

**ORDINANCE NO. O2022-57**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, ESTABLISHING AND NAMING TWISTED OAKS POINTE COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTER 190 OF THE FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; GRANTING SPECIAL POWERS; NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Chapter 190, Florida Statutes, KL Twisted Oaks LLC, ("Petitioner"), has petitioned the City Commission of the City of Wildwood, Florida ("Commission"), to adopt an ordinance establishing the Twisted Oaks Pointe Community Development District ("District"), pursuant to Chapter 190, Florida Statutes (2021); and,

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

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

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

**WHEREAS**, establishment of the District will constitute a timely, efficient, effective,

responsive and economic way to deliver community development services in the area described in the Petition.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the City Commission of the City of Wildwood, Florida, as follows:

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

**SECTION 2: AUTHORITY.** This Ordinance is adopted in compliance with, and pursuant to, the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2021).

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

**SECTION 4: EXTERNAL BOUNDARIES OF THE DISTRICT.** Encompassing approximately 339.289 acres, the external boundaries of the District are described in Exhibit A attached hereto.

**SECTION 5: POWERS AND FUNCTIONS.** The powers and functions of the District are described in Chapter 190, Florida Statutes. Consent is hereby given to the District's Board of Supervisors to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities described and authorized by section 190.012(3)(a), (d) and (e), Florida Statutes, as long as they do not conflict with systems and facilities provided by the City of Wildwood.

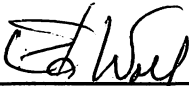
**SECTION 6: BOARD OF SUPERVISORS.** The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: James Harvey, Greg Meath, Troy Simpson, Bradley Walker and Candice Smith. All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

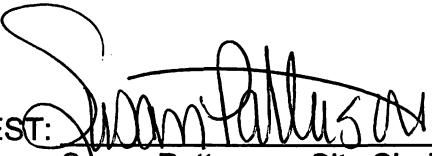
**SECTION 7: SEVERABILITY.** If any section, sentence, clause or phrase of this Ordinance, or any particular application thereof, is held to be invalid or unconstitutional by a Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of said Ordinance.

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

DONE AND ORDAINED this 25<sup>th</sup> day of July, 2022, by the City Commission of the City of Wildwood, Florida.

**CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA**

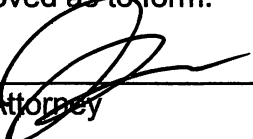
  
\_\_\_\_\_  
Ed Wolf, Mayor

ATTEST:   
\_\_\_\_\_  
Susan Patterson, City Clerk

First Reading: 7.11.2022

Second Reading: 7.25.2022

Approved as to form:

  
\_\_\_\_\_  
City Attorney

# EXHIBIT A

# PETITION TO ESTABLISH TWISTED OAKS POINTE COMMUNITY DEVELOPMENT DISTRICT

Submitted by:

Jere Earlywine  
Florida Bar No.155527  
[jere@kelawgroup.com](mailto:jere@kelawgroup.com)  
KE LAW GROUP, PLLC  
P.O. Box 6386  
Tallahassee, Florida 32301  
(850) 528-6152 (telephone)

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

**PETITION TO ESTABLISH TWISTED OAKS POINTE COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, KL Twisted Oaks LLC ("Petitioner"), hereby petitions the City Commission for the City of Wildwood, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, to establish a Community Development District ("District"), with respect to the land described herein. In support of this petition, Petitioners state:

1. Location and Size. The proposed District will be located within the City of Wildwood, Florida ("City"). **Exhibit 1** depicts the general location of the lands comprising the proposed District. The proposed District covers approximately 339.289 acres of land, located north of County Road 44A, south of East County Road 462, east of I-75, and west of North U.S. Highway 301 (N. Main Street). The legal description of the lands that form the external boundaries of the District is set forth in **Exhibit 2**.

NOTE: The legal description and unit counts used herein differ from the applicable Planned Development application because the proposed District boundary is NOT intended to include the multi-family or commercial uses set forth in the Planned Development application.

2. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the District. Documentation of consent to the establishment of the District is contained in **Exhibit 3**.

3. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows: James Harvey, Greg Meath, Troy Simpson, Bradley Walker and Candice Smith. 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 "Twisted Oaks Pointe Community Development District."

6. Future Land Uses. The distribution, location, and extent of the public and private land uses proposed for the District by the existing and future land use plan elements of the local Future Land Use Plan are depicted in **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the approved local Future Land Use Plan.

7. Major Water and Wastewater Facilities. **Exhibit 5** indicates the location of current major trunk water mains and sewer interceptors and outfalls within the currently undeveloped lands proposed to be included within the District.

8. District Facilities and Services. The District is presently expected to finance, construct, and install improvements and facilities to benefit the lands within the District over an estimated five (5) phases from 2022 through 2026. **Exhibit 6** describes the types of facilities the District presently expects to finance, construct, and install, as well as the entities anticipated for future ownership, operation, and maintenance. The estimated costs of construction are also identified in **Exhibit 6**. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs ("SERC"), prepared in accordance with the requirements of Section 120.541, *Florida Statutes* (2020). 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 Jere Earlywine as its authorized agent. See **Exhibit 8 - Authorization of Agent**. Copies of all correspondence and official notices should be sent to:

Jere Earlywine  
Florida Bar No. 155527  
[jere@kelawgroup.com](mailto:jere@kelawgroup.com)  
KE LAW GROUP, PLLC  
P.O. Box 6386  
Tallahassee, Florida 32301  
(850) 528-6152 (telephone)

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

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

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

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

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

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

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

a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), *Florida Statutes* (2020);

b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes* (2020); and

c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, enlarge or extend, equip, operate, and maintain systems and facilities for: parks and facilities for indoor and outdoor recreation, cultural, and educational uses and for security, including, but not limited to walls, fences and electronic intrusion detection all as authorized and described by Section 190.012(2)(a) and (d), *Florida Statutes*.

RESPECTFULLY SUBMITTED, this 17<sup>th</sup> day of August, 2021.

HOPPING GREEN & SAMS, P.A.

