

ORDINANCE NO. 2018- 26

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2017); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

RECITALS

WHEREAS, Mattamy Jacksonville LLC ("Petitioner"), having obtained written consent to the establishment of the District by the owner of 100 percent (100%) of the real property, described in attached **Exhibit A**, to be included in the District, petitioned the St. Johns County Board of Commissioners (the "County") to adopt an ordinance establishing the Rivers Edge II Community Development District (the "District"), with petition attached as **Exhibit B**, pursuant to Chapter 190, Florida Statutes (2017); and

WHEREAS, Petitioner is a Florida limited liability company; and

WHEREAS, 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 a duly noticed public hearing conducted by the County on June 19, 2018; and

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT:

SECTION 1. The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2017).

SECTION 3. DISTRICT NAME. There is hereby established a Community Development District situated entirely within the unincorporated limits of St. Johns County, Florida, which District shall be known as the "Rivers Edge II 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 proposed District covers approximately 887 acres of land. The site is generally located north of the St. Johns River, west of County Road 210, east of the Rivers Edge Community Development District, and south of Greenbriar Road in unincorporated St. Johns County, Florida.

SECTION 5. FUNCTIONS AND POWERS. The general powers and functions of the District are described in Chapter 190.012, Florida Statutes (2017). The District is also authorized to exercise additional special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: i) parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described in Section 190.012(2)(a), Florida Statutes; and ii) security, including, but not limited to, guardhouses, fences and gates, intrusion-detection systems, and patrol cars, when authorized by proper government agencies, as authorized and described in Section 190.012(2)(d), Florida Statutes.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Jason Sessions, Chuck Bolen, Amber King, Jason Beard, Justin Frisbee. All of the above-styled persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7. LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE. Nothing in this Ordinance shall be deemed as affirmative acceptance by St Johns County of any financial operational, maintenance, or any other responsibilities of the District, nor be deemed as affirmative acceptance of any proposed improvement.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or the application thereof is formally determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect pursuant to Florida general law.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 19 DAY OF June, 2018.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY

BY: Henry Dean
Henry Dean, Chair

JUN 21 2018
Rendition Date

ATTEST: Hunter S. Conrad, CLERK

BY: Wonne King

EFFECTIVE DATE: _____



RiverTown

CDD 2 North Parcel (Part One)

Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Reference, COMMENCE at the intersection of the northerly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785), with the easterly monumented line of said Frances P. Fatio Grant, Section 39, Township 5 South, Range 27 East, and run thence, along the aforesaid said northerly Right of Way line of STATE ROAD No. 13, the following two (2) courses and distances:

Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 22,968.28 feet, through a central angle of 00°20'02" to the left, an arc distance of 133.89 feet, to point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°17'25" West, 133.89 feet;

Course No. 2: run thence, North 63°27'26" West, along last said tangency, a distance of 179.79 feet, to the POINT OF BEGINNING.

From the POINT OF BEGINNING thus described, continue North 63°27'26" West, along the aforesaid northerly Right of Way line of STATE ROAD No. 13, a distance of 2,917.82 feet; thence departing from aforesaid northerly Right of Way line of STATE ROAD No. 13, run the following ten (10) courses and distances:

Course No. 1: run thence, North 52°12'30" East, a distance of 337.34 feet, to a point;

Course No. 2: run thence, North 43°00'14" East, a distance of 340.19 feet, to a point;

Course No. 3: run thence, North 27°38'47" East, a distance of 540.78 feet, to a point;

Course No. 4: run thence, North 59°45'43" East, a distance of 312.12 feet, to a point;

Course No. 5: run thence, North 12°39'39" East, a distance of 376.82 feet, to a point;

Course No. 6: run thence, North 03°30'59" West, a distance of 427.45 feet, to a point;

Course No. 7: run thence, North 23°57'56" East, a distance of 932.43 feet, to a point;

Course No. 8: run thence, North 48°02'01" East, a distance of 302.22 feet, to a point;

Course No. 9: run thence, North 27°34'13" East, a distance of 248.54 feet, to a point;

Course No. 10: run thence, North 07°09'39" East, a distance of 674.95 feet, to a point, on the southerly line of "Parcel 11- Elementary School Site", as per the Sketch and Legal prepared by this Firm, dated

April 28, 2016; run thence, along the southerly and easterly boundary of said "Parcel 11 - Elementary School Site", the following thirty-four (34) courses and distances:

Course No. 1: run thence, South 71°41'33" East, a distance of 775.63 feet, to a point;

Course No. 2: run thence, North 33°37'29" East, a distance of 62.40 feet, to a point;

Course No. 3: run thence, North 06°30'58" East, a distance of 40.31 feet, to a point;

Course No. 4: run thence, North 00°03'18" West, a distance of 68.98 feet, to a point;

Course No. 5: run thence, North 05°58'04" East, a distance of 38.17 feet, to a point;

Course No. 6: run thence, North 08°08'34" West, a distance of 93.10 feet, to a point;

Course No. 7: run thence, North 09°42'05" East, a distance of 76.71 feet, to a point;

Course No. 8: run thence, North 05°07'10" West, a distance of 43.27 feet, to a point;

Course No. 9: run thence, North 15°48'54" East, a distance of 37.19 feet, to a point;

Course No. 10: run thence, North 09°54'54" East, a distance of 82.20 feet, to a point;

Course No. 11: run thence, North 32°10'30" East, a distance of 50.58 feet, to a point;

Course No. 12: run thence, North 36°15'54" West, a distance of 72.68 feet, to a point of curvature, of a curve, leading northeasterly;

Course No. 13: run thence, northeasterly, along and around the arc of a curve, being concave easterly, and having a radius of 25.00 feet, through a central angle of 39°51'27" to the right, an arc distance of 17.39 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 16°20'11" West, 17.04 feet;

Course No. 14: run thence, North 03°35'33" East, along last said tangency, a distance of 55.29 feet, to a point;

Course No. 15: run thence, North 27°46'35" West, a distance of 159.19 feet, to a point;

Course No. 16: run thence, North 23°56'36" West, a distance of 57.05 feet, to a point;

Course No. 17: run thence, North 15°33'10" West, a distance of 49.85 feet, to a point;

Course No. 18: run thence, South 78°39'24" East, a distance of 24.49 feet, to a point;

Course No. 19: run thence, North 11°59'52" East, a distance of 50.59 feet, to a point;

Course No. 20: run thence, South 90°00'00" East, a distance of 151.53 feet, to a point;

Course No. 21: run thence, South 05°24'52" West, a distance of 67.04 feet, to a point;

Course No. 22: run thence, North 68°26'00" East, a distance of 25.11 feet, to a point;

Course No. 23: run thence, South 03°06'04" East, a distance of 17.72 feet, to a point;

Course No. 24: run thence, South 36°29'04" East, a distance of 22.83 feet, to a point;

- Course No. 25: run thence, South 50°43'11" East, a distance of 72.64 feet, to a point;
- Course No. 26: run thence, North 72°12'33" East, a distance of 53.45 feet, to the point of curvature, of a curve, leading southeasterly;
- Course No. 27: run thence, southeasterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 25.00 feet, through a central angle of 77°36'13" to the right, an arc distance of 33.86 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 68°59'20" East, 31.33 feet;
- Course No. 28: run thence, South 30°11'14" East, along last said tangency, a distance of 38.85 feet, to a point;
- Course No. 29: run thence, South 88°25'01" East, a distance of 83.24 feet, to the point of a non tangential curve, leading easterly;
- Course No. 30: run thence, easterly, along and around the arc of a curve, being concave southerly, and having a radius of 25.00 feet, through a central angle of 21°11'35" to the right, and arc distance of 9.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 77°16'23" East, 9.20 feet;
- Course No. 31: run thence, South 66°40'36" East, along last said tangency, a distance of 8.56 feet, to a point;
- Course No. 32: run thence, South 40°08'11" East, a distance of 55.96 feet, to a point;
- Course No. 33: run thence South 48°32'04" East, a distance of 42.75 feet, to a point;
- Course No. 34: run thence, North 54°28'40" East, a distance of 62.15 feet, run thence, North 14°57'14" East, a distance of 30.79 feet, to a point, which lies 62.00 feet southerly of, the most northerly line of that 53 foot wide easement, dedicated to Peoples Gas System, and recorded in Official Records Book 3150, page 578 of the Public Records of St. Johns County, Florida, and also being the northerly line of that 53 foot wide easement dedicated to JEA, and recorded in Official Records Book 3131, page 483, of the Public Records of said St. Johns County, Florida; run thence, parallel with and concentric to, and 62 feet southerly of the northerly line of last said two (2) easements, the following two (2) courses and distances:
- Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 514.50 feet, through a central angle of 44°41'04" to the left, an arc distance of 401.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 53°35'59" West, 391.16 feet;
- Course No. 2: run thence, North 75°56'31" West, along last said tangency, a distance of 213.21 feet, to a point; thence departing from aforesaid line, run the following twenty-three (23) courses and distances:
- Course No. 1: run thence, North 14°03'30" East, a distance of 108.94 feet, to a point;
- Course No. 2: run thence, South 74°33'07" East, a distance of 562.46 feet, to a point;
- Course No. 3: run thence, North 23°01'26" East, a distance of 378.93 feet, to a point;

Course No. 4: run thence, North 05°59'33" West, a distance of 343.45 feet, to the point of curvature, of a non-tangent curve, leading easterly;

Course No. 5: run thence easterly, along and around the arc of a curve, being concave southerly, and having a radius of 239.56 feet, through a central angle of 124°52'14" to the right, an arc distance of 522.09 feet, to the point of reverse curvature, of a curve continuing easterly, last said arc being subtended by a chord bearing and distance of North 85°05'05" East, 424.73 feet;

Course No. 6: run thence easterly, along and around the arc of a curve, being concave northerly, and having a radius of 376.68 feet, through a central angle of 107°24'34" to the left, an arc distance of 706.15 feet, to a point, last said arc being subtended by a chord bearing and distance of South 86°11'06" East, 607.19 feet;

Course No. 7: run thence, North 02°54'47" East, along a non-tangent line, a distance of 451.50 feet, to a point;

Course No. 8: run thence, North 47°44'50" West, a distance of 397.82 feet, to a point;

Course No. 9: run thence, South 79°35'12" West, a distance of 338.27 feet, to a point of curvature, of a non-tangent curve, leading northerly;

Course No. 10: run thence northerly, along and around the arc of a curve, being concave easterly, and having a radius of 295.05 feet, through a central angle of 158°05'24" to the right, an arc distance of 814.09 feet, to the point of tangency, of a non-tangent curve, last said arc being subtended by a chord bearing and distance of North 08°21'00" East, 579.34 feet;

Course No. 11: run thence, North 70°01'49" East, along last said non-tangent line, a distance of 358.05 feet, to a point;

Course No. 12: run thence, North 05°42'53" East, a distance of 192.02 feet, to the point of curvature, of a non-tangent curve, leading easterly;

Course No. 13: run thence easterly, along and around the arc of a curve; being concave southerly, and having a radius of 197.27 feet, through a central angle of 178°06'21" to the right, an arc distance of 613.22 feet, to the point of tangency, of a non-tangent curve, last said arc being subtended by a chord bearing and distance of North 78°15'46" East, 394.49 feet;

Course No. 14: run thence, South 57°46'35" East, a distance of 587.65 feet, to a point;

Course No. 15: run thence, South 28°33'27" East, a distance of 495.97 feet, to a point;

Course No. 16: run thence, South 28°39'55" West, a distance of 310.12 feet, to a point;

Course No. 17: run thence, South 73°27'16" West, a distance of 147.61 feet, to a point;

Course No. 18: run thence, South 54°17'33" East, a distance of 536.88 feet, to a point;

Course No. 19: run thence, South 03°08'19" East, a distance of 279.38 feet, to a point;

Course No. 20: run thence, South 17°38'48" West, a distance of 605.51 feet, to a point;

Course No. 21: run thence, South 24°09'05" East, a distance of 216.50 feet, to the point of curvature, of a non-tangent curve, leading easterly;

Course No. 22: run thence easterly, along and around the arc of a curve, being concave southerly, and having a radius of 465.00 feet, through a central angle of 22°32'24" to the right, an arc distance of 182.93 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 79°19'39" East, 181.75 feet;

Course No. 23: run thence, South 89°24'09" East, a distance of 141.88 feet, to a point on the westerly Right of Way line of LONGLEAF PARKWAY, as dedicated to St. Johns County, by instrument recorded in Official Records Book 3271, page 1329 of the Public Records of said St. Johns County, Florida; run thence, along the aforesaid westerly Right of Way line of LONGLEAF PARKWAY, run the following one (1) course and distance:

Course No. 1: run thence southerly, along and around the arc of a curve, being concave easterly, and having a radius of 3,565.00 feet, through a central angle of 21°02'53" to the left, an arc distance of 1,309.54 feet, said curve, said arc being subtended by a chord bearing and distance of South 09°25'38" East, 1,302.29 feet; departing from aforesaid westerly Right of Way line of LONGLEAF PARKWAY. run the following seven (7) courses and distances:

Course No. 1: run thence, South 36°38'06" West, a distance of 400.42 feet, to a point;

Course No. 2: run thence, South 54°58'08" West, a distance of 330.30 feet, to a point;

Course No. 3: run thence, South 44°29'47" West, a distance of 430.83 feet to a point;

Course No. 4: run thence, South 64°12'38" West, a distance of 301.97 feet, to a point;

Course No. 5: run thence, South 13°42'10" West, a distance of 318.50 feet, to a point;

Course No. 6: run thence, South 52°16'16" West, a distance of 262.11 feet, to a point;

Course No. 7: run thence, South 23°41'37" West, a distance of 384.98 feet, to an intersection with the easterly line of Conservation Easement No. 28, as recorded in that Conservation Easement, (Rivertown-Unit 1, Phase 2, Group 1) as recorded in that instrument, recorded in Official Records Book 3009, page 1777 et seq, of the Public Records of St. Johns County, Florida; run thence, along the easterly boundary of said Conservation Easement No. 28, the following eight (8) courses and distances:

Course No. 1: run thence, South 04°19'20" East, a distance of 134.75 feet, to a point;

Course No. 2: run thence, South 08°55'41" East, a distance of 28.10 feet, to a point;

Course No. 3: run thence, South 72°26'19" East, a distance of 8.08 feet, to a point;

Course No. 4: run thence, North 73°28'49" East, a distance of 47.82 feet, to a point;

Course No. 5: run thence, South 87°33'46" East, a distance of 82.73 feet, to a point;

Course No. 6: run thence, South 89°24'49" East, a distance of 16.37 feet, to a point;

Course No. 7: run thence, South 17°51'46" West, a distance of 21.40 feet, to a point;

Course No. 8: run thence, South 68°05'50" West, a distance of 75.04 feet, to a point; thence departing from aforesaid Conservation Easement No. 28, run the following eleven (11) courses and distances:

Course No. 1: run thence, South 20°48'19" West, a distance of 270.86 feet, to a point;

Course No. 2: run thence, South 35°04'12" West, a distance of 392.69 feet, to a point;

Course No. 3: run thence, South 56°56'52" West, a distance of 228.11 feet, to a point;

Course No. 4: run thence, South 37°04'57" West, a distance of 273.60 feet, to a point;

Course No. 5: run thence, South 46°22'00" West, a distance of 318.14 feet, to a point;

Course No. 6: run thence, South 65°54'47" West, a distance of 97.80 feet, to a point;

Course No. 7: run thence, North 85°34'16" West, a distance of 117.00 feet, to a point;

Course No. 8: run thence, South 72°21'10" West, a distance of 327.57 feet, to a point;

Course No. 9: run thence, South 28°18'49" West, a distance of 340.58 feet, to a point

Course No. 10: run thence, South 31°22'04" East, a distance of 147.54 feet, to a point;

Course No. 11: run thence, South 26°16'16" West, a distance of 348.72 feet, to a point on the aforesaid easterly line of Conservation Easement No. 28, as recorded in that Conservation Easement, (Rivertown-Unit 1, Phase 2, Group 1) as recorded in that instrument, recorded in Official Records Book 3009, page 1777 et seq, of the Public Records of St. Johns County, Florida; run thence, along the easterly boundary of said Conservation Easement No. 28, the following four (4) courses and distances:

Course No. 1: run thence, South 14°59'14" East, a distance of 79.95 feet, to a point;

Course No. 2: run thence, South 06°15'33" West, a distance of 115.51 feet, to a point;

Course No. 3: run thence, South 24°20'29" West, a distance of 343.43 feet, to a point;

Course No. 4: run thence, South 00°50'37" West, a distance of 76.78 feet, to a point on the aforesaid northerly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785), and the POINT OF BEGINNING.

