection guide for its customers on its website at [www.tampaelectric.com/company/solar-energy](http://www.tampaelectric.com/company/solar-energy).

Duke and TECO also offer programs for homeowners who are interested in green, renewable energy but might not have an option to place solar panels on their home.

**Sara-Megan Walsh can be reached at [sawalsh@ledger.com](mailto:sawalsh@ledger.com) or 863-602-7545. Follow on Twitter @SawWalshFL.**



The City of Groveland proposes to adopt Ordinance 2023-40. The City Council will hold a public hearing at the E.L. Puryear Building located at 243 S. Lake Avenue, Groveland, Florida on Monday, March 20, 2023 for the first reading and Monday, April 3, 2023 for the second reading. The City Council public hearings begin at 7:00 p.m. or as soon thereafter as possible. The title of the ordinance is as follows:

### ORDINANCE NO. 2023-40

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND, REGARDING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF EPO SUNSTONE DEVELOPMENT, LLC, ESTABLISHING AND NAMING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); DESCRIBING THE EXTERNAL BOUNDARIES; THE FUNCTIONS AND THE MEMBERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SCRIVENERS' FEES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

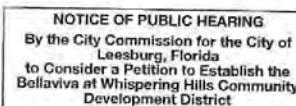
You may appear at the Planning and Zoning Board and City Council public meetings and be heard with respect to the proposed Ordinance. Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meetings at 352-249-2141 ext. 2014.

The ordinance is available at the Community Development Department located in the Public Safety Complex at 5825 Stone Road #60, Groveland, Florida, for inspection on Monday through Friday, from 8:00 a.m. to 5:00 p.m.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purpose, they may need to assume that a written record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

If you have any questions in advance of the scheduled public hearing, please contact the Community Development Department at 352-534-1751 or [planning@groveland-fl.gov](mailto:planning@groveland-fl.gov).

Published: **February 20, February 27, March 6, March 13 and March 20**



**NOTICE OF PUBLIC HEARING**  
By the City Commission for the City of Leesburg, Florida  
to Consider a Petition to Establish the Bellaviva at Whispering Hills Community Development District

DATE: March 27, 2023

TIME: 5:30 P.M.

LOCATION: City Hall, Third Floor Commission Chambers  
501 West Meadow Street  
Leesburg, Florida 34748

In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the City Commission for the City of Leesburg, Florida, in the City of Leesburg, Florida, in accordance with a petition to the City Commission for the City of Leesburg, Florida, to grant a petition to establish the Bellaviva at Whispering Hills Community Development District ("District"). The proposed District is comprised of approximately 390.96 acres, generally located east of Highway 441, north of Willow Road and south of City Highway 442. The petitioners have requested to establish the District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may include, but not be limited to, earthworks, roadways, stormwater management, utilities (water, reclaimed & wastewater), landscape/landscape irrigation, streetlight/undergrounding of communications, utilities, and other infrastructure.

Copies of the petition and the proposed ordinance are open to public inspection at the City Hall, Office 501 West Meadow Street, Leesburg, Florida 34748, during regular business hours. For more information, call (352)728-9768.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at this hearing and present oral or written comments on the petition. Any person or entity that is a general-purpose government, local government, who wish to appeal any decision made by the Board with respect to any matter considered at this public hearing will have the right to do so in the proceedings. For that purpose the petition and all general-purpose government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are advised to contact your local representative or certain assistance. Within the working days of receipt of this notice, please contact the ADA Coordinator, at (352)729-9786, ext. 1210, or at City Hall, 501 West Meadow Street, Leesburg, Florida 34748.



PUBLISHED: February 27, March 6, March 13 and March 20

PUBLICATION REQUIREMENT UNDER S. 190.06(1)(d)  
The petitioner shall cause notice of the hearing to be published in a newspaper at least once a week for the 4 consecutive weeks immediately prior to the hearing.

# Nomination in New Mexico in limbo

Native women oppose governor's candidate

Susan Montoya Bryan  
ASSOCIATED PRESS

ALBUQUERQUE, N.M. — New Mexico's Democratic governor says she believes vetting of her Cabinet members is crucial. But with two weeks left in the legislative session, she has yet to submit her pick to lead the state Indian Affairs Department to the Senate for confirmation.

Gov. Michelle Lujan Grisham's nomination of James Mountain has sent shockwaves through tribal communities, particularly among advocates dedicated to stemming the tide of violence and missing persons cases in Indian Country.

That's because Mountain, a former San Ildefonso Pueblo governor, was indicted on charges that included criminal sexual penetration, kidnapping and aggravated battery of a household member. The charges were dropped in 2010, with prosecutors saying they did not have enough evidence to go to trial.

Native American women who spoke to The Associated Press say they've been told by some in their communities to stay quiet about the appointment, but they refuse.