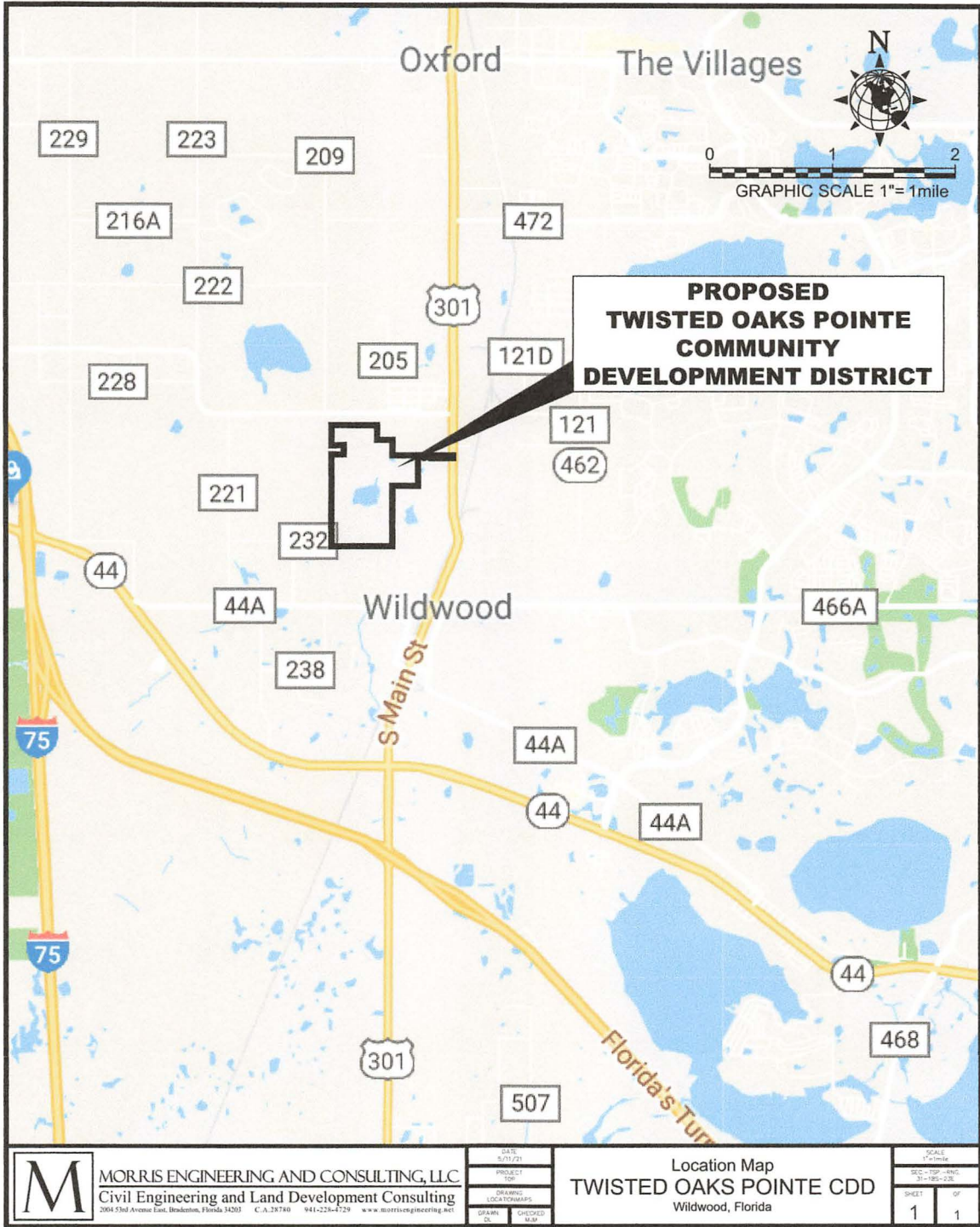


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Jere Earlywine  
Florida Bar No.155527  
[jere@kelawgroup.com](mailto:jere@kelawgroup.com)  
KE LAW GROUP, PLLC  
P.O. Box 6386  
Tallahassee, Florida 32301  
(850) 528-6152 (telephone)

# EXHIBIT 1






**MORRIS ENGINEERING AND CONSULTING, LLC**  
 Civil Engineering and Land Development Consulting  
2004 53rd Avenue East, Bradenton, Florida 34203 C.A. 238740 941-224-4729 www.morrisengineering.net