The lands thus described contains 21,074,888 square feet, or 483.81 Acres, more or less, in area.

RiverTown
CDD 2 North Parcel (Part Two)
Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Point or Reference, Commence at the intersection of the monumented easterly line of said Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, with the easterly Right of Way line of LONGLEAF PARKWAY, as dedicated to St. Johns County, Florida, by instrument recorded in Official Records Book 3271, page 1329 of the Public Records of said St. Johns County, Florida, and run thence, along the aforesaid easterly Right of Way line of LONGLEAF PARKWAY, the following two (2) courses and distances:

Course No. 1: run thence, North 23°35'20" West, a distance of 781.17 feet, to the point of curvature, of a curve leading northerly;

Course No. 2: run thence, northerly, along and around the arc of a curve, being concave easterly, and having a radius of 3,435.00 feet, through a central angle of 03°25'40" to the right, an arc distance of 205.51 feet, to the POINT OF BEGINNING, last said arc being subtended by a chord bearing and distance of North 21°52'30" West, 205.48 feet;

From the POINT OF BEGINNING, thus described, continue northerly, along the easterly Right of Way line of LONGLEAF PARKWAY, and continuing northerly, along and around the last said curve, having a radius of 3,435.00 feet, through a central angle of 25°46'06" to the right, an arc distance of 1,544.87 feet, to a point, last said arc being subtended by a chord bearing and distance of North 07°16'37" West, 1,531.88 feet; run thence, the following fifty-seven (57) courses and distances:

Course No. 1: run thence, South 86°51'22" East, a distance of 165.43 feet, to a point;

Course No. 2: run thence, North 87°27'25" East, a distance of 197.94 feet, to a point;

Course No. 3: run thence, North 45°01'16" East, a distance of 74.55 feet, to a point;

Course No. 4: run thence, North 59°03'17" East, a distance of 128.09 feet, to a point;

Course No. 5: run thence, South 68°51'10" East, a distance of 146.06 feet, to a point;

Course No. 6: run thence, South 25°57'32" East, a distance of 180.71 feet, to a point;

Course No. 7: run thence, South 15°57'23" West, a distance of 191.82 feet, to a point;

Course No. 8: run thence, North 86°22'14" East, a distance of 442.64 feet, to a point;

Course No. 9: run thence, North $13^{\circ}49'49''$ West, a distance of 781.90 feet, to a point;

Course No. 10: run thence, North $26^{\circ}34'55''$ West, a distance of 186.59 feet, to a point;

Course No. 11: run thence, South $88^{\circ}47'09''$ West, a distance of 122.09 feet, to a point;

Course No. 12: run thence, South $02^{\circ}39'03''$ East, a distance of 168.85 feet, to a point;

Course No. 13: run thence, South $79^{\circ}47'07''$ West, a distance of 272.38 feet, to a point;

Course No. 14: run thence, North $03^{\circ}20'11''$ West, a distance of 453.06 feet, to a point;

Course No. 15: run thence, North $70^{\circ}43'23''$ East, a distance of 279.33 feet, to a point;

Course No. 16: run thence, North $16^{\circ}19'31''$ East, a distance of 187.60 feet, to a point;

Course No. 17: run thence, North $24^{\circ}19'13''$ West, a distance of 149.38 feet, to a point;

Course No. 18: run thence, South $68^{\circ}51'10''$ West, a distance of 292.13 feet, to a point;

Course No. 19: run thence, North $13^{\circ}38'12''$ West, a distance of 149.11 feet, to a point;

Course No. 20: run thence, North $18^{\circ}53'56''$ East, a distance of 352.75 feet, to a point;

Course No. 21: run thence, North $53^{\circ}24'47''$ East, a distance of 191.55 feet, to a point;

Course No. 22: run thence, South $60^{\circ}33'16''$ East, a distance of 777.13 feet, to a point;

Course No. 23: run thence, South $07^{\circ}26'12''$ West, a distance of 305.56 feet, to a point;

Course No. 24: run thence, South $23^{\circ}58'41''$ West, a distance of 302.77 feet, to a point;

Course No. 25: run thence, South $12^{\circ}32'16''$ East, a distance of 202.43 feet, to a point;

Course No. 26: run thence, South $05^{\circ}17'38''$ East, a distance of 238.14 feet, to a point;

Course No. 27: run thence, South $34^{\circ}38'38''$ East, a distance of 224.18 feet, to a point;

Course No. 28: run thence, South $19^{\circ}14'38''$ West, a distance of 200.00 feet, to a point;

Course No. 29: run thence, South $40^{\circ}23'07''$ East, a distance of 230.60 feet, to a point;

Course No. 30: run thence, North $21^{\circ}48'57''$ East, a distance of 189.20 feet, to a point;

Course No. 31: run thence, North $16^{\circ}20'18''$ West, a distance of 453.02 feet, to a point;

Course No. 32: run thence, North 13°50'18" East, a distance of 293.96 feet, to a point;

Course No. 33: run thence, North 86°03'49" East, a distance of 302.70 feet, to a point;

Course No. 34: run thence, South 84°52'58" East, a distance of 380.67 feet, to a point;

Course No. 35: run thence, North 32°43'06" East, a distance of 602.21 feet, to a point;

Course No. 36: run thence, North 11°37'37" East, a distance of 479.70 feet, to a point;

Course No. 37: run thence, North 02°28'12" West, a distance of 509.85 feet, to a point;

Course No. 38: run thence, North 57°27'54" West, a distance of 225.81 feet, to a point;

Course No. 39: run thence, North 41°14'43" West, a distance of 198.93 feet, to a point;

Course No. 40: run thence, North 29°31'46" West, a distance of 167.20 feet, to a point;

Course No. 41: run thence, North 47°51'57" West, a distance of 426.59 feet, to a point;

Course No. 42: run thence, North 37°53'43" East, a distance of 187.83 feet, to a point;

Course No. 43: run thence, North 24°23'32" East, a distance of 192.89 feet, to a point;

Course No. 44: run thence, North 66°49'00" West, a distance of 104.59 feet, to a point;

Course No. 45: run thence, North 42°22'42" West, a distance of 252.67 feet, to a point;

Course No. 46: run thence, South 83°55'19" West, a distance of 634.42 feet, to a point;

Course No. 47: run thence, North 86°16'49" West, a distance of 772.74 feet, to a point;

Course No. 48: run thence, South 05°28'53" West, a distance of 140.09 feet, to a point;

Course No. 49: run thence, North 81°41'28" West, a distance of 199.18 feet, to a point;

Course No. 50: run thence, North 56°24'07" West, a distance of 208.85 feet, to a point;

Course No. 51: run thence, North 12°57'19" West, a distance of 269.86 feet, to a point;

Course No. 52: run thence, North 54°27'25" West, a distance of 251.38 feet, to a point;

Course No. 53: run thence, North 69°27'53" West, a distance of 427.89 feet, to a point;

Course No. 54: run thence, South 57°34'36" West, a distance of 146.07 feet, to a point;

Course No. 55: run thence, South 46°11'24" West, a distance of 132.45 feet, to a point;

Course No. 56: run thence, South 73°06'24" West, a distance of 101.89 feet, to a point;

Course No. 57: run thence, North 81°15'37" West, a distance of 178.41 feet, to a point on the aforesaid easterly Right of Way line of LONGLEAF PARKWAY, as dedicated to St. Johns County, by instrument recorded in Official Records Book 3271, page 1329 of the Public Records of said St. Johns County, Florida, said point also being on the arc of a curve leading northeasterly; run thence northeasterly, along and around the arc of a curve, having a radius of 1,135.00 feet, through a central angle of 07°12'44" to the right, an arc distance of 142.87 feet, to a point, last said arc being subtended by a chord bearing and distance of North 10°22'28" East, 142.78 feet; thence departing from aforesaid easterly Right of Way line of LONGLEAF PARKWAY, run the following thirty-three (33) courses and distances:

Course No. 1: run thence, South 82°10'28" East, a distance of 161.71 feet, to a point;

Course No. 2: run thence, North 34°51'36" East, a distance of 94.78 feet, to a point;

Course No. 3: run thence, North 66°49'00" East, a distance of 306.09 feet, to a point;

Course No. 4: run thence, South 62°26'40" East, a distance of 885.62 feet, to a point;

Course No. 5: run thence, South 84°14'30" East, a distance of 293.57 feet, to a point;

Course No. 6: run thence, North 38°21'30" East, a distance of 198.18 feet, to a point;

Course No. 7: run thence, South 78°55'42" East, a distance of 374.19 feet, to a point;

Course No. 8: run thence, South 70°08'51" East, a distance of 334.88 feet, to a point;

Course No. 9: run thence, South 82°37'22" East, a distance of 405.56 feet, to a point;

Course No. 10: run thence, North 56°48'12" East, a distance of 760.14 feet, to a point;

Course No. 11: run thence, South 46°49'47" East, a distance of 365.43 feet, to a point;

Course No. 12: run thence, South 08°21'43" East, a distance of 450.94 feet, to a point;

Course No. 13: run thence, South 19°21'42" East, a distance of 754.67 feet, to a point;

Course No. 14: run thence, South 35°33'27" East, a distance of 280.59 feet, to a point;

Course No. 15: run thence, South 77°40'11" East, a distance of 178.16 feet, to a point;

Course No. 16: run thence, North 24°47'28" West, a distance of 155.66 feet, to a point;

Course No. 17: run thence, North 33°07'50" East, a distance of 149.27 feet, to a point;

Course No. 18: run thence, North 82°41'58" East, a distance of 213.86 feet, to a point;

Course No. 19: run thence, South 38°23'17" East, a distance of 332.83 feet, to a point;

Course No. 20: run thence, North 83°17'12" East, a distance of 176.85 feet, to a point;

Course No. 21: run thence, North 03°17'30" East, a distance of 303.94 feet, to a point;

Course No. 22: run thence, North 27°42'41" West, a distance of 184.93 feet, to a point;

Course No. 23: run thence, North 53°31'56" West, a distance of 505.15 feet, to a point;

Course No. 24: run thence, North 29°20'18" West, a distance of 455.13 feet, to a point;

Course No. 25: run thence, North 12°00'41" East, a distance of 246.00 feet, to a point;

Course No. 26: run thence, North 56°00'07" East, a distance of 672.90 feet, to a point;

Course No. 27: run thence, South 74°42'42" East, a distance of 840.14 feet, to a point;

Course No. 28: run thence, South 37°10'19" East, a distance of 587.70 feet, to a point;

Course No. 29: run thence, South 71°09'39" East, a distance of 145.31 feet, to a point;

Course No. 30: run thence, North 86°27'14" East, a distance of 133.42 feet, to a point;

Course No. 31: run thence, South 75°15'23" East, a distance of 108.54 feet, to a point;

Course No. 32: run thence, South 82°55'52" East, a distance of 166.38 feet, to a point;

Course No. 33: run thence, South 58°52'20" East, a distance of 282.11 feet, to a point on the monumented easterly line of said Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida; run thence along said easterly line of said Francis P. Fatio Grant, Section 39, (and also being the easterly line of the RiverTown PUD, the following two (2) courses and distances:

Course No. 1: run thence, South 41°27'16" West, a distance of 6,979.61 feet, to a point;

Course No. 2: run thence, South 41°39'57" West, a distance of 494.76 feet, to a point; run thence, the following twenty-one (21) courses and distances:

Course No. 1: run thence, North 41°27'22" West, a distance of 139.92 feet, to a point;

Course No. 2: run thence, North 31°03'06" West, a distance of 135.98 feet, to a point;

Course No. 3: run thence, North 01°42'41" West, a distance of 131.35 feet, to a point;

Course No. 4: run thence, North 63°55'57" East, a distance of 81.06 feet, to a point;

Course No. 5: run thence, North 78°18'57" East, a distance of 33.28 feet, to a point;

Course No. 6: run thence, North 15°38'52" East, a distance of 23.73 feet, to a point;

Course No. 7: run thence, North 45°20'17" East, a distance of 27.65 feet, to a point;

Course No. 8: run thence, North 08°06'47" West, a distance of 22.12 feet, to a point;

Course No. 9: run thence, North 58°30'40" East, a distance of 58.97 feet, to a point;

Course No. 10: run thence, North 18°46'26" West, a distance of 87.49 feet, to a point;

Course No. 11: run thence, North 14°31'19" West, a distance of 94.61 feet, to a point;

Course No. 12: run thence, North 18°31'54" East, a distance of 59.89 feet, to a point;

Course No. 13: run thence, North 24°34'07" West, a distance of 38.96 feet, to a point;

Course No. 14: run thence, North 15°36'46" West, a distance of 58.75 feet, to a point;

Course No. 15: run thence, North 13°54'08" East, a distance of 74.74 feet, to a point;

Course No. 16: run thence, North 72°36'04" West, a distance of 56.79 feet, to a point;

Course No. 17: run thence, North 23°35'20" West, a distance of 95.90 feet, to a point;

Course No. 18: run thence, South 66°25'13" West, a distance of 370.99 feet, to a point;

Course No. 19: run thence, South 17°44'18" West, a distance of 28.26 feet, to a point;

Course No. 20: run thence, South 45°28'59" West, a distance of 19.46 feet, to a point;

Course No. 21: run thence, South 29°23'32" West, a distance of 26.34 feet, to a point on the aforesaid easterly Right of Way line of LONGLEAF PARKWAY, and the POINT OF BEGINNING.

The lands thus described contains 12,977,390 square feet, or 297.91 Acres, more or less, in area.