"I think relationships are at risk right now that have taken generations for us to build," said Angel Charley, executive director of the Coalition to Stop Violence Against Native Women. "And while we understand the pain and division that this is causing, it's important to remember that it's not the women who are bringing this up who are causing the division. We are simply highlighting a concern."

It's much like the narrative surrounding a nationwide movement to confront the disproportionate numbers of missing and slain Indigenous women and how women themselves are being asked to solve a problem they didn't create, said Christina M. Castro, a founding member of the social justice organization Three Sisters Collective.

"We're not only being tasked with



New Mexico Gov. Michelle Lujan Grisham, center, nominated James Mountain to lead the state's Indian Affairs Department. SUSAN MONToya BRYAN/AP FILE

taking this on, but we're villainized for speaking up," Castro said.

The governor's office said Thursday night that it was prioritizing sending appointments for university regents to the Senate during the final days of the legislative session, since regents cannot work without being confirmed.

Mountain still can serve as head of Indian Affairs without confirmation, if no hearing takes place before the Legislature ends March 18, the next likely opportunity for the full Senate to vote on confirming him wouldn't come until January 2024.

A request made a week ago on behalf of the state's Missing and Murdered Indigenous Women and Relatives Task Force to meet with the governor went unanswered, and many state elected officials have normalized much about the governor's choice.

Advocates call the silence deafening:

"It's really up to the governor at this point to do the right thing and to recognize the pain and hurt it's creating and look for other nominees who can do the job," said Navajo Nation Council Delegate Amber Kanazbah Crotty, a member of the task force. "And there's plenty of

**"While we understand the pain and division that is causing, it's important to remember that it's not the women who are bringing this up who are causing the division."**

Angel Charley  
Executive director of the Coalition to Stop Violence Against Native Women

New Mexicans out there from different tribal nations who can do this job."

Navajo Nation President Ben Nighthorse outlined his concerns in a letter sent to Lujan Grisham last week.

"Governor, I greatly appreciate your strong advocacy on behalf of the Navajo and Indigenous people of New Mexico and across the country," he wrote. "However, on this particular issue, I must stand with our leadership and my people whose voices are so often unheard on concerns like this."

The governor has defended Mountain's nomination, saying those who disagree should respect that charges against him were dismissed. Lujan Grisham spokesperson Maddy Hayden said substantiated allegations against someone in a leadership position would be cause for concern and, likely, disqualification.

"We are certainly not in receipt of any such allegations nor is anyone else, to our knowledge," Hayden wrote in an email to The Associated Press. "We would strongly encourage anyone with substantiated allegations to bring them to light."

Mountain has not directly addressed the concerns about his nomination, but he has defended himself, telling the online outlet New Mexico in Depth that he dedicated himself to reestablishing connections and confidence among tribal communities.

The Indian Affairs Department declined Friday to share details of Mountain's vision for the agency but pointed to a letter of support from his daughter, Leah Mountain, that was directed to state lawmakers. She described a devoted father who instilled cultural identity, confidence and aspiration in her after her mother left.

She said the allegations against him are false. "It has been painful for only half of this story to be told," she wrote.

For some Native American women, trusting the judicial system as the governor has suggested and having a platform from which to raise their concerns have been challenges. Task force members have countless stories about families who are left to search for loved ones when law enforcement didn't.

Having an advocate overseeing Indian Affairs who can relate to survivors and families who are missing relatives would create a pathway for Native women's voices to be heard, said Ashley Sarcina, president of the Laguna Pueblo Federation of Democratic Women.

While she comes from a family that empowers women, not everyone has that support, she said.

"A lot of the women are silent," she said. "A lot of the women experience oppression and, you know, they're just not willing to speak up," she said.

## TODAY IN HISTORY

Today is Monday, March 6, the 65th day of 2023. There are 300 days left in the year. On this date in 1854: The city of York in Upper Canada was incorporated as Toronto.

1836: The Alamo in San Antonio, Texas, fell as Mexican forces led by General Antonio Lopez de Santa Anna stormed the fortress after a 13-day siege; the battle claimed the lives of all the Texan defenders, nearly 200 strong, including William Travis, James Bowie and Davy Crockett.

1857: The U.S. Supreme Court, in Dred Scott v. Sandford, ruled 7-2 that Scott, a slave, was not an American citizen and therefore could not sue for his freedom in federal court.

1912: Oreo sandwich cookies were first introduced by the National Biscuit Co.

1933: A national bank holiday declared by President Franklin D. Roosevelt, aimed at calming panicked depositors, went into effect.

1944: U.S. heavy bombers staged the first full-scale American raid on Berlin during World War II.

1964: Heavyweight boxing champion Cassius Clay officially changed his name to Muhammad Ali.

1970: A bomb being built inside a Greenwich Village townhouse in New York by the radical Weathermen accidentally went off, destroying the house and killing three group members.

1973: Nobel Prize-winning author Pearl S. Buck, 80, died in Danby, Vermont.

1981: Walter Cronkite signed off for the last time as principal anchorman of "The CBS Evening News."