DATE	5/21/21
PROJECT	TOP
DRAWING	LOCATION MAPS
DRAWN	DL
CHECKED	MAP

Location Map  
**TWISTED OAKS POINTE CDD**  
 Wildwood, Florida

SCALE	1"=1mile
SEC - TOP - AND	31-199-02B
SHEET	OF
1	1

# EXHIBIT 2



# Description Sketch (Not A Survey)

**TWISTED OAKS POINTE - COMMUNITY DEVELOPMENT DISTRICT**

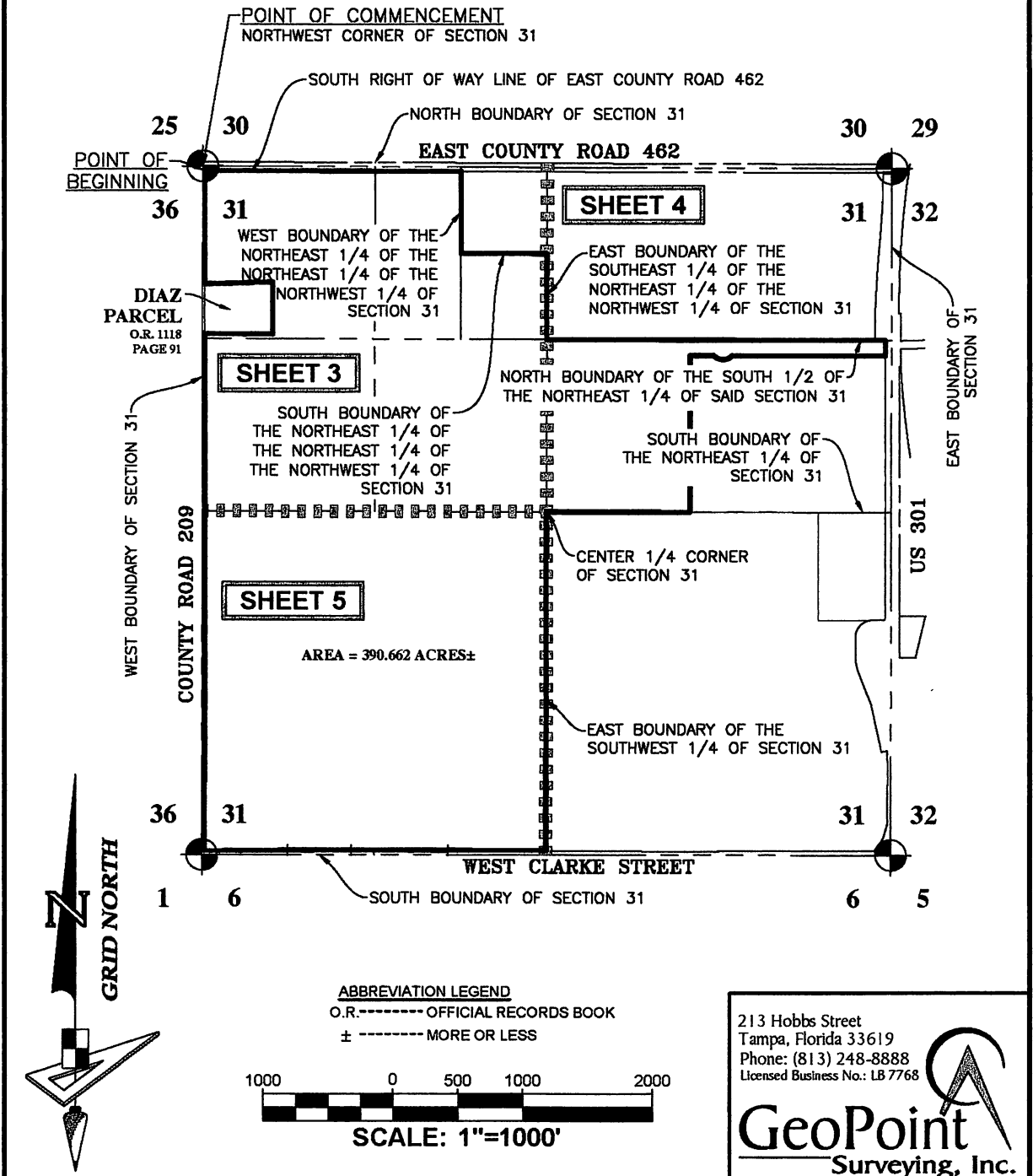
**DESCRIPTION:** A parcel of land lying in Section 31, Township 18 South, Range 23 East, Sumter County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northwest corner of said Section 31, run thence along the West boundary of said Section 31, S.00°05'52"W., a distance of 33.00 feet; thence along a line lying 33.00 feet South of and parallel with the North boundary of said Section 31, the following two (2) courses: 1) S.89°45'56"E., a distance of 14.51 feet to a point of intersection with the South right of way line of East County Road 462 and the East maintained right of way line of County Road 209, said point also being the **POINT OF BEGINNING**; 2) along said South right of way line of East County Road 462, continue S.89°45'56"E., a distance of 1974.71 feet to a point on the West boundary of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of aforesaid Section 31; thence along said West boundary of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 31, S.00°07'17"W., a distance of 628.51 feet to the Southwest corner thereof; thence along the South boundary of said Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 31, S.89°46'24"E., a distance of 663.00 feet to the Southeast corner thereof; thence along the East boundary of the Southeast 1/4 of said Northeast 1/4 of the Northwest 1/4 of Section 31, S.00°07'59"W., a distance of 661.78 feet to the Southeast corner thereof; thence along the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31, S.89°50'09"E., a distance of 2608.41 feet to the West right of way line of U.S. 301 (State Road 35 per Florida Department of Transportation Right of Way Map Section 18010); thence along said West right of way line of U.S. 301, S.00°00'04"E., a distance of 120.00 feet; thence along a line lying 120.00 feet South of and parallel with aforesaid North boundary of the South 1/2 of the Northeast 1/4 of Section 31, N.89°50'09"W., a distance of 1182.13 feet to a point of non-tangent curvature; thence Westerly, 159.31 feet along the arc of a non-tangent curve to the right having a radius of 100.00 feet and a central angle of 91°16'40" (chord bearing N.89°50'09"W., 142.99 feet); thence along aforesaid line lying 120.00 feet South of and parallel with the North boundary of the South 1/2 of the Northeast 1/4 of Section 31, N.89°50'09"W., a distance of 181.80 feet; thence S.00°00'00"W., a distance of 1201.35 feet to the South boundary of aforesaid Northeast 1/4 of Section 31; thence along said South boundary of the Northeast 1/4 of Section 31, N.89°53'23"W., a distance of 1104.52 feet to the Center 1/4 corner of said Section 31; thence along the East boundary of the Southwest 1/4 of said Section 31, S.00°07'36"W., a distance of 2609.11 feet to the North maintained right of way line of West Clarke Street; thence along said North maintained right of way line (as found monumented), the following four (4) courses: 1) N.89°44'55"W., a distance of 754.65 feet; 2) N.89°50'14"W., a distance of 742.99 feet; 3) S.89°45'30"W., a distance of 492.22 feet; 4) S.89°17'41"W., a distance of 640.41 feet to a point of intersection with aforesaid East maintained right of way line of County Road 209 and aforesaid North maintained right of way line of West Clarke Street; thence along said East maintained right of way line of County Road 209, the following two (2) courses: 1) N.00°02'37"E., a distance of 2618.73 feet to a point on the North boundary of aforesaid Southwest 1/4 of Section 31; 2) N.00°01'53"E., a distance of 1361.28 feet to the Southwest corner of Diaz Parcel recorded in Official Records Book 1118, Page 91, of the Public Records of Sumter County, Florida; thence along the South boundary of said Diaz Parcel, S.89°40'13"E., a distance of 524.60 feet to the Southeast corner thereof; thence along the East boundary of said Diaz Parcel, N.00°06'47"E., a distance of 406.10 feet to the Northeast corner thereof; thence along the North boundary of said Diaz Parcel, S.88°11'56"W., a distance of 525.05 feet to the Northwest corner thereof; thence along aforesaid East maintained right of way line of County Road 209, N.00°03'24"E., a distance of 870.41 feet to the **POINT OF BEGINNING**.

Containing 339.289 acres, more or less.