RiverTown
CDD 2 South Parcel
Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, together with a portion of the Francis P. Fatio Grant, Section 42, Township 6 South, Range 27 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a POINT OF BEGINNING, BEGIN at the intersection of the southerly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785), with the easterly monumented line of said Frances P. Fatio Grant, Section 42, Township 6 South, Range 27 East, and run thence, along the aforesaid said southerly Right of Way line of STATE ROAD No. 13, the following two (2) courses and distances:

Course No. 1: run thence, along and around the arc of a curve, being concave southwesterly, and having a radius of 22,868.28 feet, through a central angle of $00^{\circ}15'41''$ to the left, an arc distance of 104.28 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North $63^{\circ}19'36''$ West, 104.28 feet;

Course No. 2: run thence, North $63^{\circ}27'26''$ West, along last said tangency, a distance of 4,098.56 feet, to a point; thence departing from aforesaid Right of Way line, run the following four (4) Courses and distances:

Course No. 1: run thence, South $27^{\circ}52'36''$ West, a distance of 197.84 feet, to a point;

Course No. 2: run thence, South $71^{\circ}24'28''$ West, a distance of 152.25 feet, to a point;

Course No. 3: run thence, South $79^{\circ}12'13''$ West, a distance of 294.12 feet, to a point;

Course No. 4: run thence, South $73^{\circ}15'09''$ West, a distance of 101.88 feet, more or less, to the "Mean High Water" Line of the St. Johns River; run thence, Southeasterly, along and around the meanderings of the aforesaid "Mean High Water" line of the St. Johns River, a distance of 4,615 feet, more or less, to a point on the aforesaid Easterly monumented line of said Frances P. Fatio Grant, Section 43, Township 6 South, Range 27 East, which bears South $41^{\circ}35'54''$ West, a distance of 1,053 feet, more or less, from the POINT OF BEGINNING; run thence North $41^{\circ}35'54''$ East, along said Easterly monumented line of the Francis P. Fatio Grant, Section 42, a distance of 1,053 feet, more or less, to a point on the aforesaid southerly Right of Way line of STATE ROAD NO. 13, and the POINT OF BEGINNING.

The lands thus described contains 4,581,735 square feet, or 105.18 Acres, more or less, in area.

EXHIBIT B: PETITION

SECOND AMENDED AND
RESTATED PETITION TO
ESTABLISH RIVERS EDGE
II COMMUNITY
DEVELOPMENT DISTRICT

Submitted by:

HOPPING GREEN & SAMS, P.A.
Jennifer Kilinski
Florida Bar No. 69367
119 South Monroe Street, Suite 300
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)
Attorney for Petitioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

**SECOND AMENDED AND RESTATED PETITION TO ESTABLISH THE
RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Mattamy Jacksonville LLC (hereafter "Petitioner"), hereby petitions the St. Johns County Board of County Commissioners pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, to establish a community development district (hereafter "District") with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within St. Johns County, Florida. **Exhibit 1** depicts the general location of the project. The proposed District covers approximately 886.90 acres of land. The site is generally located north of the St. Johns River, west of County Road 210, east of the Rivers Edge Community Development District and south of Greenbriar Road. The metes and bounds description of the proposed external boundaries of the District is set forth in **Exhibit 2**.

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 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 boundaries of the proposed District, in accordance with Section 190.005, Florida Statutes. Documentation of this consent is contained in **Exhibit 3**.

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

Name: Jason Sessions
Address: 7800 Belfort Parkway, Suite 195
Jacksonville, FL 32256

Name: Chuck Bolen
Address: 7800 Belfort Parkway, Suite 195
Jacksonville, FL 32256

Name: Amber King
Address: 7800 Belfort Parkway, Suite 195
Jacksonville, FL 32256

Name: Jason Beard
Address: 7800 Belfort Parkway, Suite 195
Jacksonville, FL 32256

Name: Justin Frisbee
Address: 7800 Belfort Parkway, Suite 195
Jacksonville, FL 32256

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

5. Name. The proposed name of the District is Rivers Edge II Community Development District.

6. Future Land Uses. The general distribution, location, and extent of the public and private future land uses proposed for the District, in accordance with the future land use plan element of the County's Future Land Use Plan, is identified in **Exhibit 4**, which also includes a map of the master development plan. The proposed land uses for lands contained within the proposed District are consistent with the approved St. Johns County Future Land Use Plan.

7. Major Water and Wastewater Facilities. **Exhibit 5** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or install, as well as the anticipated entity responsible for ownership and maintenance. In the event the District is unable or unwilling to continue as the owner and entity responsible for the maintenance of the facilities described in Exhibit 6, a property owners' association will assume such rights and obligations. The estimated costs of constructing the infrastructure serving land within the proposed District are identified in **Exhibit 7**. At present, these improvements are estimated to be made, acquired, constructed and/or installed from January 2017 to January 2030. 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 8** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

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

Jennifer Kilinski (jenniferk@hgslaw.com)
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300 (32301)
P.O. Box 6526
Tallahassee, Florida 32314

11. This petition to establish the Rivers Edge II 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 St. Johns County 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 St. Johns County from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

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

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

WHEREFORE, Petitioner respectfully requests the County Commission of St. Johns County, Florida to:

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

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

c. consent to the District's exercise of certain additional powers to finance, fund, 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, as authorized and described; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), Florida Statutes; and

d. grant such other relief as appropriate.

RESPECTFULLY SUBMITTED, this 14th day of May, 2018.

HOPPING GREEN & SAMS, P.A.

BY: /s/Jennifer L. Kilinski

Jennifer L. Kilinski

Florida Bar No. 69367

119 South Monroe Street, Suite 300

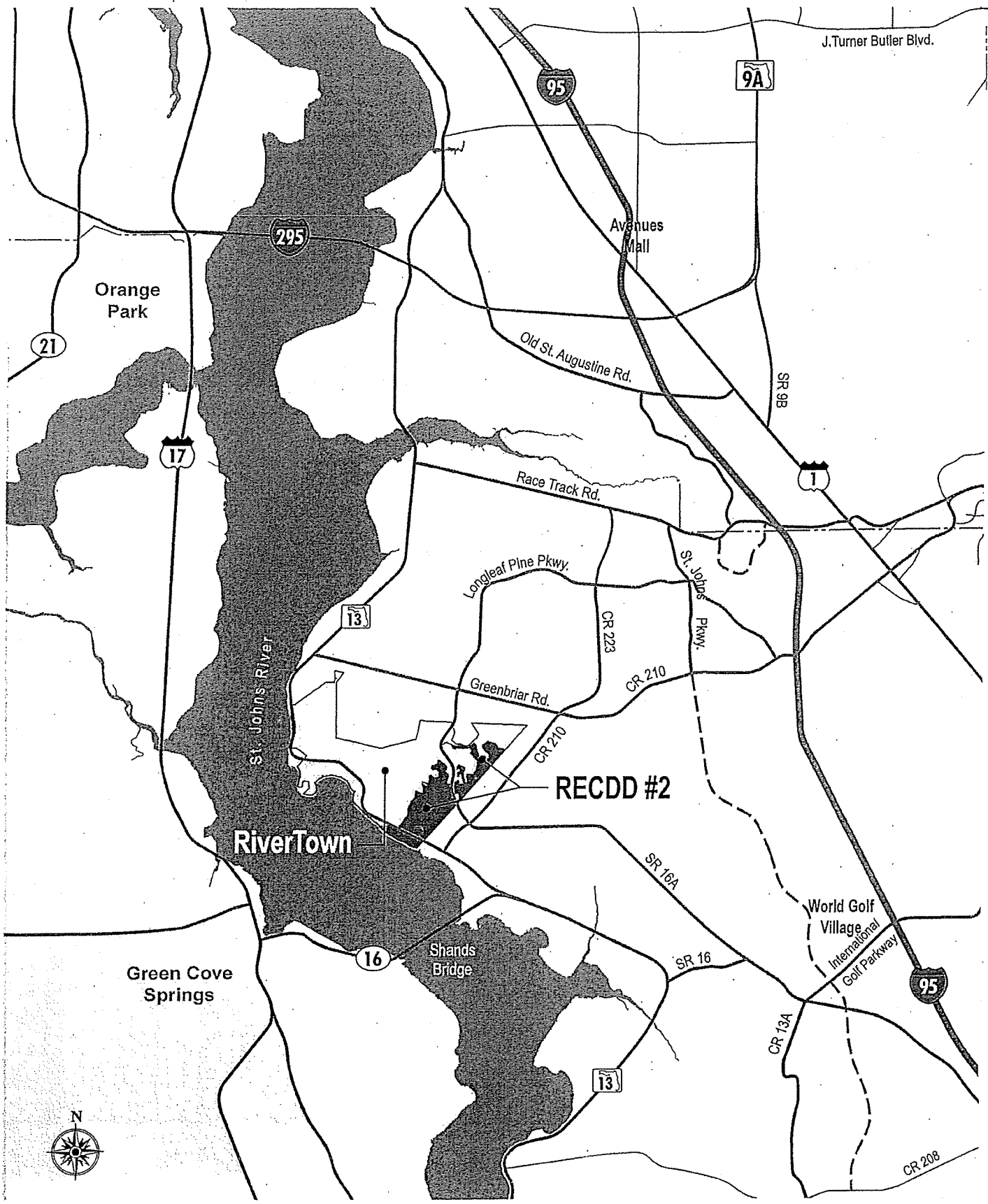
Post Office Box 6526

Tallahassee, FL 32314

(850) 222-7500 (telephone)

(850) 224-8551 (facsimile)

Attorney for Petitioner



VICINITY MAP

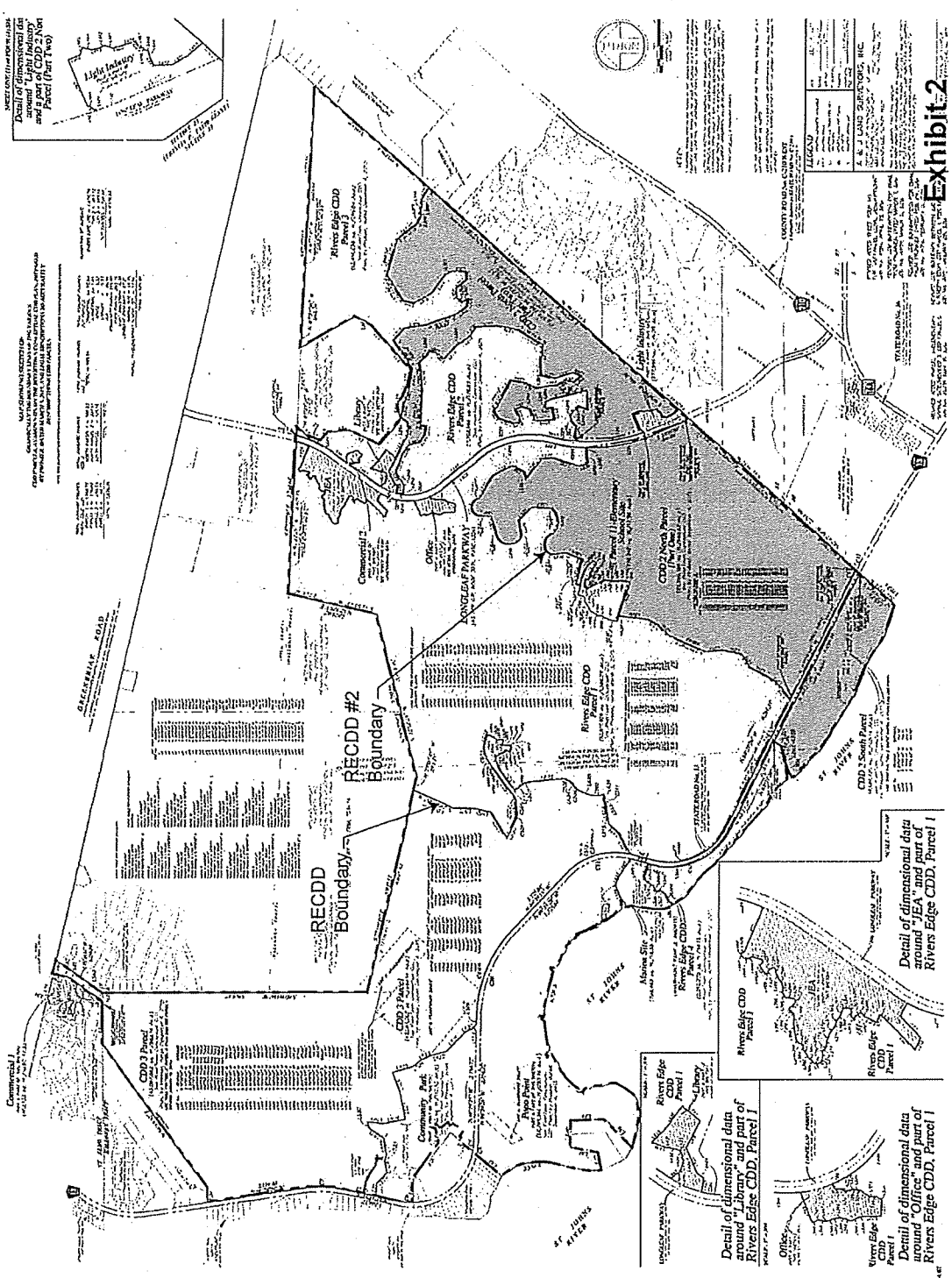
Exhibit 1

PROSSER™

**Conceptual
 RECDD #2 Plan
 BOUNDARY**

LEGEND

	RECDD Boundary
	RECDD #2 Boundary



Detail of dimensional data around "Light Industry" and "Office" parcels (Part 1) of Parcel 1

Detail of dimensional data around "Office" parcels (Part 2) of Parcel 1

Detail of dimensional data around "Office" and part of "Rivers Edge CDD, Parcel 1"

Detail of dimensional data around "Office" and part of "Rivers Edge CDD, Parcel 1"

Detail of dimensional data around "Office" and part of "Rivers Edge CDD, Parcel 1"

Detail of dimensional data around "Office" and part of "Rivers Edge CDD, Parcel 1"

Detail of dimensional data around "Office" and part of "Rivers Edge CDD, Parcel 1"

Detail of dimensional data around "Office" and part of "Rivers Edge CDD, Parcel 1"

THE STATE OF NORTH CAROLINA, COUNTY OF WASHINGTON, BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED, I, the undersigned, Clerk of the Superior Court of the County of Washington, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.

Clerk of the Superior Court of the County of Washington

NOTARIAL PUBLIC STATE OF NORTH CAROLINA, COUNTY OF WASHINGTON, BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED, I, the undersigned, Notary Public, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.

Notary Public

THE STATE OF NORTH CAROLINA, COUNTY OF WASHINGTON, BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED, I, the undersigned, Clerk of the Superior Court of the County of Washington, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.

Clerk of the Superior Court of the County of Washington

NOTARIAL PUBLIC STATE OF NORTH CAROLINA, COUNTY OF WASHINGTON, BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED, I, the undersigned, Notary Public, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.

Notary Public

LEGEND
1. THE STATE OF NORTH CAROLINA
2. COUNTY OF WASHINGTON
3. BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED
4. I, the undersigned, Clerk of the Superior Court of the County of Washington, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.
5. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.
6. _____
7. Clerk of the Superior Court of the County of Washington
8. NOTARIAL PUBLIC STATE OF NORTH CAROLINA, COUNTY OF WASHINGTON, BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED, I, the undersigned, Notary Public, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.
9. IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.
10. _____
11. Notary Public



POWER
I, the undersigned, Clerk of the Superior Court of the County of Washington, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.

Clerk of the Superior Court of the County of Washington

NOTARIAL PUBLIC
STATE OF NORTH CAROLINA, COUNTY OF WASHINGTON, BEING THE COUNTY IN WHICH THE LANDS HEREIN DESCRIBED ARE LOCATED, I, the undersigned, Notary Public, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the records of the said Court.
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court at the City of Raleigh, North Carolina, this _____ day of _____, 19____.