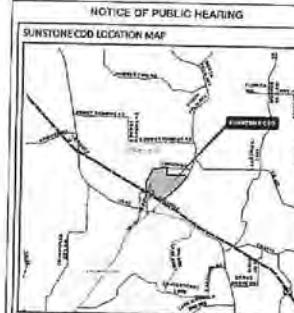
1988: The Army honored three Americans who risked their lives and turned their weapons on fellow soldiers to stop the slaughter of Vietnamese villagers at My Lai in 1968.

2002: Independent Counsel Robert Ray issued his final report in which he wrote that former President Bill Clinton could have been indicted and probably would have been convicted in the scandal involving former White House intern Monica Lewinsky.

2016: Former first lady Nancy Reagan died in Los Angeles at age 94.

2022: A massive brawl broke out among fans of clubs in Mexico's top-division soccer league, leaving 14 hospitalized, two of them in critical condition.

Ten years ago: Sen. Rand Paul, R-Ky., a critic of the Obama administration's drone policy, launched an old-style filibuster to block Senate confirmation of John Brennan's nomination to be CIA director. Paul lasted nearly 13 hours before yielding the floor. Syria's accelerating humanitarian crisis hit a grim milestone as the number of U.N.-registered refugees topped 1 million, half of them children.



This City of Groveland proposes to adopt Ordinance 2023-40. The City Council will hold a public hearing at the E.L. Puryear Building located at 243 S. Lake Avenue, Groveland, Florida on Monday, March 20, 2023 for the first reading and Monday, April 3, 2023 for the second reading. The City Council public hearings begin at 7:00 p.m. or as soon thereafter as possible. The title of the ordinance is as follows:

ORDINANCE NO. 2023-40

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GROVELAND REGARDING THE SUNSTONE COMMUNITY DEVELOPMENT DISTRICT; GRANTING PETITION OF EPS SUNSTONE DEVELOPMENT, LLC, ESTABLISHING AND NAMING THE SUNSTONE CITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); DESCRIBING THE EXTERNAL BOUNDARIES, THE FUNCTIONS AND THE POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SCRIVENER'S FEE(S); PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

You may appear at the Planning and Zoning Board and City Council public meetings and be heard with respect to the proposed ordinance. Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meetings at 352-2141 ext. 2014.

This ordinance is available at the Community Development Department located in the Public Safety Complex at 6025 State Road 62, Groveland, Florida. For inspection on Monday through Friday, from 8:00 a.m. to 4:00 p.m.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceeding, and for such purpose, they may request to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is based, per Section 286.0105, Florida Statutes.

If you have any questions in advance of the scheduled public hearing, please contact the Community Development Department at 352-534-1751 or planning@groveland-fl.gov.

Publication Dates: February 20, February 27, March 4 and March 13

**NOTICE OF PUBLIC HEARING**  
By the City Commission for the City of Leesburg, Florida  
to Consider a Petition to Establish the Bellaviva at Whispering Hills Community Development District

DATE: March 27, 2023  
TIME: 5:30 P.M.  
LOCATION: City Hall, Third Floor Commission Chambers  
501 West Meadow Street  
Leesburg, Florida 34748

In compliance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the City Commission for the City of Leesburg to consider a petition to grant a petition to establish the Bellaviva at Whispering Hills Community Development District ("District"). The proposed District is comprised of approximately 390.36 acres, generally located between State Road 47, north of Meadow Road and south of CR Highway 48. The petitioners have agreed to establish the District to plan, finance, acquire, construct, develop and maintain infrastructure and community facilities which may be required for the District under Florida law, including but not limited to, earthwork, drainage, water management, utilities (water, reclaimed water, wastewater, hardcap/landscape/irrigation, streetlight/undergrounding of communications, utilities, and other infrastructure).

Copies of the petition and the proposed ordinance are open to public inspection at the City Hall, 501 West Meadow Street, Leesburg, Florida 34748, during regular business hours. For more information, call (352) 289-9785.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any unit of general-purpose government or general-purpose local government, who wish to appear and/or comment by the Board with respect to any matter considered at this public hearing will have a record of the proceedings. For that purpose the petition unit and the general-purpose government may file to insure that a verbatim record of the proceedings is made. A record of the hearing which includes the testimony and evidence upon which the appeal is based.

If you are a person with a disability who needs any accommodation to enable to participate in this proceeding, you are advised, at least 48 hours prior to the hearing, to contact the ADA Coordinator at (352) 289-9785, ext. 1215, or at City Hall, 501 West Meadow Street, Leesburg, Florida 34748.



NOTICE OF PUBLIC HEARING

PUBLICATION: February 27, March 6, March 13 and March 20  
REGULATION REQUIREMENT UNDER S. 190.005(1)(b)  
The petition unit and the general-purpose local government of the hearing to be published in a newspaper at least once a week for the 4 successive weeks immediately prior to the hearing.