PROJECT: TWIN OAKS POINTE		Prepared For: KOLTER	
PHASE:		<p>(Not A Survey)</p>  <p>Digitally signed by David Williams Date: 2021.08.06 10:08:41 -04'00'</p>	
DRAWN: MGF	DATE: 08/04/21		
<b>REVISIONS</b>			
DATE	DESCRIPTION	DRAWN BY	
<p><b>David A. Williams</b>      DATE</p> <p>FLORIDA PROFESSIONAL      <b>LS6423</b></p> <p>SURVEYOR &amp; MAPPER NO.      .....</p>		<p>213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768</p>  <p style="font-size: 24pt; font-weight: bold; margin-top: 10px;">GeoPoint</p> <p style="font-weight: bold;">Surveying, Inc.</p>	
FILE PATH: PATWISTED OAKS\DESCRIPTIONS\TWISTED OAKS-CDD-D&S.DWG      LAST SAVED BY: MFANNICK			
			<b>01 of 05</b>

# Description Sketch (Not A Survey)

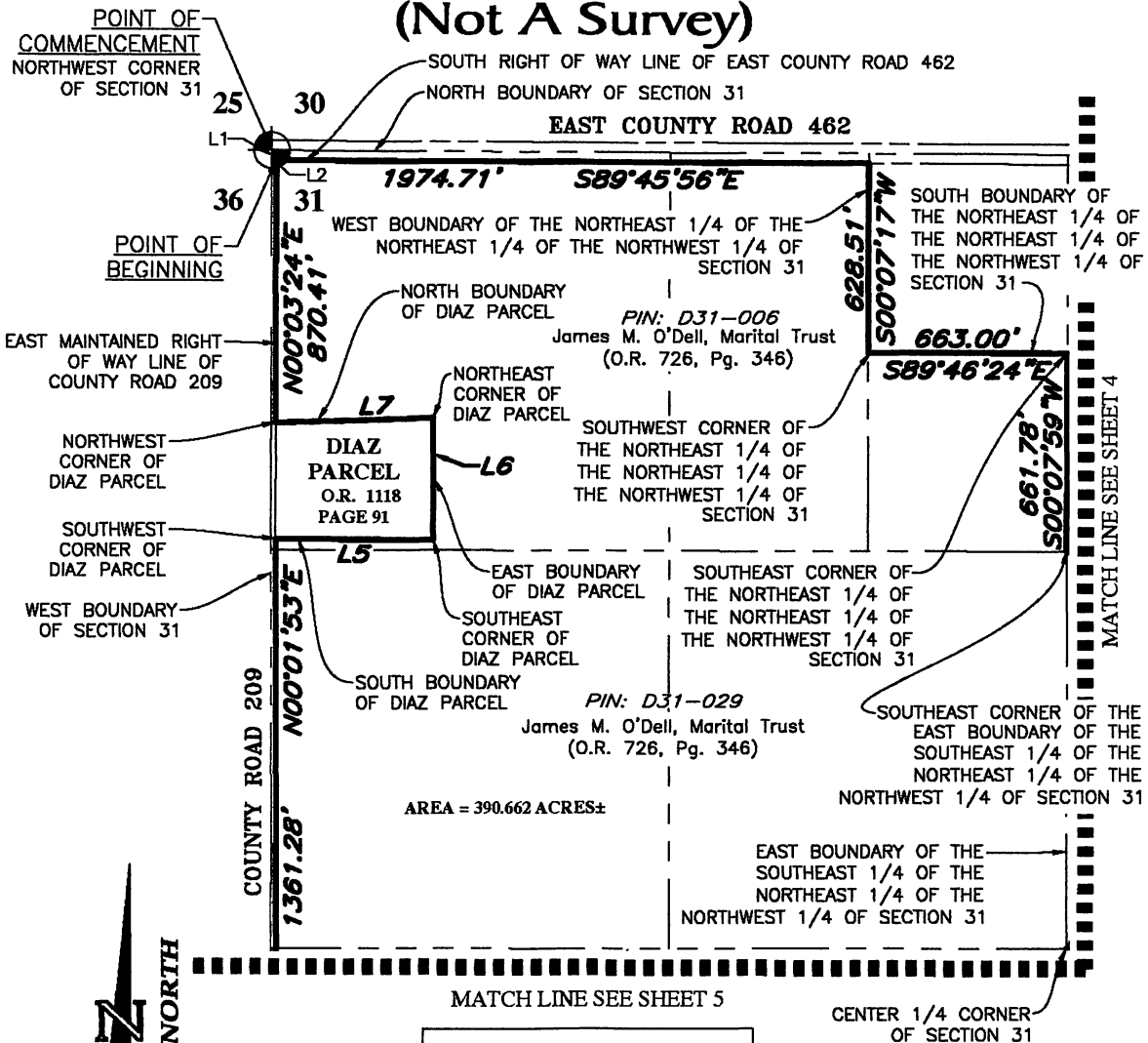


213 Hobbs Street  
Tampa, Florida 33619  
Phone: (813) 248-8888  
Licensed Business No.: LB 7768

GeoPoint

Surveying, Inc.

# Description Sketch (Not A Survey)



MATCH LINE SEE SHEET 5

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	S00°05'52"W	33.00'
L2	S89°45'56"E	14.51'
L5	S89°40'13"E	524.60'
L6	N00°06'47"E	406.10'
L7	S88°11'56"W	525.05'

**ABBREVIATION LEGEND**  
 O.R.----- OFFICIAL RECORDS BOOK  
 ± ----- MORE OR LESS

213 Hobbs Street  
 Tampa, Florida 33619  
 Phone: (813) 248-8888  
 Licensed Business No.: LB 7768

GeoPoint

Surveying, Inc.

EAST BOUNDARY OF THE  
SOUTHEAST 1/4 OF THE  
NORTHEAST 1/4 OF THE  
NORTHWEST 1/4 OF  
SECTION 31

# Description Sketch (Not A Survey)

30 29

EAST COUNTY ROAD 462

NORTH BOUNDARY  
OF SECTION 31

31 32

SOUTHEAST CORNER OF THE  
EAST BOUNDARY OF THE  
SOUTHEAST 1/4 OF THE  
NORTHEAST 1/4 OF THE  
NORTHWEST 1/4 OF SECTION 31

LINE DATA TABLE		
NO.	BEARING	LENGTH
L3	S00°00'04"E	120.00'
L4	N89°50'09"W	181.80'

NORTH BOUNDARY OF THE SOUTH 1/2 OF  
THE NORTHEAST 1/4 OF SAID SECTION 31

2608.41' S89°50'09"E

SOUTHEAST CORNER OF THE  
EAST BOUNDARY OF THE  
SOUTHEAST 1/4 OF THE  
NORTHEAST 1/4 OF THE  
NORTHWEST 1/4 OF  
SECTION 31

L4 N89°50'09"W 1182.13'

WEST RIGHT OF  
WAY LINE OF U.S.  
301

EAST BOUNDARY  
OF SECTION 31

PIN: D31-039

AREA = 390.662 ACRES±

CENTER 1/4 CORNER  
OF SECTION 31

SOUTH BOUNDARY OF  
THE NORTHEAST 1/4 OF  
SECTION 31

MATCH LINE SEE SHEET 4

N89°53'23"W  
1104.52'