Notary Public

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

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

The undersigned understands and acknowledges that Mattamy Jacksonville LLC ("Petitioner") intends to submit an application to establish a Community Development District in accordance with the provisions of Chapter 190, *Florida Statutes*.

As the owner of lands which are intended to constitute the 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 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 Community Development District which 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, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petition, a consent to establishment of the Community Development District in substantially this form.

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

[REMAINDER OF PAGE LEFT BLANK]

Executed this 24th day of January, 2018.

IN WITNESS WHEREOF, the Parties have each caused their duly authorized officers to execute this Agreement as of the date and year first above-written.

MATTAMY JACKSONVILLE LLC, a Delaware limited liability company

By: MATTAMY FLORIDA LLC, a Delaware limited liability company, its Manager

By: CALBEN (FLORIDA) CORPORATION, a Florida corporation, its Manager

By: [Signature]
Jason Sessions, Vice President

[Signature]
Witness

Jacob E. O'Keefe
Print Name

[Signature]
Witness

William Roberts
Print Name

STATE OF FLORIDA
COUNTY OF Duval

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Jason Sessions, Vice President of Mattamy Jacksonville LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 24th day of January, 2018.



Kristin Amanda Johnson
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG011464
Expires 7/13/2020

[Signature]
Notary Public

Personally known:
Produced Identification: _____
Type of Identification: _____

EXHIBIT A

RiverTown

CDD 2 North Parcel (Part One)

Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Reference, COMMENCE at the intersection of the northerly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785), with the easterly monumented line of said Frances P. Fatio Grant, Section 39, Township 5 South, Range 27 East, and run thence, along the aforesaid said northerly Right of Way line of STATE ROAD No. 13, the following two (2) courses and distances:

Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 22,968.28 feet, through a central angle of 00°20'02" to the left, an arc distance of 133.89 feet, to point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°17'25" West, 133.89 feet;

Course No. 2: run thence, North 63°27'26" West, along last said tangency, a distance of 179.79 feet, to the POINT OF BEGINNING.

From the POINT OF BEGINNING thus described, continue North 63°27'26" West, along the aforesaid northerly Right of Way line of STATE ROAD No. 13, a distance of 2,917.82 feet; thence departing from aforesaid northerly Right of Way line of STATE ROAD No. 13, run the following ten (10) courses and distances:

Course No. 1: run thence, North 52°12'30" East, a distance of 337.34 feet, to a point;

Course No. 2: run thence, North 43°00'14" East, a distance of 340.19 feet, to a point;

Course No. 3: run thence, North 27°38'47" East, a distance of 540.78 feet, to a point;

Course No. 4: run thence, North 59°45'43" East, a distance of 312.12 feet, to a point;

Course No. 5: run thence, North 12°39'39" East, a distance of 376.82 feet, to a point;

Course No. 6: run thence, North 03°30'59" West, a distance of 427.45 feet, to a point;

Course No. 7: run thence, North 23°57'56" East, a distance of 932.43 feet, to a point;

Course No. 8: run thence, North 48°02'01" East, a distance of 302.22 feet, to a point;

Course No. 9: run thence, North 27°34'13" East, a distance of 248.54 feet, to a point;

Course No. 10: run thence, North 07°09'39" East, a distance of 674.95 feet, to a point, on the southerly line of "Parcel 11- Elementary School Site", as per the Sketch and Legal prepared by this Firm; dated April 28, 2016; run thence, along the southerly and easterly boundary of said "Parcel 11 - Elementary School Site", the following thirty-four (34) courses and distances:

Course No. 1: run thence, South 71°41'33" East, a distance of 775.63 feet, to a point;

Course No. 2: run thence, North 33°37'29" East, a distance of 62.40 feet, to a point;

Course No. 3: run thence, North 06°30'58" East, a distance of 40.31 feet, to a point;

Course No. 4: run thence, North 00°03'18" West, a distance of 68.98 feet, to a point;

Course No. 5: run thence, North 05°58'04" East, a distance of 38.17 feet, to a point;

Course No. 6: run thence, North 08°08'34" West, a distance of 93.10 feet, to a point;

Course No. 7: run thence, North 09°42'05" East, a distance of 76.71 feet, to a point;

Course No. 8: run thence, North 05°07'10" West, a distance of 43.27 feet, to a point;

Course No. 9: run thence, North 15°48'54" East, a distance of 37.19 feet, to a point;

Course No. 10: run thence, North 09°54'54" East, a distance of 82.20 feet, to a point;

Course No. 11: run thence, North 32°10'30" East, a distance of 50.58 feet, to a point;

Course No. 12: run thence, North 36°15'54" West, a distance of 72.68 feet, to a point of curvature, of a curve, leading northeasterly;

Course No. 13: run thence, northeasterly, along and around the arc of a curve, being concave easterly, and having a radius of 25.00 feet, through a central angle of 39°51'27" to the right, an arc distance of 17.39 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 16°20'11" West, 17.04 feet;

Course No. 14: run thence, North 03°35'33" East, along last said tangency, a distance of 55.29 feet, to a point;

Course No. 15: run thence, North 27°46'35" West, a distance of 159.19 feet, to a point;

Course No. 16: run thence, North 23°56'36" West, a distance of 57.05 feet, to a point;

Course No. 17: run thence, North 15°33'10" West, a distance of 49.85 feet, to a point;

Course No. 18: run thence, South 78°39'24" East, a distance of 24.49 feet, to a point;

Course No. 19: run thence, North 11°59'52" East, a distance of 50.59 feet, to a point;

Course No. 20: run thence, South 90°00'00" East, a distance of 151.53 feet, to a point;

Course No. 21: run thence, South 05°24'52" West, a distance of 67.04 feet, to a point;

Course No. 22: run thence, North 68°26'00" East, a distance of 25.11 feet, to a point;

Course No. 23: run thence, South 03°06'04" East, a distance of 17.72 feet, to a point;

Course No. 24: run thence, South 36°29'04" East, a distance of 22.83 feet, to a point;

Course No. 25: run thence, South 50°43'11" East, a distance of 72.64 feet, to a point;

Course No. 26: run thence, North 72°12'33" East, a distance of 53.45 feet, to the point of curvature, of a curve, leading southeasterly;

Course No. 27: run thence, southeasterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 25.00 feet, through a central angle of 77°36'13" to the right, an arc distance of 33.86 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 68°59'20" East, 31.33 feet;

Course No. 28: run thence, South 30°11'14" East, along last said tangency, a distance of 38.85 feet, to a point;

Course No. 29: run thence, South 88°25'01" East, a distance of 83.24 feet, to the point of a non tangential curve, leading easterly;

Course No. 30: run thence, easterly, along and around the arc of a curve, being concave southerly, and having a radius of 25.00 feet, through a central angle of 21°11'35" to the right, and arc distance of 9.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 77°16'23" East, 9.20 feet;

Course No. 31: run thence, South 66°40'36" East, along last said tangency, a distance of 8.56 feet, to a point;

Course No. 32: run thence, South 40°08'11" East, a distance of 55.96 feet, to a point;

Course No. 33: run thence South 48°32'04" East, a distance of 42.75 feet, to a point;

Course No. 34: run thence, North 54°28'40" East, a distance of 62.15 feet, run thence, North 14°57'14" East, a distance of 30.79 feet, to a point, which lies 62.00 feet southerly of, the most northerly line of that 53 foot wide easement, dedicated to Peoples Gas System, and recorded in Official Records Book 3150, page 578 of the Public Records of St. Johns County, Florida, and also being the northerly line of that 53 foot wide easement dedicated to JEA, and recorded in Official Records Book 3131, page 483, of the Public Records of said St. Johns County, Florida; run thence, parallel with and concentric to, and 62 feet southerly of the northerly line of last said two (2) easements, the following two (2) courses and distances:

Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 514.50 feet, through a central angle of 44°41'04" to the left, an arc distance of 401.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 53°35'59" West, 391.16 feet;

Course No. 2: run thence, North 75°56'31" West, along last said tangency, a distance of 213.21 feet, to a point; thence departing from aforesaid line, run the following twenty-three (23) courses and distances:

Course No. 1: run thence, North 14°03'30" East, a distance of 108.94 feet, to a point;

Course No. 2: run thence, South 74°33'07" East, a distance of 562.46 feet, to a point;

Course No. 3: run thence, North 23°01'26" East, a distance of 378.93 feet, to a point;

Course No. 4: run thence, North 05°59'33" West, a distance of 343.45 feet, to the point of curvature, of a non-tangent curve, leading easterly;

Course No. 5: run thence easterly, along and around the arc of a curve, being concave southerly, and having a radius of 239.56 feet, through a central angle of $124^{\circ}52'14''$ to the right, an arc distance of 522.09 feet, to the point of reverse curvature, of a curve continuing easterly, last said arc being subtended by a chord bearing and distance of North $85^{\circ}05'05''$ East, 424.73 feet;

Course No. 6: run thence easterly, along and around the arc of a curve, being concave northerly, and having a radius of 376.68 feet, through a central angle of $107^{\circ}24'34''$ to the left, an arc distance of 706.15 feet, to a point, last said arc being subtended by a chord bearing and distance of South $86^{\circ}11'06''$ East, 607.19 feet;

Course No. 7: run thence, North $02^{\circ}54'47''$ East, along a non-tangent line, a distance of 451.50 feet, to a point;

Course No. 8: run thence, North $47^{\circ}44'50''$ West, a distance of 397.82 feet, to a point;

Course No. 9: run thence, South $79^{\circ}35'12''$ West, a distance of 338.27 feet, to a point of curvature, of a non-tangent curve, leading northerly;

Course No. 10: run thence northerly, along and around the arc of a curve, being concave easterly, and having a radius of 295.05 feet, through a central angle of $158^{\circ}05'24''$ to the right, an arc distance of 814.09 feet, to the point of tangency, of a non-tangent curve, last said arc being subtended by a chord bearing and distance of North $08^{\circ}21'00''$ East, 579.34 feet;

Course No. 11: run thence, North $70^{\circ}01'49''$ East, along last said non-tangent line, a distance of 358.05 feet, to a point;

Course No. 12: run thence, North $05^{\circ}42'53''$ East, a distance of 192.02 feet, to the point of curvature, of a non-tangent curve, leading easterly;

Course No. 13: run thence easterly, along and around the arc of a curve, being concave southerly, and having a radius of 197.27 feet, through a central angle of $178^{\circ}06'21''$ to the right, an arc distance of 613.22 feet, to the point of tangency, of a non-tangent curve, last said arc being subtended by a chord bearing and distance of North $78^{\circ}15'46''$ East, 394.49 feet;

Course No. 14: run thence, South $57^{\circ}46'35''$ East, a distance of 587.65 feet, to a point;

Course No. 15: run thence, South $28^{\circ}33'27''$ East, a distance of 495.97 feet, to a point;

Course No. 16: run thence, South $28^{\circ}39'55''$ West, a distance of 310.12 feet, to a point;

Course No. 17: run thence, South $73^{\circ}27'16''$ West, a distance of 147.61 feet, to a point;

Course No. 18: run thence, South $54^{\circ}17'33''$ East, a distance of 536.88 feet, to a point;

Course No. 19: run thence, South $03^{\circ}08'19''$ East, a distance of 279.38 feet, to a point;

Course No. 20: run thence, South $17^{\circ}38'48''$ West, a distance of 605.51 feet, to a point;

Course No. 21: run thence, South $24^{\circ}09'05''$ East, a distance of 216.50 feet, to the point of curvature, of a non-tangent curve, leading easterly;

Course No. 22: run thence easterly, along and around the arc of a curve, being concave southerly, and having a radius of 465.00 feet, through a central angle of 22°32'24" to the right, an arc distance of 182.93 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 79°19'39" East, 181.75 feet;

Course No. 23: run thence, South 89°24'09" East, a distance of 141.88 feet, to a point on the westerly Right of Way line of LONGLEAF PARKWAY, as dedicated to St. Johns County, by instrument recorded in Official Records Book 3271, page 1329 of the Public Records of said St. Johns County, Florida; run thence, along the aforesaid westerly Right of Way line of LONGLEAF PARKWAY, run the following one (1) course and distance:

Course No. 1: run thence southerly, along and around the arc of a curve, being concave easterly, and having a radius of 3,565.00 feet, through a central angle of 21°02'53" to the left, an arc distance of 1,309.54 feet, said curve, said arc being subtended by a chord bearing and distance of South 09°25'38" East, 1,302.29 feet; departing from aforesaid westerly Right of Way line of LONGLEAF PARKWAY, run the following seven (7) courses and distances:

Course No. 1: run thence, South 36°38'06" West, a distance of 400.42 feet, to a point;

Course No. 2: run thence, South 54°58'08" West, a distance of 330.30 feet, to a point;

Course No. 3: run thence, South 44°29'47" West, a distance of 430.83 feet to a point;

Course No. 4: run thence, South 64°12'38" West, a distance of 301.97 feet, to a point;

Course No. 5: run thence, South 13°42'10" West, a distance of 318.50 feet, to a point;

Course No. 6: run thence, South 52°16'16" West, a distance of 262.11 feet, to a point;

Course No. 7: run thence, South 23°41'37" West, a distance of 384.98 feet, to an intersection with the easterly line of Conservation Easement No. 28, as recorded in that Conservation Easement, (Rivertown-Unit 1, Phase 2, Group 1) as recorded in that instrument, recorded in Official Records Book 3009, page 1777 et seq, of the Public Records of St. Johns County, Florida; run thence, along the easterly boundary of said Conservation Easement No. 28, the following eight (8) courses and distances:

Course No. 1: run thence, South 04°19'20" East, a distance of 134.75 feet, to a point;

Course No. 2: run thence, South 08°55'41" East, a distance of 28.10 feet, to a point;

Course No. 3: run thence, South 72°26'19" East, a distance of 8.08 feet, to a point;

Course No. 4: run thence, North 73°28'49" East, a distance of 47.82 feet, to a point;

Course No. 5: run thence, South 87°33'46" East, a distance of 82.73 feet, to a point;

Course No. 6: run thence, South 89°24'49" East, a distance of 16.37 feet, to a point;

Course No. 7: run thence, South 17°51'46" West, a distance of 21.40 feet, to a point;

Course No. 8: run thence, South 68°05'50" West, a distance of 75.04 feet, to a point; thence departing from aforesaid Conservation Easement No. 28, run the following eleven (11) courses and distances:

Course No. 1: run thence, South 20°48'19" West, a distance of 270.86 feet, to a point;

Course No. 2: run thence, South 35°04'12" West, a distance of 392.69 feet, to a point;

Course No. 3: run thence, South 56°56'52" West, a distance of 228.11 feet, to a point;

Course No. 4: run thence, South 37°04'57" West, a distance of 273.60 feet, to a point;

Course No. 5: run thence, South 46°22'00" West, a distance of 318.14 feet, to a point;

Course No. 6: run thence, South 65°54'47" West, a distance of 97.80 feet, to a point;

Course No. 7: run thence, North 85°34'16" West, a distance of 117.00 feet, to a point;

Course No. 8: run thence, South 72°21'10" West, a distance of 327.57 feet, to a point;

Course No. 9: run thence, South 28°18'49" West, a distance of 340.58 feet, to a point

Course No. 10: run thence, South 31°22'04" East, a distance of 147.54 feet, to a point;

Course No. 11: run thence, South 26°16'16" West, a distance of 348.72 feet, to a point on the aforesaid easterly line of Conservation Easement No. 28, as recorded in that Conservation Easement, (Rivertown-Unit 1, Phase 2, Group 1) as recorded in that Instrument, recorded in Official Records Book 3009, page 1777 et seq, of the Public Records of St. Johns County, Florida; run thence, along the easterly boundary of said Conservation Easement No. 28, the following four (4) courses and distances:

Course No. 1: run thence, South 14°59'14" East, a distance of 79.95 feet, to a point;

Course No. 2: run thence, South 06°15'33" West, a distance of 115.51 feet, to a point;

Course No. 3: run thence, South 24°20'29" West, a distance of 343.43 feet, to a point;

Course No. 4: run thence, South 00°50'37" West, a distance of 76.78 feet, to a point on the aforesaid northerly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785), and the POINT OF BEGINNING.