EAST BOUNDARY OF THE  
SOUTHWEST 1/4 OF SECTION 31

US 301



NORTH MAINTAINED RIGHT OF WAY  
LINE OF WEST CLARKE STREET

SOUTH BOUNDARY  
OF SECTION 31

31 32

WEST CLARKE STREET

6 5

## CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	100.00'	91°16'40"	159.31'	142.99'	N89°50'09"W

213 Hobbs Street  
Tampa, Florida 33619  
Phone: (813) 248-8888  
Licensed Business No.: LB 7768



**GeoPoint**  
Surveying, Inc.

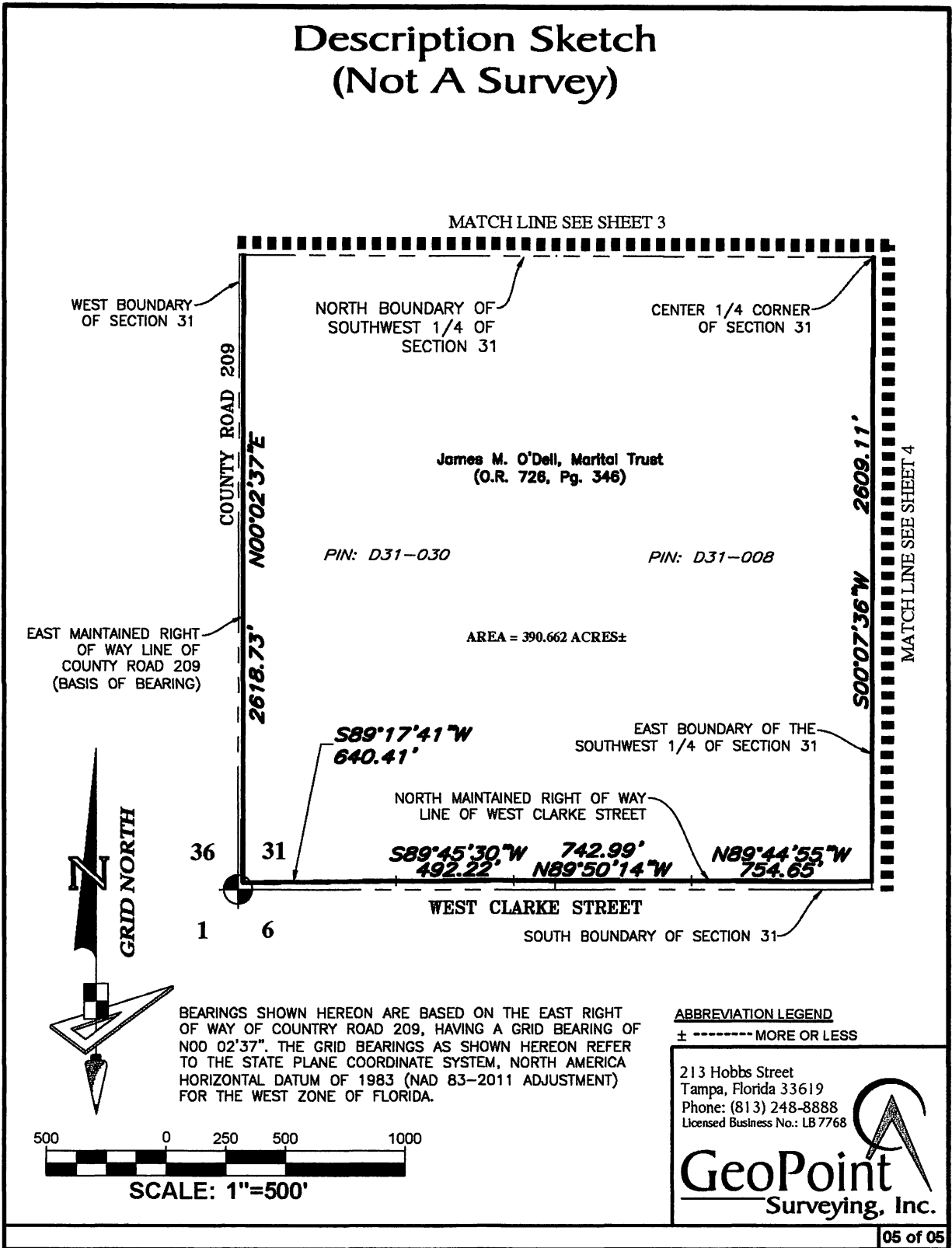


SCALE: 1"=500'

### ABBREVIATION LEGEND

± ----- MORE OR LESS

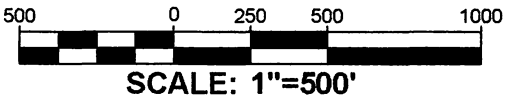
# Description Sketch (Not A Survey)



EAST MAINTAINED RIGHT OF WAY LINE OF COUNTY ROAD 209 (BASIS OF BEARING)



BEARINGS SHOWN HEREON ARE BASED ON THE EAST RIGHT OF WAY OF COUNTRY ROAD 209, HAVING A GRID BEARING OF N00°02'37". THE GRID BEARINGS AS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA HORIZONTAL DATUM OF 1983 (NAD 83-2011 ADJUSTMENT) FOR THE WEST ZONE OF FLORIDA.



**ABBREVIATION LEGEND**  
± ----- MORE OR LESS

213 Hobbs Street  
Tampa, Florida 33619  
Phone: (813) 248-8888  
Licensed Business No.: LB 7768



# EXHIBIT 3



This instrument was prepared by and  
upon recording should be returned to:

KE LAW GROUP, PLLC  
PO Box 6386  
Tallahassee, Florida 32314

---

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

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof ("Property").

As an owner of lands that are intended to constitute all or a part of the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

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

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, whichever 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 \_\_\_ day of \_\_\_\_\_, 2021.

Witnessed:

KL TWISTED OAKS LLC

*Matthew Aronso*  
Print Name: MATTHEW ARONSO

BY: *James P. Harvey*  
Print Name: James P. Harvey  
ITS: Authorized Signatory

*Bryon T. LoPreste*  
Print Name: BRYON T. LOPRESTE

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 11<sup>th</sup> day of August, 2021, by James P. Harvey, as Authorized Signatory of KL Twist Oaks LLC, who appeared before me this day in person, and who is either  personally known to me, or  produced \_\_\_\_\_ as identification.