The lands thus described contains 21,074,888 square feet, or 483.81 Acres, more or less, in area.

RiverTown
CDD 2 North Parcel (Part Two)
Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Point or Reference, Commence at the intersection of the monumented easterly line of said Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida, with the easterly Right of Way line of LONGLEAF PARKWAY, as dedicated to St. Johns County, Florida, by instrument recorded in Official Records Book 3271, page 1329 of the Public Records of said St. Johns County, Florida, and run thence, along the aforesaid easterly Right of Way line of LONGLEAF PARKWAY, the following two (2) courses and distances:

Course No. 1: run thence, North 23°35'20" West, a distance of 781.17 feet, to the point of curvature, of a curve leading northerly;

Course No. 2: run thence, northerly, along and around the arc of a curve, being concave easterly, and having a radius of 3,435.00 feet, through a central angle of 03°25'40" to the right, an arc distance of 205.51 feet, to the POINT OF BEGINNING, last said arc being subtended by a chord bearing and distance of North 21°52'30" West, 205.48 feet;

From the POINT OF BEGINNING, thus described, continue northerly, along the easterly Right of Way line of LONGLEAF PARKWAY, and continuing northerly, along and around the last said curve, having a radius of 3,435.00 feet, through a central angle of 25°46'06" to the right, an arc distance of 1,544.87 feet, to a point, last said arc being subtended by a chord bearing and distance of North 07°16'37" West, 1,531.88 feet; run thence, the following fifty-seven (57) courses and distances:

Course No. 1: run thence, South 86°51'22" East, a distance of 165.43 feet, to a point;

Course No. 2: run thence, North 87°27'25" East, a distance of 197.94 feet, to a point;

Course No. 3: run thence, North 45°01'16" East, a distance of 74.55 feet, to a point;

Course No. 4: run thence, North 59°03'17" East, a distance of 128.09 feet, to a point;

Course No. 5: run thence, South 68°51'10" East, a distance of 146.06 feet, to a point;

Course No. 6: run thence, South 25°57'32" East, a distance of 180.71 feet, to a point;

Course No. 7: run thence, South 15°57'23" West, a distance of 191.82 feet, to a point;

Course No. 8: run thence, North 86°22'14" East, a distance of 442.64 feet, to a point;

Course No. 9: run thence, North $13^{\circ}49'49''$ West, a distance of 781.90 feet, to a point;

Course No. 10: run thence, North $26^{\circ}34'55''$ West, a distance of 186.59 feet, to a point;

Course No. 11: run thence, South $88^{\circ}47'09''$ West, a distance of 122.09 feet, to a point;

Course No. 12: run thence, South $02^{\circ}39'03''$ East, a distance of 168.85 feet, to a point;

Course No. 13: run thence, South $79^{\circ}47'07''$ West, a distance of 272.38 feet, to a point;

Course No. 14: run thence, North $03^{\circ}20'11''$ West, a distance of 453.06 feet, to a point;

Course No. 15: run thence, North $70^{\circ}43'23''$ East, a distance of 279.33 feet, to a point;

Course No. 16: run thence, North $16^{\circ}19'31''$ East, a distance of 187.60 feet, to a point;

Course No. 17: run thence, North $24^{\circ}19'13''$ West, a distance of 149.38 feet, to a point;

Course No. 18: run thence, South $68^{\circ}51'10''$ West, a distance of 292.13 feet, to a point;

Course No. 19: run thence, North $13^{\circ}38'12''$ West, a distance of 149.11 feet, to a point;

Course No. 20: run thence, North $18^{\circ}53'56''$ East, a distance of 352.75 feet, to a point;

Course No. 21: run thence, North $53^{\circ}24'47''$ East, a distance of 191.55 feet, to a point;

Course No. 22: run thence, South $60^{\circ}33'16''$ East, a distance of 777.13 feet, to a point;

Course No. 23: run thence, South $07^{\circ}26'12''$ West, a distance of 305.56 feet, to a point;

Course No. 24: run thence, South $23^{\circ}58'41''$ West, a distance of 302.77 feet, to a point;

Course No. 25: run thence, South $12^{\circ}32'16''$ East, a distance of 202.43 feet, to a point;

Course No. 26: run thence, South $05^{\circ}17'38''$ East, a distance of 238.14 feet, to a point;

Course No. 27: run thence, South $34^{\circ}38'38''$ East, a distance of 224.18 feet, to a point;

Course No. 28: run thence, South $19^{\circ}14'38''$ West, a distance of 200.00 feet, to a point;

Course No. 29: run thence, South $40^{\circ}23'07''$ East, a distance of 230.60 feet, to a point;

Course No. 30: run thence, North $21^{\circ}48'57''$ East, a distance of 189.20 feet, to a point;

Course No. 31: run thence, North $16^{\circ}20'18''$ West, a distance of 453.02 feet, to a point;

Course No. 32: run thence, North 13°50'18" East, a distance of 293.96 feet, to a point;

Course No. 33: run thence, North 86°03'49" East, a distance of 302.70 feet, to a point;

Course No. 34: run thence, South 84°52'58" East, a distance of 380.67 feet, to a point;

Course No. 35: run thence, North 32°43'06" East, a distance of 602.21 feet, to a point;

Course No. 36: run thence, North 11°37'37" East, a distance of 479.70 feet, to a point;

Course No. 37: run thence, North 02°28'12" West, a distance of 509.85 feet, to a point;

Course No. 38: run thence, North 57°27'54" West, a distance of 225.81 feet, to a point;

Course No. 39: run thence, North 41°14'43" West, a distance of 198.93 feet, to a point;

Course No. 40: run thence, North 29°31'46" West, a distance of 167.20 feet, to a point;

Course No. 41: run thence, North 47°51'57" West, a distance of 426.59 feet, to a point;

Course No. 42: run thence, North 37°53'43" East, a distance of 187.83 feet, to a point;

Course No. 43: run thence, North 24°23'32" East, a distance of 192.89 feet, to a point;

Course No. 44: run thence, North 66°49'00" West, a distance of 104.59 feet, to a point;

Course No. 45: run thence, North 42°22'42" West, a distance of 252.67 feet, to a point;

Course No. 46: run thence, South 83°55'19" West, a distance of 634.42 feet, to a point;

Course No. 47: run thence, North 86°16'49" West, a distance of 772.74 feet, to a point;

Course No. 48: run thence, South 05°28'53" West, a distance of 140.09 feet, to a point;

Course No. 49: run thence, North 81°41'28" West, a distance of 199.18 feet, to a point;

Course No. 50: run thence, North 56°24'07" West, a distance of 208.85 feet, to a point;

Course No. 51: run thence, North 12°57'19" West, a distance of 269.86 feet, to a point;

Course No. 52: run thence, North 54°27'25" West, a distance of 251.38 feet, to a point;

Course No. 53: run thence, North 69°27'53" West, a distance of 427.89 feet, to a point;

Course No. 54: run thence, South 57°34'36" West, a distance of 146.07 feet, to a point;

Course No. 55: run thence, South 46°11'24" West, a distance of 132.45 feet, to a point;

Course No. 56: run thence, South 73°06'24" West, a distance of 101.89 feet, to a point;

Course No. 57: run thence, North 81°15'37" West, a distance of 178.41 feet, to a point on the aforesaid easterly Right of Way line of LONGLEAF PARKWAY, as dedicated to St. Johns County, by instrument recorded in Official Records Book 3271, page 1329 of the Public Records of said St. Johns County, Florida, said point also being on the arc of a curve leading northeasterly; run thence northeasterly, along and around the arc of a curve, having a radius of 1,135.00 feet, through a central angle of 07°12'44" to the right, an arc distance of 142.87 feet, to a point, last said arc being subtended by a chord bearing and distance of North 10°22'28" East, 142.78 feet; thence departing from aforesaid easterly Right of Way line of LONGLEAF PARKWAY, run the following thirty-three (33) courses and distances:

Course No. 1: run thence, South 82°10'28" East, a distance of 161.71 feet, to a point;

Course No. 2: run thence, North 34°51'36" East, a distance of 94.78 feet, to a point;

Course No. 3: run thence, North 66°49'00" East, a distance of 306.09 feet, to a point;

Course No. 4: run thence, South 62°26'40" East, a distance of 885.62 feet, to a point;

Course No. 5: run thence, South 84°14'30" East, a distance of 293.57 feet, to a point;

Course No. 6: run thence, North 38°21'30" East, a distance of 198.18 feet, to a point;

Course No. 7: run thence, South 78°55'42" East, a distance of 374.19 feet, to a point;

Course No. 8: run thence, South 70°08'51" East, a distance of 334.88 feet, to a point;

Course No. 9: run thence, South 82°37'22" East, a distance of 405.56 feet, to a point;

Course No. 10: run thence, North 56°48'12" East, a distance of 760.14 feet, to a point;

Course No. 11: run thence, South 46°49'47" East, a distance of 365.43 feet, to a point;

Course No. 12: run thence, South 08°21'43" East, a distance of 450.94 feet, to a point;

Course No. 13: run thence, South 19°21'42" East, a distance of 754.67 feet, to a point;

Course No. 14: run thence, South 35°33'27" East, a distance of 280.59 feet, to a point;

Course No. 15: run thence, South 77°40'11" East, a distance of 178.16 feet, to a point;

Course No. 16: run thence, North 24°47'28" West, a distance of 155.66 feet, to a point;

Course No. 17: run thence, North 33°07'50" East, a distance of 149.27 feet, to a point;

Course No. 18: run thence, North 82°41'58" East, a distance of 213.86 feet, to a point;

Course No. 19: run thence, South 38°23'17" East, a distance of 332.83 feet, to a point;

Course No. 20: run thence, North 83°17'12" East, a distance of 176.85 feet, to a point;

Course No. 21: run thence, North 03°17'30" East, a distance of 303.94 feet, to a point;

Course No. 22: run thence, North 27°42'41" West, a distance of 184.93 feet, to a point;

Course No. 23: run thence, North 53°31'56" West, a distance of 505.15 feet, to a point;

Course No. 24: run thence, North 29°20'18" West, a distance of 455.13 feet, to a point;

Course No. 25: run thence, North 12°00'41" East, a distance of 246.00 feet, to a point;

Course No. 26: run thence, North 56°00'07" East, a distance of 672.90 feet, to a point;

Course No. 27: run thence, South 74°42'42" East, a distance of 840.14 feet, to a point;

Course No. 28: run thence, South 37°10'19" East, a distance of 587.70 feet, to a point;

Course No. 29: run thence, South 71°09'39" East, a distance of 145.31 feet, to a point;

Course No. 30: run thence, North 86°27'14" East, a distance of 133.42 feet, to a point;

Course No. 31: run thence, South 75°15'23" East, a distance of 108.54 feet, to a point;

Course No. 32: run thence, South 82°55'52" East, a distance of 166.38 feet, to a point;

Course No. 33: run thence, South 58°52'20" East, a distance of 282.11 feet, to a point on the monumented easterly line of said Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, St. Johns County, Florida; run thence along said easterly line of said Francis P. Fatio Grant, Section 39, (and also being the easterly line of the RiverTown PUD, the following two (2) courses and distances:

Course No. 1: run thence, South 41°27'16" West, a distance of 6,979.61 feet, to a point;

Course No. 2: run thence, South 41°39'57" West, a distance of 494.76 feet, to a point; run thence, the following twenty-one (21) courses and distances:

Course No. 1: run thence, North 41°27'22" West, a distance of 139.92 feet, to a point;

Course No. 2: run thence, North 31°03'06" West, a distance of 135.98 feet, to a point;
Course No. 3: run thence, North 01°42'41" West, a distance of 131.35 feet, to a point;
Course No. 4: run thence, North 63°55'57" East, a distance of 81.06 feet, to a point;
Course No. 5: run thence, North 78°18'57" East, a distance of 33.28 feet, to a point;
Course No. 6: run thence, North 15°38'52" East, a distance of 23.73 feet, to a point;
Course No. 7: run thence, North 45°20'17" East, a distance of 27.65 feet, to a point;
Course No. 8: run thence, North 08°06'47" West, a distance of 22.12 feet, to a point;
Course No. 9: run thence, North 58°30'40" East, a distance of 58.97 feet, to a point;
Course No. 10: run thence, North 18°46'26" West, a distance of 87.49 feet, to a point;
Course No. 11: run thence, North 14°31'19" West, a distance of 94.61 feet, to a point;
Course No. 12: run thence, North 18°31'54" East, a distance of 59.89 feet, to a point;
Course No. 13: run thence, North 24°34'07" West, a distance of 38.96 feet, to a point;
Course No. 14: run thence, North 15°36'46" West, a distance of 58.75 feet, to a point;
Course No. 15: run thence, North 13°54'08" East, a distance of 74.74 feet, to a point;
Course No. 16: run thence, North 72°36'04" West, a distance of 56.79 feet, to a point;
Course No. 17: run thence, North 23°35'20" West, a distance of 95.90 feet, to a point;
Course No. 18: run thence, South 66°25'13" West, a distance of 370.99 feet, to a point;
Course No. 19: run thence, South 17°44'18" West, a distance of 28.26 feet, to a point;
Course No. 20: run thence, South 45°28'59" West, a distance of 19.46 feet, to a point;
Course No. 21: run thence, South 29°23'32" West, a distance of 26.34 feet, to a point on the aforesaid easterly Right of Way line of LONGLEAF PARKWAY, and the POINT OF BEGINNING.

The lands thus described contains 12,977,390 square feet, or 297.91 Acres, more or less, in area.

RiverTown
CDD 2 South Parcel
Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East, together with a portion of the Francis P. Fatio Grant, Section 42, Township 6 South, Range 27 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a POINT OF BEGINNING, BEGIN at the intersection of the southerly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785), with the easterly monumented line of said Frances P. Fatio Grant, Section 42, Township 6 South, Range 27 East, and run thence, along the aforesaid said southerly Right of Way line of STATE ROAD No. 13, the following two (2) courses and distances:

Course No. 1: run thence, along and around the arc of a curve, being concave southwesterly, and having a radius of 22,868.28 feet, through a central angle of $00^{\circ}15'41''$ to the left, an arc distance of 104.28 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North $63^{\circ}19'36''$ West, 104.28 feet;

Course No. 2: run thence, North $63^{\circ}27'26''$ West, along last said tangency, a distance of 4,098.56 feet, to a point; thence departing from aforesaid Right of Way line, run the following four (4) Courses and distances:

Course No. 1: run thence, South $27^{\circ}52'36''$ West, a distance of 197.84 feet, to a point;

Course No. 2: run thence, South $71^{\circ}24'28''$ West, a distance of 152.25 feet, to a point;

Course No. 3: run thence, South $79^{\circ}12'13''$ West, a distance of 294.12 feet, to a point;

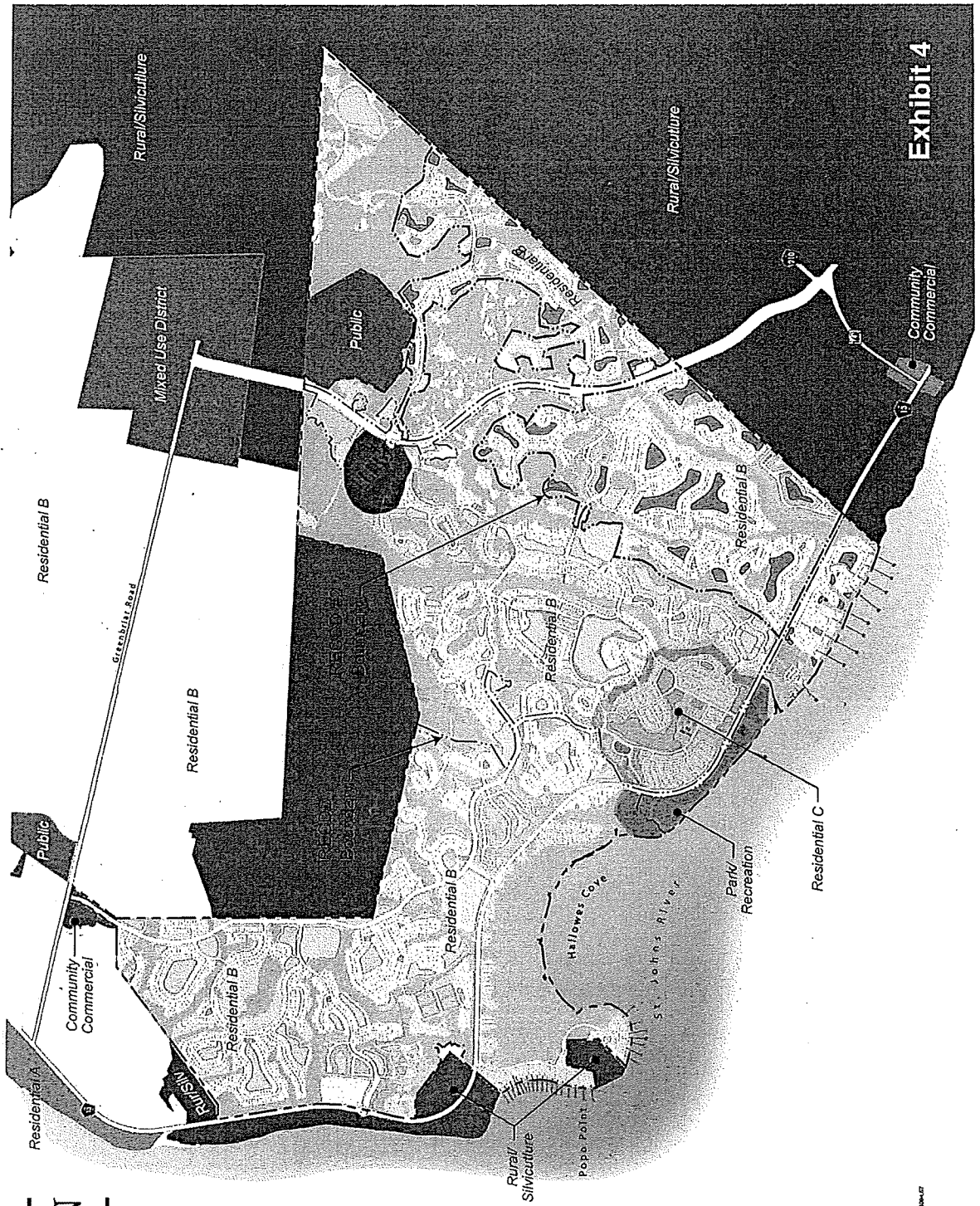
Course No. 4: run thence, South $73^{\circ}15'09''$ West, a distance of 101.88 feet, more or less, to the "Mean High Water" Line of the St. Johns River; run thence, Southeasterly, along and around the meanderings of the aforesaid "Mean High Water" line of the St. Johns River, a distance of 4,615 feet, more or less, to a point on the aforesaid Easterly monumented line of said Frances P. Fatio Grant, Section 43, Township 6 South, Range 27 East, which bears South $41^{\circ}35'54''$ West, a distance of 1,053 feet, more or less, from the POINT OF BEGINNING; run thence North $41^{\circ}35'54''$ East, along said Easterly monumented line of the Francis P. Fatio Grant, Section 42, a distance of 1,053 feet, more or less, to a point on the aforesaid southerly Right of Way line of STATE ROAD NO. 13, and the POINT OF BEGINNING.

The lands thus described contains 4,581,735 square feet, or 105.18 Acres, more or less, in area.

**Conceptual
 RECDD #2 Plan
 LAND USE**

LEGEND

	RECDD Boundary
	RECDD #2 Boundary
	Residential A
	Residential B
	Residential C
	Community Commercial
	Mixed Use District
	Park/Recreation
	Rural/Silviculture
	Public



**Conceptual
 RECDD #2 Plan
 UTILITIES**

LEGEND

---	RECDD Boundary
---	RECDD #2 Boundary
⇒	Stormwater Discharge
---	Water
---	Sewer
---	Reuse Water

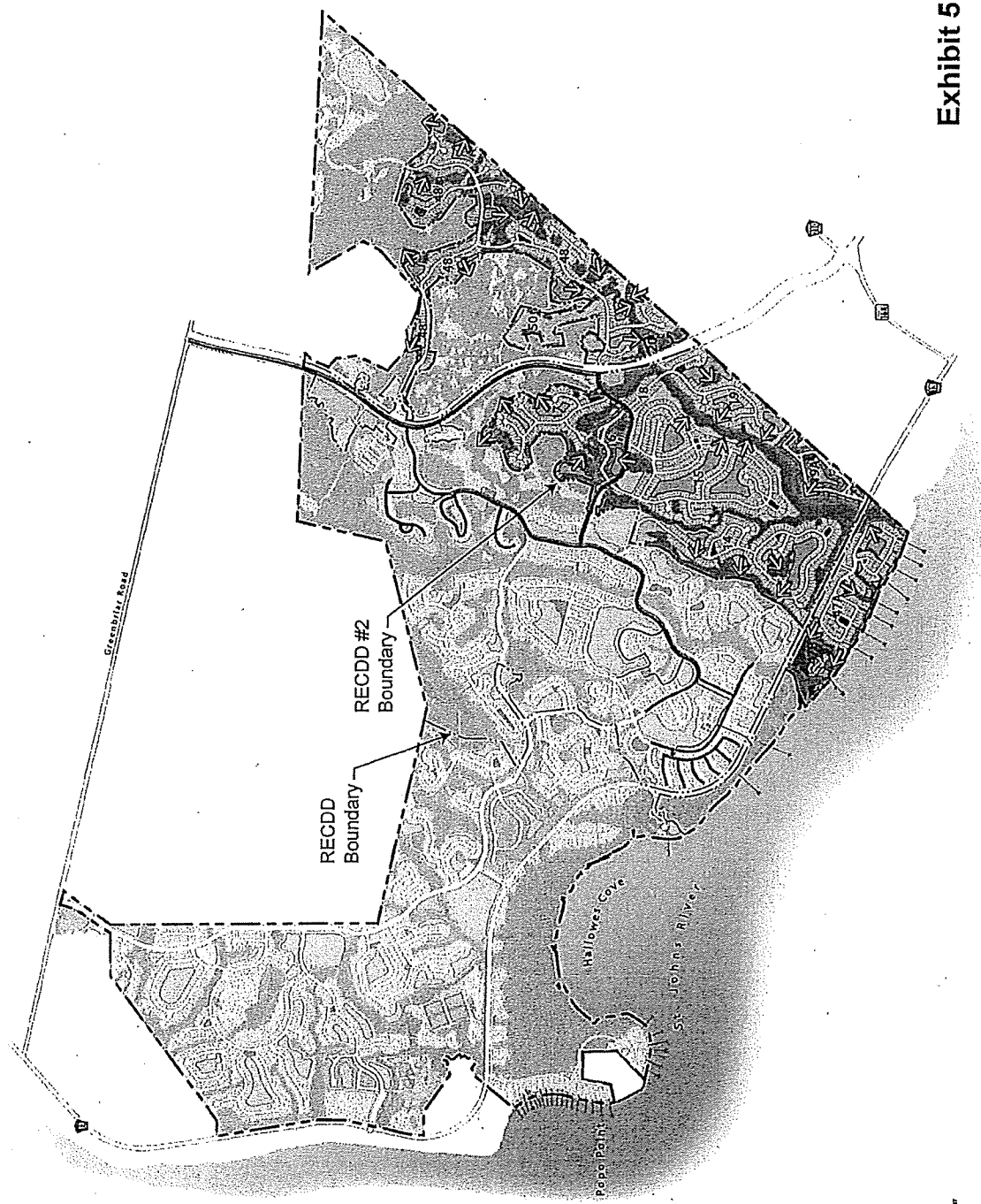


EXHIBIT 6
DISTRICT FACILITIES AND SERVICES
RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT

MASTER INFRASTRUCTURE

Description of Facility	Ownership	Maintenance Responsibility
CR 223, Minor Collector Roadways	SJC/CDD ¹	SJC/CDD ¹
Stormwater Management	CDD	CDD
Longleaf Pine Landscape	CDD	CDD
Riverclub Amenity	CDD	CDD
Amenity	CDD	CDD
Parks	CDD	CDD

Notes:

¹Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as affirmative acceptance by the Board of County Commissioners of improvements of any operation and maintenance obligations of the District.

SJC - St. Johns County

CDD - Community Development District

*As set forth in the Petition, improvements are estimated to be made, acquired, constructed and/or installed from January 2017 to January 2030.

TABLE I - EXHIBIT 7
RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT
SUMMARY OF COST OPINIONS
 March 26, 2018

Improvement Plan Category	Improvement Plan Opinion of Costs (\$)	Notes
Master Drainage & Stormwater Management	\$3,032,677.00	Stormwater ponds
Master Transportation	\$11,400,336.00	CR 223, Spine Road Ph 4 & 5
Master Landscape	\$1,000,000.00	Longleaf Pine Landscaping
Master Recreation	\$9,750,000.00	Riverclub, Amenity, Parks
Total RECDD II Master Improvement Opinion	\$25,183,013.00	

*Includes construction, design fees and contingency

Improvements are estimated to be made, acquired, constructed and/or installed from January 2017 to January 2030.

STATEMENT OF ESTIMATED REGULATORY COSTS

FOR

**RIVERS EDGE II
COMMUNITY DEVELOPMENT DISTRICT**

PREPARED BY:

Governmental Management Services, LLC

475 West Town Place

Suite 114

St Augustine, Florida 32092

(904) 940-5850

May 14, 2018

**RIVERS EDGE II
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF ESTIMATED REGULATORY COSTS**

TABLE OF CONTENTS

I.	INTRODUCTION:	
	1. PURPOSE AND SCOPE	1
	2. RIVERS EDGE COMMUNITY DEVELOPMENT DISTRICT	2
II.	STATUTORY ITEMS:	
	1. AN ECONOMIC ANALYSIS SHOWING WHETHER THE RULE DIRECTLY OR INDIRECTLY	
	A. IS LIKELY TO HAVE AN ADVERSE IMPACT ON ECONOMIC GROWTH	5
	B. IS LIKELY TO HAVE AN ADVERSE IMPACT ON BUSINESS COMPETITIVENESS	5
	C. IS LIKELY TO INCREASE REGULATORY COSTS	5
	2. A GOOD FAITH ESTIMATE OF THE NUMBER OF INDIVIDUALS REQUIRED TO COMPLY	6
	3. A GOOD FAITH ESTIMATE OF THE COST TO THE AGENCY OR OTHER GOVERNMENT ENTITIES	7
	4. A GOOD FAITH ESTIMATE OF THE TRANSACTION COSTS TO BE INCURRED	9
	5. AN ANALYSIS OF THE IMPACT ON SMALL BUSINESSES	9
	6. ANY ADDITIONAL INFORMATION THAT THE AGENCY DETERMINES MAY BE USEFUL	9
	7. A DESCRIPTION OF ANY REGULATORY ALTERNATIVES AND RELATED STATEMENTS	10

I. INTRODUCTION

1. PURPOSE AND SCOPE

This Statement of Estimated Regulatory Costs has been prepared as a component of the petition filed with the St. Johns County to establish the Rivers Edge II Community Development District ("District") in accordance with the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (the "Act"). As part of the petition, a Statement of Estimated Regulatory Costs prepared pursuant to section 120.541, F.S., is required to be submitted.

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

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

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

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

That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to

managing and financing the service-delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant.

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

The purpose of the Act is to provide another tool to government and private landowners in their efforts to comply with comprehensive plans that require adequate public facilities and services as a pre-condition for future development. See section 163.3177(10)(h), F.S. (the "concurrency" requirement).

A CDD is a special purpose unit of local government that is established for the purpose of providing an alternative mechanism for financing the construction of public infrastructure. A CDD must be structured to be financially independent as intended by the Legislature. The cost of any additional public improvements to be constructed or any additional services to be provided by the city or county as a result of this development will be incurred whether the infrastructure is financed through a CDD or any other alternative financing method. These costs have already been evaluated by all appropriate agencies during the approval process for the development. The annual administrative costs of the CDD, as well as the costs of operating CDD infrastructure, will be borne entirely by the CDD and its landowners, and will not require any subsidy from the State of Florida or the city or county, nor will it place any additional economic burden on those persons not residing within the CDD or not benefitting from the improvements therein. While some CDD improvements may eventually be dedicated to the city or county for ownership/control and maintenance, this is a common mechanism associated with development, and the limited impact to city or county revenues would likely occur even if the CDD did not exist, and alternative financing was used.

2. RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT")

The proposed District is proposed to include approximately 886.9 acres and is located entirely within St. Johns County, Florida. The District is anticipated to include 1181 single family units and 131 townhouse units. All development units are authorized for inclusion in the District.

The District will exercise the powers outlined in section 190.012, F.S., to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems, facilities and basic infrastructure that includes, but

is not limited to: water management and control, water supply, sewer, wastewater management, bridges or culverts, roads and street lights, transportation facilities, parking improvements, environmental remediation and cleanup, conservation areas, parks and recreational facilities, or any other project, within or without the boundaries of the District, legally authorized, required by a development order issued by a local government or subject of an agreement between the District and a governmental entity.

II. STATUTORY ITEMS:

Section 120.541(2), F.S. (2017), in pertinent part, defines the elements a Statement of Estimated Regulatory Costs must contain, as follows:

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

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

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

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

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

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

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

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

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

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

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

The estimated regulatory impacts of establishment of the District are summarized below. Statutory requirements are **SHOWN IN BOLD CAPS**.

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

A. IS LIKELY TO HAVE AN ADVERSE IMPACT ON ECONOMIC GROWTH, PRIVATE SECTOR JOB CREATION OR EMPLOYMENT, OR PRIVATE SECTOR INVESTMENT IN EXCESS OF \$1 MILLION IN THE AGGREGATE WITHIN 5 YEARS AFTER THE IMPLEMENTATION OF THE RULE;

Establishment of the District is not expected to have any material economic impact. The basis for this determination is provided in other sections herein.