*Bryon T. LoPreste*  
NOTARY PUBLIC, STATE OF FLORIDA

Name: Bryon T. LoPreste  
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

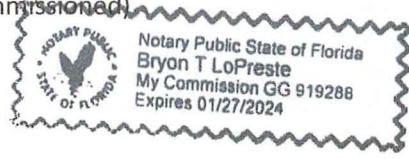


Exhibit A: Legal Description

# EXHIBIT A

## TWISTED OAKS – COMMUNITY DEVELOPMENT DISTRICT

**DESCRIPTION:** A parcel of land lying in Section 31, Township 18 South, Range 23 East, Sumter County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northwest corner of said Section 31, run thence along the West boundary of said Section 31, S.00°05'52"W., a distance of 33.00 feet; thence along a line lying 33.00 feet South of and parallel with the North boundary of said Section 31, the following two (2) courses: 1) S.89°45'56"E., a distance of 14.51 feet to a point of intersection with the South right of way line of East County Road 462 and the East maintained right of way line of County Road 209, said point also being the **POINT OF BEGINNING**; 2) along said South right of way line of East County Road 462, continue S.89°45'56"E., a distance of 1974.71 feet to a point on the West boundary of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of aforesaid Section 31; thence along said West boundary of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 31, S.00°07'17"W., a distance of 628.51 feet to the Southwest corner thereof; thence along the South boundary of said Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 31, S.89°46'24"E., a distance of 663.00 feet to the Southeast corner thereof; thence along the East boundary of the Southeast 1/4 of said Northeast 1/4 of the Northwest 1/4 of Section 31, S.00°07'59"W., a distance of 661.78 feet to the Southeast corner thereof; thence along the North boundary of the South 1/2 of the Northeast 1/4 of said Section 31, S.89°50'09"E., a distance of 2608.41 feet to the West right of way line of U.S. 301 (State Road 35 per Florida Department of Transportation Right of Way Map Section 18010); thence along said West right of way line of U.S. 301, S.00°00'04"E., a distance of 120.00 feet; thence along a line lying 120.00 feet South of and parallel with aforesaid North boundary of the South 1/2 of the Northeast 1/4 of Section 31, N.89°50'09"W., a distance of 1182.13 feet to a point of non-tangent curvature; thence Westerly, 159.31 feet along the arc of a non-tangent curve to the right having a radius of 100.00 feet and a central angle of 91°16'40" (chord bearing N.89°50'09"W., 142.99 feet); thence along aforesaid line lying 120.00 feet South of and parallel with the North boundary of the South 1/2 of the Northeast 1/4 of Section 31, N.89°50'09"W., a distance of 181.80 feet; thence S.00°00'00"W., a distance of 1201.35 feet to the South boundary of aforesaid Northeast 1/4 of Section 31; thence along said South boundary of the Northeast 1/4 of Section 31, N.89°53'23"W., a distance of 1104.52 feet to the Center 1/4 corner of said Section 31; thence along the East boundary of the Southwest 1/4 of said Section 31, S.00°07'36"W., a distance of 2609.11 feet to the North maintained right of way line of West Clarke Street; thence along said North maintained right of way line (as found monumented), the following four (4) courses: 1) N.89°44'55"W., a distance of 754.65 feet; 2) N.89°50'14"W., a distance of 742.99 feet; 3) S.89°45'30"W., a distance of 492.22 feet; 4) S.89°17'41"W., a distance of 640.41 feet to a point of intersection with aforesaid East maintained right of way line of County Road 209 and aforesaid North maintained right of way line of West Clarke Street; thence along said East maintained right of way line of County Road 209, the following two (2) courses: 1) N.00°02'37"E., a distance of 2618.73 feet to a point on the North boundary of aforesaid Southwest 1/4 of Section 31; 2) N.00°01'53"E., a distance of 1361.28 feet to the Southwest corner of Diaz Parcel recorded in Official Records Book 1118, Page 91, of the Public Records of Sumter County, Florida; thence along the South boundary of said Diaz Parcel, S.89°40'13"E., a distance of 524.60 feet to the Southeast corner thereof; thence along the East boundary of said Diaz Parcel, N.00°06'47"E., a distance of 406.10 feet to the Northeast corner thereof; thence along the North boundary of said Diaz Parcel, S.88°11'56"W., a distance of 525.05 feet to the Northwest corner thereof; thence along aforesaid East maintained right of way line of County Road 209, N.00°03'24"E., a distance of 870.41 feet to the **POINT OF BEGINNING**.

Containing 339.289 acres, more or less.