B. IS LIKELY TO HAVE AN ADVERSE IMPACT ON BUSINESS COMPETITIVENESS, INCLUDING THE ABILITY OF PERSONS DOING BUSINESS IN THE STATE TO COMPETE WITH PERSONS DOING BUSINESS IN OTHER STATES OR DOMESTIC MARKETS, PRODUCTIVITY, OR INNOVATION IN EXCESS OF \$1 MILLION IN THE AGGREGATE WITHIN 5 YEARS AFTER THE IMPLEMENTATION OF THE RULE;

Any impact on overall business competitiveness and/or innovation

resulting from the District will be negligible, if any.

C. OR IS LIKELY TO INCREASE REGULATORY COSTS, INCLUDING ANY TRANSACTIONAL COSTS, IN EXCESS OF \$1 MILLION IN THE AGGREGATE WITHIN 5 YEARS AFTER THE IMPLEMENTATION OF THE RULE.

A dramatic increase in overall regulatory or transaction costs is highly unlikely. As will be stated in further detail below, St. Johns County may incur incidental administrative costs in reviewing the documents germane to the Petition, but it is expected that these costs will be offset by the required filing fees for the Petition.

2. 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:

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

a. State Governmental Entities

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined in Section 3(a)(2) below.

b. St. Johns County

St. Johns County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment of the District other than any one-time administrative costs outlined in Section 3(a)(1) below.

c. Future Property Owners

As noted above, the proposed District is anticipated to include 1181 single family homes and 131 townhomes. Formation of the District is anticipated to provide the vehicle for financing, operating and maintaining roadway improvements, stormwater improvements, landscaping/hardscaping, water

and sewer improvements, recreation improvements and other public infrastructure. Future property owners of the District will enjoy the benefits of living in a master planned community with the amenities and improvements funded and maintained by the District and are expected to be subject to assessments based on the master improvement plan and the operations and maintenance budget, as further set forth herein.

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

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

1. St. Johns County

The proposed land for the District is located within St. Johns County and consists of less than 2,500 acres; therefore the petition is submitted to the County. The County may incur certain one-time administrative costs involved with the review of this Petition, along with a public hearing and vote upon the petition, but any negligible costs incurred by the County will be offset by the District's payment of a one-time filing fee.

As previously stated, the District operates independently from St. Johns County, and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

The annual costs to the County, because of the establishment of the District, are therefore very small. The proposed District is an independent unit of local government, which is responsible for its budget, administration, and reporting and established powers within its boundaries. The only annual costs the County faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County. The following examples demonstrate the minimal additional annual costs to the County. First, pursuant to section 190.008, *Florida Statutes*, the District must provide the County with its annual budget but the County requires no action. The County has no requirement to review the District's budget but can do so as an option. We know of no County formally reviewing the budget of a community development district. If the County does decide to review the budget then staff resources would be required. Since the County has professional staff that can review the budget no capital expenditures would be needed for such a review. Second,

pursuant to section 189.08(2), *Florida Statutes*, the District must provide a public facilities report to the County. The purpose of the report is to help foster and promote coordination between the County and the District regarding public facilities. The report helps to eliminate possible duplicate facilities and the provision of services. The report also assists the County in the evaluation of the capital improvement element of the County Comprehensive Plan. Costs to the County related to the public facilities report are minimal because the County is not required to take any action on the report and the District files the report.

2. State Government Entities

The cost to State entities to review or enforce the proposed rule amendment will be very modest. There are no additional ongoing costs to the State related to the District's establishment. The State of Florida will incur only nominal administrative costs to review the periodic reports required pursuant to Chapters 190 and 189, F.S. These reports include the annual financial report, annual audit and public financing disclosures. The costs to those State agencies that will receive and process the District's reports are very small, 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.

To offset these costs, however, the Legislature has established a maximum fee of \$175 per District per year to pay the costs incurred by the Special Districts Information Program to administer the reporting requirements of Chapter 189, F.S. Because the District, as defined in Chapter 190, F.S., is designed to function as a self-sufficient special-purpose governmental entity, it is responsible for its own management. Therefore, except for the reporting requirements outlined above, or later established by law, no additional burden is placed on the State once the District has been established.

3. The District

The District will incur costs for operations and maintenance of its facilities and for its administration. These costs will be completely paid for from annual assessments against all properties within the District benefiting from its facilities and its services or through a developer funding agreement arrangement.

b. Impact on State and Local Revenues

It is anticipated that approval of this Petition will not have any negative effect on state revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No state or local subsidies are required or expected. In this regard, it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any other unit of local government. In accordance with State law, debts of the District are strictly its own responsibility. In summary, establishing the District will not create any significant economic costs for the State of Florida or for St. Johns County.

4. **A GOOD FAITH ESTIMATE OF THE TRANSACTIONAL COSTS LIKELY TO BE INCURRED BY INDIVIDUALS AND ENTITIES, INCLUDING LOCAL GOVERNMENT ENTITIES, REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE RULE:**

Table 1 provides an outline of the various facilities the proposed District may provide. The proposed District intends to finance the infrastructure improvements.

Table 1. Rivers Edge II Community Development District Possible Facilities and Services.

FACILITY	FUNDED BY	O&M	OWNERSHIP
Stormwater Systems	CDD	CDD *	CDD
CR 223, Minor Collector Roads	CDD	CDD/ C	C
Longleaf Pine Landscape	CDD	CDD	CDD
Recreation Improvements	CDD	CDD	CDD
Parks	CDD	CDD	CDD

CDD = Rivers Edge II Community Development District; C= St Johns County

* Possible enhanced landscaping by CDD

Note for the above chart: Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as affirmative acceptance by the Board of County Commissioners of improvements of any operating and

maintenance obligations of the District."

The Petitioner estimated the design and development costs for providing the capital facilities and those cost estimates are shown in Table 2 below. Total design and development costs for these facilities are estimated at approximately \$25,183,013. The District may issue special assessment or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all properties in the District that may benefit from the District's capital improvement program as outlined in Table 1.

Table 2. Rivers Edge II Community Development District Cost Estimate for District Facilities

Infrastructure cost estimates are based on preliminary estimates of probable construction costs estimated from the most recent development conceptual plans. The infrastructure consists of the following categories:

Table 2

<u>Category</u>	<u>Cost</u>
Stormwater Systems	\$ 3,032,677
Master Transportation	\$11,400,336
Master Landscape	\$ 1,000,000
Master Recreation	<u>\$ 9,750,000</u>
Total Projected Costs of Improvements	<u>\$25,183,013</u>

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through a bond issuance to finance the District's improvements. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing property within the District is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non-ad valorem assessments in exchange 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 seller to all prospective purchasers of property within the District.

A CDD provides residents with the option of having higher levels of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, County provision, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive four major classes of benefits:

First, those residents in the District will receive a higher level of public services sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and infrastructure will be completed concurrently with development of lands within the District. 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 governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

Fourth, the CDD has the ability to maintain infrastructure better than a Homeowners' Association ("HOA") because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, Florida Statutes.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

5. AN ANALYSIS OF THE IMPACT ON SMALL BUSINESSES AS DEFINED BY S. 288.703, AND AN ANALYSIS OF THE IMPACT ON SMALL COUNTIES AND SMALL CITIES AS DEFINED IN S. 120.52:

Establishment of the District should not have any negative impact on small

businesses.

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

Certain data utilized in this report was provided by the District and its primary developer, Mattamy Jacksonville, LLC, and represents the best information available at this time. Other data was provided by Governmental Management Services, LLC and the District Engineer and was based on observations, analysis and experience with private development and other CDDs in various stages of existence.

7. A DESCRIPTION OF ANY REGULATORY ALTERNATIVES SUBMITTED AND A STATEMENT ADOPTING THE ALTERNATIVE OR A STATEMENT OF THE REASONS FOR REJECTING THE ALTERNATIVE IN FAVOR OF THE PROPOSED RULE:

Not applicable.

9

Authorization of Agent

This letter shall serve as a designation of Jennifer Kilinski of Hopping Green & Sams PA, whose address is 119 S. Monroe Street, Suite 300, Tallahassee, Florida 32301, to act as agent for Mattamy Jacksonville LLC, with regard to any and all matters pertaining to the Petition to the County Commission of St. Johns County, Florida, to establish a 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.

Witnessed:

Jacob E. O'Keefe

Print Name: Jacob E. O'Keefe

William Roberts

Print Name: William Roberts

Jason Sessions

By: Jason Sessions

Its: Vice President

STATE OF FLORIDA,
COUNTY OF Duval

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Jason Sessions, Vice President of Mattamy Jacksonville LLC, who executed the foregoing instrument, acknowledged before me that she/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Duval and State of Florida this 24th day of January, 2018.



Kristin Amanda Johnson
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG011464
Expires 7/13/2020

Kristin Amanda Johnson
Notary Public

Personally known:
Produced Identification: _____
Type of Identification: _____

Hopping Green & Sams

Attorneys and Counselors

June 4, 2018

Via Electronic Mail

Ms. Shannon Acevedo, AICP
Senior Supervising Planner, St. Johns County Planning and Zoning Division
4040 Lewis Speedway
St. Augustine, Florida 32084
e-mail: sacevedo@sjcfl.us

Re: *Rivers Edge II Community Development District – Affidavits and Pre-Filed
Testimony*

Dear Ms. Acevedo:

Attached please find written, pre-filed testimony and affidavits of witnesses for the public hearing on the Establishment of the Rivers Edge II Community Development District scheduled before the Board of County Commissioners on June 19, 2018. The testimony attached is provided on behalf of the following witnesses: Mr. James Perry (District Management/Financial Advisor), Mr. Ryan Stilwell (Engineer), and Mr. Jason Sessions (Petitioner's Representative). Mr. Sessions is out of town and will not be able to execute his affidavit at this time. We will supplement the record with his affidavit when he returns and well in advance of the public hearing.

We anticipate that these witnesses will be present at the hearing and will be prepared to provide oral testimony if the Board of County Commissioners so desires. I would request that this pre-filed testimony be incorporated into the record of the proceedings for the hearing.

If I may provide any other information or be of any further assistance, please do not hesitate to contact me at (850) 222-7500.

Sincerely,
/s/ Jennifer L. Kilinski
Jennifer L. Kilinski

Attachments (5)

cc: Laurie Ford - lford@sjcfl.us
Paolo Soria - psoria@sjcfl.us

BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

IN RE: PETITION TO ESTABLISH)
 RIVERS EDGE II COMMUNITY)
 DEVELOPMENT DISTRICT)
_____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF ST. JOHNS

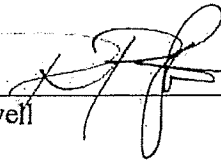
I, Ryan P. Stilwell, of Prosser, Inc., being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Ryan P. Stilwell and my business address is 13901 Sutton Park Drive South, Suite 200, Jacksonville, Florida 32224.
3. The prepared written, pre-filed testimony consisting of nine (9) pages, submitted under my name to the St. Johns County Board of County Commissioners relating to the establishment of the Rivers Edge II Community Development District and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the Rivers Edge II Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience, and qualifications related to professional engineering are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony generally addresses the nature of the services and facilities proposed and the applicable estimated costs for the proposed Rivers Edge II Community Development District.

7. No corrections or amendments to my pre-filed testimony are required.


Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 4th day of June, 2018.



Ryan P. Stilwell

SWORN TO and SUBSCRIBED before me by the Affiant, on this 4th day of June, 2018, by Ryan P. Stilwell.



Notary Public

(SEAL)

Personally known
OR Type of Identification produced _____



1 **TESTIMONY OF RYAN P. STILWELL, P.E., FOR ESTABLISHMENT OF**
2 **RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT**

3
4 **1. Please state your name and business address.**

5
6 My name is Ryan P. Stilwell and my business address is 13901 Sutton Park Drive South,
7 Suite 200, Jacksonville, Florida 32224.

8
9 **2. By whom are you employed and in what capacity?**

10
11 I am employed by Prosser, Inc. as Principal.

12
13 **3. How long have you held that position?**

14
15 I have been employed at Prosser, Inc. since September, 2002 and have been a Principal
16 since 2011.

17
18 **4. Please give your educational background, with degrees earned, major areas of study**
19 **and institutions attended.**

20
21 I attended Auburn University and graduated with a Bachelor's Degree in Civil
22 Engineering in 2002.

23
24 **5. Do you have any professional licenses, registrations, or certifications?**

25
26 I am a licensed Professional Engineer in the State of Florida.

27
28 **6. Are you a member of any professional associations?**

29
30 Florida Engineering Society ("FES").

31
32 **7. Have you been involved in any developments of the type and nature contemplated**
33 **within the proposed Rivers Edge II Community Development District ("District")?**

34
35 Yes. I have been involved in several developments that contain similar necessary public
36 infrastructure facilities utilizing my expertise in the design, permitting, and construction
37 of similar systems.

38
39 **8. Please summarize your previous experience as it relates to public facility design,**
40 **construction and land development.**

41
42 I have been involved in and responsible for the design and construction of many land
43 development projects during the last 15 years. Almost every project has some type of
44 public facility improvement associated with it such as roadway improvements or
45 extensions of sewer and water lines. In addition, I have been involved in several large

1 community development district projects and involved in the design and construction of
2 public facilities. This includes stormwater, roadways, sewer and water facilities,
3 recreational facilities and other public facilities.
4

- 5 **9. Are you familiar with the Petition to Establish Rivers Edge II Community**
6 **Development District ("Petition") filed by Mattamy Jacksonville LLC**
7 **("Petitioner"), on February 5, 2018, which was subsequently amended on May 8,**
8 **2018 and May 14, 2018, seeking the establishment of the proposed District?**
9

10 Yes, I have reviewed the Petition and the revised exhibits.
11

- 12 **10. Are you generally familiar with the geographical area, type, and scope of**
13 **development and the available services and facilities in the vicinity of the proposed**
14 **District?**
15

16 Yes, I am.
17

- 18 **11. Which documents did you prepare or have others prepare under your supervision?**
19

20 Exhibits 1, 2, 4, 5, 6 and 7.
21

- 22 **12. Do any of those exhibits require any change or correction?**
23

24 No.
25

- 26 **13. Are Exhibits 1, 2, 4, 5, 6 and 7 to the Petition true and correct?**
27

28 Yes, to the best of my knowledge.
29

- 30 **14. In general, what do Exhibits 1, 2, 4, 5, 6 and 7 to the Petition demonstrate?**
31

32 Exhibit 1 depicts the general location of the project.
33

34 Exhibit 2 is a metes and bounds description of the external boundary of the proposed
35 District.
36

37 Exhibit 4 is a map depicting the future general distribution, location and extent of public
38 and private land uses within the proposed District by the land use plan element.
39

40 Exhibit 5 is a map showing the existing and proposed major trunk water mains and sewer
41 connections serving the lands within and around the proposed District.
42

43 Exhibit 6 contains a list of the facilities and services the proposed District is expected to
44 finance, fund, construct, acquire and/or install, as well as the anticipated entity

1 responsible for the ownership and maintenance thereof.
2 Exhibit 7 identifies the estimated costs of constructing the infrastructure serving the land
3 within the proposed District.
4

5 **15. What capital facilities are presently expected to be financed, funded, constructed,**
6 **acquired, and/or installed by the District?**
7