# EXHIBIT 4

CR 216

C-472

**PROPOSED  
TWISTED OAKS POINTE  
COMMUNITY  
DEVELOPMENT  
DISTRICT**

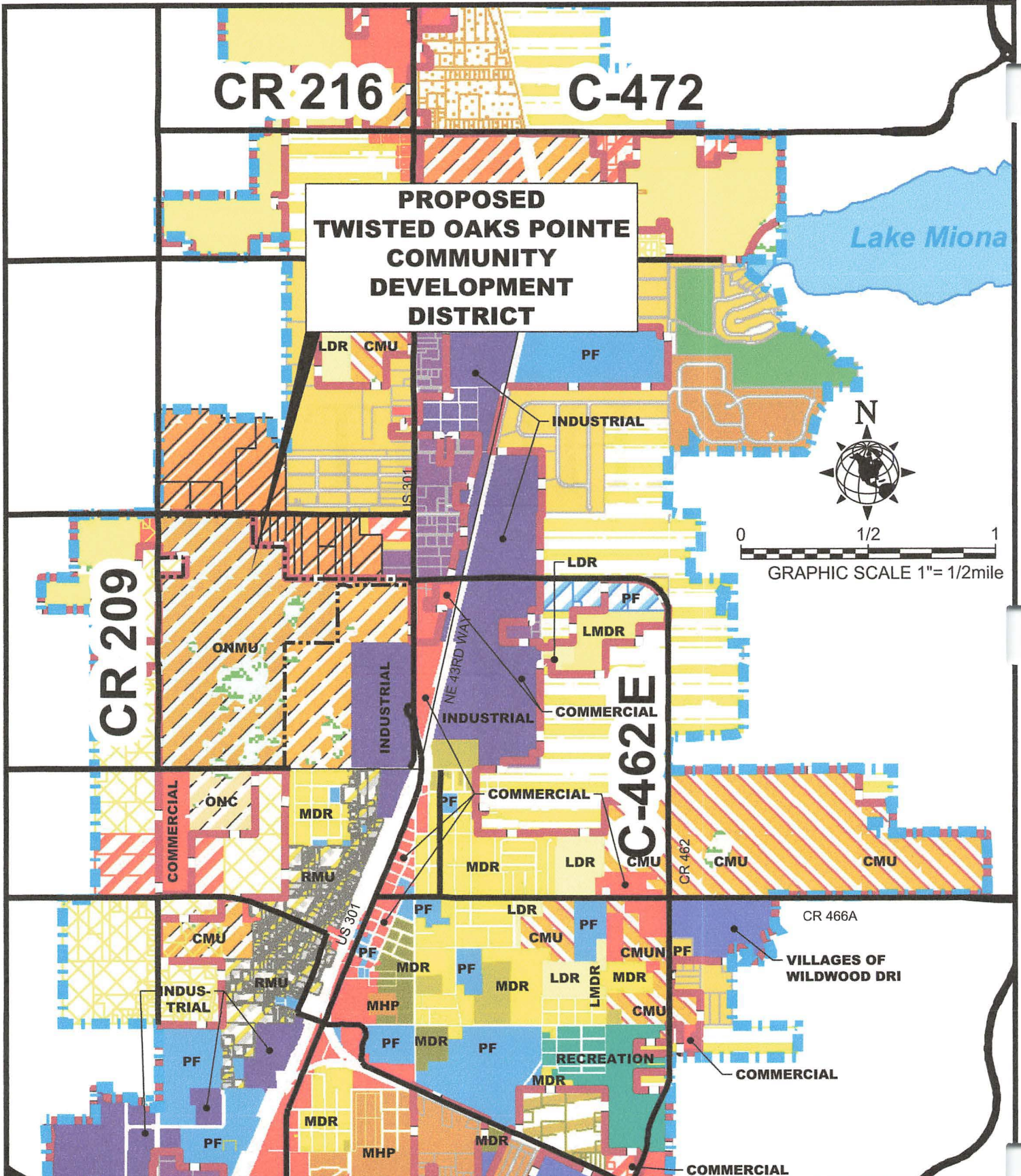
Lake Miona



0 1/2 1  
GRAPHIC SCALE 1"= 1/2mile

CR 209

C-462E



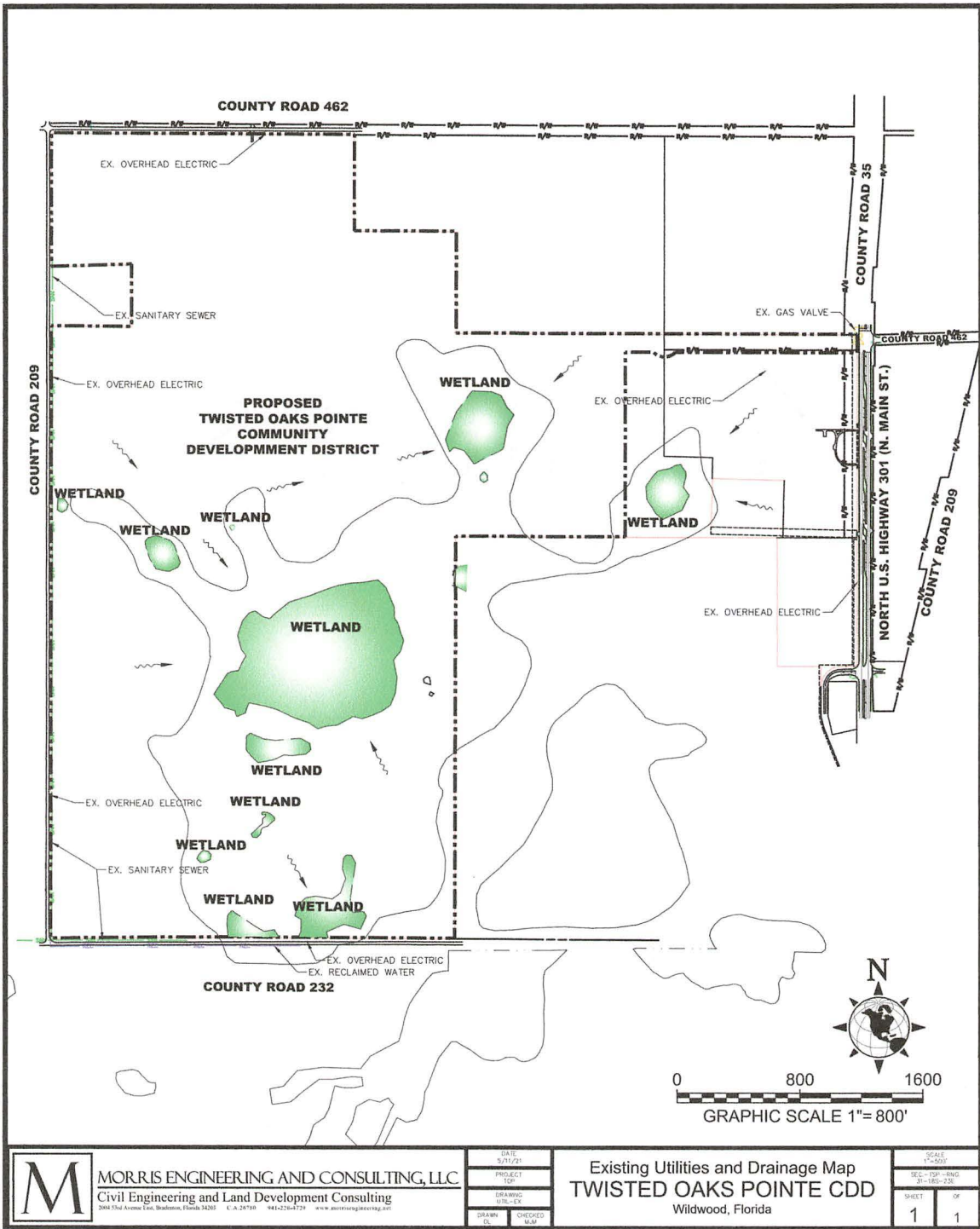
**M** MORRIS ENGINEERING AND CONSULTING, LLC  
 Civil Engineering and Land Development Consulting  
 2004 53rd Avenue East, Bradenton, Florida 34203 C.A. 28780 941-228-4729 www.morrisengineering.net

DATE	5/11/21
PROJECT	TOP
DRAWING	FLUMAP
DRAWN	DL
CHECKED	MAN

Future Land Use Map  
**TWISTED OAKS POINTE CDD**  
 Wildwood, Florida

SCALE	
1"=1/2mile	
SEC - TSP - RND	
31-185-23E	
SHEET	OF
1	1

# EXHIBIT 5



**M** MORRIS ENGINEERING AND CONSULTING, LLC  
 Civil Engineering and Land Development Consulting  
 2905 51st Avenue East, Bradenton, Florida 34205    P.O. Box 209    941-224-1727    www.morrisengineering.com

DATE	9/21/21
PROJECT	CDP
DRAWN	UTL-EX
CHECKED	MAP

Existing Utilities and Drainage Map  
**TWISTED OAKS POINTE CDD**  
 Wildwood, Florida

SCALE	1"=800'
SEC.	13P-ANG
BL.	13P-132
SHEET	1
OF	1

# EXHIBIT 6



## TWISTED OAKS POINTE COMMUNITY DEVELOPMENT DISTRICT

PROPOSED FACILITIES					
<u>Facility</u>	<u>Construction Funded By</u>	<u>Ownership</u>	<u>Capital Financing</u>	<u>Operation and Maintenance</u>	<u>Annual Cost</u>
Un-Gated Roadways	CDD	County/City	Special Assessment Revenue Bonds	County/City	\$25,000
Gated Roadways	Developer	HOA	Private	HOA	N/A
Stormwater Management	CDD	CDD	Special Assessment Revenue Bonds	CDD	\$50,000
Utilities (Water & Sewer)	CDD	City	Special Assessment Revenue Bonds	City	\$35,000
Offsite Improvements	CDD	County/City	Special Assessment Revenue Bonds	County/City	\$10,000
Amenity	CDD	CDD	Special Assessment Revenue Bonds	CDD/HOA*	\$80,000
Landscaping/ Lighting	CDD	CDD	Special Assessment Revenue Bonds	CDD	\$75,000

\* The Amenity may be Maintained by the HOA in the event it is not funded by the District, or the HOA may maintain the Amenity on behalf of the CDD via Agreement.

CONSTRUCTION COST ESTIMATE	
<u>Facility Description</u>	<u>Estimated Cost</u>
Roadways	\$ 6,000,000.00
Stormwater Management	\$ 6,500,000.00
Utilities (Water, Sewer)	\$ 5,500,000.00
Offsite Improvements	\$ 3,000,000.00
Landscaping/Lighting	\$ 2,000,000.00
Amenity	\$ 2,500,000.00
Professional Services	\$ 2,000,000.00
Contingency (10%)	\$ 2,750,000.00
<b>TOTAL</b>	<b>\$ 30,250,000.00</b>

<b>CONSTRUCTION TIMETABLE</b>					
	Percentage Complete				
<b>Phase</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Year</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Roadways	50%	15%	15%	10%	10%
Stormwater Management	65%	15%	10%	5%	5%
Utilities (Water, Sewer)	65%	15%	10%	5%	5%
Offsite Improvements	75%	10%	10%	5%	0%
Landscaping/Lighting	50%	15%	15%	10%	10%
<b>TOTAL</b>	<b>50%</b>	<b>15%</b>	<b>15%</b>	<b>10%</b>	<b>10%</b>

# EXHIBIT 7

# Twisted Oaks Pointe COMMUNITY DEVELOPMENT DISTRICT

## Statement of Estimated Regulatory Costs

August 10, 2021



Provided by

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

# **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 Twisted Oaks Pointe 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 339.289 +/- acres of land located within the City of Wildwood, Florida (the "City") and is projected to contain approximately 955 residential dwelling units, which will make up the Twisted Oaks Pointe 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 Twisted Oaks Pointe 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 955 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 Twisted Oaks Pointe.

### **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 Wildwood, according to the Census 2020, has a population of 7,720; therefore, it is 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 339.289 +/- 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 550 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 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 of Wildwood 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 Wildwood

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 339.289 +/- acre master

planned residential development currently anticipated to contain a total of approximately 955 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 3,343 +/- and all of these residents as well as the residential and non-residential 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 of Wildwood. 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 Wildwood, Florida

The proposed land for the District is located within the City of Wildwood, 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 \$30,250,000. 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**

**TWISTED OAKS POINTE COMMUNITY DEVELOPMENT  
DISTRICT  
Proposed Facilities and Services**

<b>FACILITY</b>	<b>FUNDED</b>	<b>OWNED BY</b>	<b>MAINTAINED BY</b>
Public Roadways	CDD	City/County	City/County
Private Roadways	Developer	HOA	HOA
Stormwater Management	CDD	CDD	CDD
Utilities (Water & Sewer)	CDD	City	City
Offsite Improvements	CDD	City/County	City/County
Amenity	CDD	CDD	CDD/HOA*
Landscaping/Lighting	CDD	CDD	CDD

\*The Amenity may be maintained by the HOA in the event it is not funded by the District, or the HOA may maintain the Amenity on behalf of the CDD via Agreement.

**Table 2**

**TWISTED OAKS POINTE COMMUNITY DEVELOPMENT  
DISTRICT  
Estimated Costs of Construction**

<b>CATEGORY</b>	<b>COST</b>
Roadways	\$6,000,000
Stormwater Management	\$6,500,000
Utilities (Water & Sewer)	\$5,500,000
Offsite Improvements	\$3,000,000
Amenity	\$2,000,000
Landscaping/Lighting	\$2,500,000
Professional Services	\$2,000,000
Contingency	\$2,750,000
<b>Total</b>	<b>\$30,250,000</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 Wildwood has a population of 7,720 according to the Census 2020 conducted by the United

States Census Bureau and is therefore defined as a "small" City according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Twisted Oaks Pointe development will not produce any marginal effects that would be different from those that would have occurred if the Twisted Oaks Pointe development was developed without a community development district established for it by the City.

#### **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 Twisted Oaks Pointe 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 Twisted Oaks Pointe 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 Twisted Oaks Pointe 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 Twisted Oaks Pointe 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 Twisted Oaks Pointe Community Development District.

**APPENDIX A  
LIST OF REPORTING REQUIREMENTS**

<b>REPORT</b>	<b>FL. STATUE CITATION</b>	<b>DATE</b>
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, semiannually, 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 county after financing



# EXHIBIT 8

**AUTHORIZATION OF AGENT**

This letter shall serve as a designation of Jere Earlywine of KE Law Group, PLLC, to act as agent for Petitioner, KL Twisted Oaks LLC, with regard to any and all matters pertaining to the Petition to the Board of City Commissioners of the City of Wildwood, Florida, to Establish the Twisted Oaks Pointe Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

**KL TWISTED OAKS LLC**

**Witnessed:**

*Mattew*

Print Name: *MATTHEW GONSO*

*[Signature]*

Print Name: *Bryon T. LoPreste*

*[Signature]*

By: James P. Harvey

Its: Authorized Signatory

**STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 11<sup>th</sup> day of August, 2021, by James P. Harvey, as Authorized Signatory of KL Twisted Oaks LLC, on its behalf. He  is personally known to me or  produced \_\_\_\_\_ as identification.

*[Signature]*

Notary Public, State of Florida  