8 Based on information provided by Petitioner and as more fully described in Petition
9 Exhibit 6, it is presently expected that the District will provide for the following facilities
10 and services: approximately one mile of minor collector roadways, CR 223, stormwater
11 management facilities, landscape improvements along Longleaf Pine Parkway,
12 recreational facilities, parks and related improvements.
13

14 **16. Based upon your training and experience as an engineer, do you have an opinion as**
15 **to whether the proposed District is of sufficient size, compactness, and sufficient**
16 **contiguity to be developed as a functional interrelated community?**
17

18 Yes, based on my experience, the proposed District is of sufficient size, compactness and
19 contiguity to be developed as one functional interrelated community.
20

21 **17. What is the basis for your opinion?**
22

23 For many reasons, the proposed District facilities can be provided in an efficient,
24 functional and integrated manner.
25

26 First, there are sufficient, significant infrastructure needs for the area within the proposed
27 District to allow development as a functionally interrelated community.
28

29 Second, the specific design of the community allows infrastructure to be provided in a
30 cost effective manner. The land included within the proposed District area is contiguous,
31 which facilitates an efficient and effective planned development.
32

33 Third, the provision of services and facilities through the use of one development plan
34 provides a contiguous and homogenous method of providing services to lands throughout
35 the District.
36

37 **18. In your opinion, you said the proposed District is sufficiently compact and**
38 **contiguous to be developable as a functionally interrelated community. Would you**
39 **please explain what you mean when stating that the proposed District is of sufficient**
40 **compactness?**
41

42 The District will encompass approximately 886.90 acres and will provide a range of
43 residential and residential-support land uses that require the necessary elements of
44 infrastructure, including a stormwater management system; on-site roadway
45 improvements; water and sewer utility improvement; recreation improvements; and other

1 improvements described in the Petition. The proposed District will have sufficient overall
2 residential density to require all the above-mentioned necessary elements of infrastructure
3 of a comprehensive community. These facilities and services require adequate planning,
4 design, financing, construction, and maintenance to provide the community with
5 appropriate infrastructure. The preferred method of developing land, especially for
6 higher density residential uses, is for the development to be spatially compact. This
7 augments the District's ability to construct and maintain improvements, and provide
8 services, in a cost efficient manner.
9

10 **19. Can you provide an example of a service or facility and explain why a community**
11 **development district is a preferred alternative for long-term operation and**
12 **maintenance?**
13

14 Yes. A good example would be a stormwater management system. Both a community
15 development district and a homeowners association are permitted to operate and maintain
16 such systems under applicable St. Johns River Water Management District ("SJRWMD")
17 rules. However, SJRWMD rules generally require homeowners associations to provide
18 significantly more information and documentation before the SJRWMD. This additional
19 information is required to ensure that the association has the financial, legal and
20 administrative capability to provide for long-term maintenance of the stormwater
21 management system. Such documentation generally must (1) indicate that the association
22 has the power to levy assessments; (2) mandate that the association will operate and
23 maintain such systems; and (3) provide that the association cannot be dissolved until
24 another entity is found to maintain the system.
25

26 In comparison, a community development district is a perpetual local government unit,
27 which by law has the requisite assessment authority, including the ability to collect such
28 assessments on the County tax roll. Thus, a community development district generally
29 must simply provide a letter to the SJRWMD stating that the community development
30 district will accept operation and maintenance responsibility. All things being equal, a
31 community development district is preferred over a homeowners or property owners
32 association for operation and maintenance of a stormwater management system.
33

34 **20. Based on your experience, do you have an opinion as to whether the services and**
35 **facilities to be provided by the proposed District will be incompatible with the**
36 **capacities and uses of existing local and regional community facilities and services?**
37

38 Yes. It is my opinion that the proposed services and facilities of the proposed District
39 will not be incompatible with the capacity and uses of existing local or regional
40 community development services and facilities.
41

42 **21. What is the basis for your opinion?**
43

44 Currently, none of the planned infrastructure improvements that the proposed District

1 plans to provide exist on the subject property in a manner that is useful to the proposed
2 development. Each of the elements of infrastructure for the necessary services and
3 facilities will connect into the County's existing, surrounding systems according to
4 criteria, review and approval of the County; there will be no incompatibility issue.
5

- 6 **22. Based on your experience, do you have an opinion as to whether the area to be**
7 **included within the proposed District is amenable to being served by a separate**
8 **special district government?**
9

10 Yes. In my opinion, and to the best of my knowledge, the area identified in the petition is
11 amenable to being served by a separate special district government.
12

- 13 **23. What is the basis for your opinion?**
14

15 The proposed District is limited in purpose and the infrastructure improvements to be
16 provided by the proposed District are limited in scope. This infrastructure is expected to
17 directly benefit the development and may be adequately served by a special district
18 government. In addition, special district governance provides a mechanism whereby
19 long-term maintenance obligations can be satisfied by the persons primarily using the
20 facilities and services.
21

- 22 **24. In the course of your work in Florida, have you had an opportunity to work with the**
23 **State Comprehensive Plan found in Chapter 187, Florida Statutes?**
24

25 Yes, I have often referred to the State Comprehensive Plan in rendering consultation to
26 clients.
27

- 28 **25. In the course of your work in Florida, have you had an opportunity to review local**
29 **government comprehensive plans?**
30

31 Yes.
32

- 33 **26. What types of land development projects have you worked on that involved**
34 **analyzing consistency with the state and local comprehensive plans?**
35

36 On all multi-use projects, it is absolutely essential to check with state and local
37 comprehensive plans. When you develop a site plan, you have to determine what is
38 allowed. So yes, most of my large multi-use projects involved analyzing consistency.
39 RiverTown (Rivers Edge Community Development District), Palencia (Marshall Creek
40 Community Development District) and World Commerce Center Community
41 Development District all serve as examples.
42

- 43 **27. Do you have an opinion, as someone experienced in planning, as to whether the**
44 **establishment of the proposed District is inconsistent with any applicable element or**
45 **portion of the state comprehensive plan?**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Yes.

28. What is that opinion?

It is my opinion that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan.

29. What is the basis for that opinion?

I have reviewed, from a planning perspective, applicable portions of the State Comprehensive Plan that relate to the establishment of a community development district.

The State of Florida Comprehensive Plan, (Chapter 187, F.S.), "provides long-range policy guidance for the orderly social, economic, and physical growth of the state." The State Plan sets forth 25 subjects, goals, and numerous policies. Two subjects are particularly relevant, from a planning perspective, to the establishment of the District: No. 15- Land Use and No. 25- Plan Implementation.

30. What is Subject 15 and why is it relevant?

Subject 15 recognizes the importance of locating development in areas that have the fiscal abilities and service capacity to accommodate growth. It is relevant because community development districts are designed to provide infrastructure services and facilities in a fiscally responsible manner to the areas that can accommodate development. The proposed District is not inconsistent with this goal because the District will have the fiscal capability to provide the specified services and facilities in this growth area. Additionally, under this subject, Policy 1 is relevant.

31. What is Policy 1 and what is its relevance?

Policy 1 promotes efficient development activities in areas that will have the capacity to service new populations and commerce. The proposed District will be a vehicle to provide a high quality of infrastructure facilities and services in an efficient and focused manner at sustained levels over the long-term life of the community.

32. You also mentioned Subject 25. What is this and why is it relevant?

This subject calls for systematic planning capabilities to be integrated into all levels of government throughout the state, with particular emphasis on improving inter-governmental coordination and maximizing citizen involvement. The proposed District will be able to finance and construct (and in some cases operate and maintain) the contemplated infrastructure improvements as authorized under Chapter 190, F.S., subject to and not inconsistent with the local government comprehensive plan and land

1 development regulations. Citizen involvement is maximized since District Board
2 meetings are publicly advertised, open to the public and all District property owners and
3 residents can be involved in the provision of the improvements. Additionally,
4 establishment of the District will enhance governmental coordination since Section
5 189.08, F.S., requires the District to file public facilities reports with the County, and to
6 annually update such reports to the extent there are any changes, which reports and
7 updates the County may rely upon in any revisions to its local comprehensive plan.
8

9 **33. Are there any relevant policies under this subject of the State Comprehensive Plan?**

10
11 Yes, Policies 2, 3, 6 and 8. Policy 2 seeks to ensure that every level of government has
12 the appropriate operational authority to implement the policy directive established in the
13 plan. Chapter 190, F.S., provides the District with its necessary operational authority. In
14 fact, Section 190.002(1), F.S., identifies community development districts as a means to
15 deliver the basic community services and capital infrastructure called for by the Growth
16 Management Act without overburdening other local governments and their taxpayers.
17 The establishment of the District to provide the infrastructure systems and facilities for
18 the acreage to be included within the District in a manner which does not burden the
19 general body of taxpayers in the County is directly in furtherance of this policy.
20

21 Policy 3 provides for establishing effective monitoring, incentive, and enforcement
22 capabilities to see that the requirements established by regulatory programs are met.
23 Section 189.08(2), F.S., requires all independent special districts to submit public
24 facilities reports, including annual updates as to changes. This facilitates an effective
25 monitoring program of the District by the County. Sections 190.002(2)(c) and
26 190.004(3), F.S., dictate the legislative policy that all community development districts
27 comply with all government laws, rules and regulations applicable to community
28 development. Therefore, establishment of the District is not inconsistent, and in fact is in
29 furtherance, of this policy.
30

31 Policy 6 encourages citizen participation at all levels of policy development, planning
32 and operations. The District holds its meetings in the sunshine pursuant to Chapter 286,
33 F.S. This process encourages citizen participation in, and ultimately citizen control of, the
34 activities of the District.
35

36 Policy 8 encourages continual cooperation among communities to bring the private and
37 public sectors together for establishing an orderly, environmentally, and economically
38 sound plan for future needs and growth. The District will be a vehicle to enhance
39 cooperation in the provision of infrastructure between the private sector and the County.
40

41 **34. Are there any other subjects within the State Comprehensive Plan which are**
42 **relevant?**

43
44 Two additional subject areas applicable to establishment of a community development
45 district include Subject 9 - Natural Systems and Recreational Lands, and Subject 17 -

1 Public Facilities. The applicable policies of Subject 9 relate to expanding state and local
2 efforts to provide activity-based recreational opportunities to urban areas which can be
3 accomplished with the funding assistance of the District. The applicable goal and
4 policies of Subject 17 relate to: (i) protecting investments in existing public facilities; (ii)
5 providing financing for new facilities; (iii) allocating the costs of new public facilities on
6 the basis of the benefits received by future residents; (iv) implementing innovative but
7 fiscally sound techniques for financing public facilities; and (v) identifying and using
8 stable revenue sources for financing public facilities. The establishment of the District
9 will further these State Comprehensive Plan Goals and Policies.

10
11 35. Do you have an opinion as to whether the District will be inconsistent with any
12 portion or element of the St. Johns County Comprehensive Plan, adopted pursuant
13 to Chapter 163, Florida Statutes?

14 Yes, I do.

15
16 36. What is your opinion?

17 It is my opinion that the District will not be inconsistent with any applicable element or
18 portion of the St. Johns County Comprehensive Plan.

19
20
21 37. What is the basis for your opinion?

22 The following elements of the St. Johns County Comprehensive generally relate to and
23 are consistent with the establishment of and exercise of the powers by the proposed
24 District.

25
26
27 Land Use Element - One stated goal of this element explains that the
28 Comprehensive Plan "shall protect and enhance the quality of life in this
29 community by providing economically sound educational, employment, cultural,
30 recreational, commercial, industrial and professional opportunities to its citizens
31 while channeling inevitable growth into locations and activities that protect the
32 natural and aesthetic environments and residential neighborhoods." The District
33 can provide the desired services and facilities to this area in accordance with this
34 goal.

35
36
37 Intergovernmental Coordination Element - One stated goal of this element is to
38 "promote maximum local government effectiveness, efficiency, and
39 coordination through the identification and provision of mechanisms for
40 resolving incompatible or conflicting statements within the local government
41 comprehensive plan, and with the plans of other governmental entities." The
42 District will continue to be a vital link in this coordination process as a provider
43 and maintainer of community infrastructure, whose activities are coordinated
44 with and are not inconsistent with plans and activities of related public and

1 private agencies.

2
3 Capital Improvement Element – The goal of this element is to “use sound fiscal
4 policies to provide adequate public facilities concurrent with, or prior to
5 development in order to achieve and maintain adopted standards for levels of
6 services, and to exceed the adopted standards, when possible.” The proposed
7 District will provide high quality public facilities consistent with this goal.
8

9 Furthermore, since Chapter 190, Florida Statutes, prohibits any community development
10 district from acting in a way inconsistent with the local government's comprehensive
11 plan, the exercising of any power must be done with the comprehensive plan in mind.
12 Any construction activities of the District will require County permitting review under
13 established procedures. Thus, the use of those powers granted to the District does not
14 make it inconsistent with the St. Johns County Comprehensive Plan.
15

16 It is my opinion, therefore, that with respect to the establishment of the proposed District,
17 the proposed District will not be inconsistent with any applicable element or portion of
18 the St. Johns County Comprehensive Plan.
19

20 **38. Does this conclude your testimony?**

21
22 Yes, it does.
23

BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

IN RE: PETITION TO ESTABLISH
 RIVERS EDGE II COMMUNITY
 DEVELOPMENT DISTRICT }

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I, James Perry, of Governmental Management Services, LLC, being first duly sworn, do hereby state for my affidavit as follows:

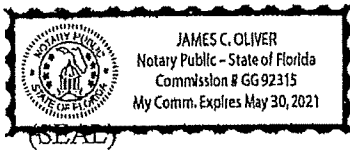
1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is James Perry, and my business address is 475 West Town Place, Suite 114, World Golf Village, St. Augustine, Florida 32092.
3. The prepared written, pre-filed testimony consisting of eight (8) pages, submitted under my name to the St. Johns County Board of County Commissioners relating to the establishment of the Rivers Edge II Community Development District and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the Rivers Edge II Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning the managerial and financial aspects of special districts are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various managerial and financial aspects related to the proposed Rivers Edge II Community Development District.
7. No corrections or amendments to my pre-filed testimony are required.

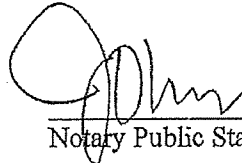
Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 4th day of June, 2018.


James Perry

SWORN TO and SUBSCRIBED before me by the Affiant, James Perry, on this 4th day of June, 2018.




Notary Public State of Florida

Personally known
OR Type of Identification produced _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

**TESTIMONY OF JAMES PERRY FOR THE ESTABLISHMENT
OF THE RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT**

1. Please state your name and business address.

My name is James Perry. My business address is 475 West Town Place, Suite 114, St. Augustine, Florida 32092.

2. By whom are you employed and in what capacity?

I am employed by Governmental Management Services, LLC. I serve as a District Manager and assessment consultant for community development districts.

3. Please briefly summarize your duties and responsibilities.

Our company provides management and assessment consulting services to the real estate development industry. We also work with many community development districts.

4. Do you commonly work with both public and private sector clients?

Yes. I work with a number of public sector clients that include community development districts ("CDD" or "CDDs") across the state. I also work with various private companies as well.

5. Prior to your current employment, by whom were you employed and what were your responsibilities in those positions?

My previous work experience includes JEA Director of Strategic Acquisitions and Partnerships and JEA Acquisition and Disposition Specialist. My responsibilities included water/wastewater acquisitions including due diligence, contract negotiations, public hearings and financial analysis. I was responsible for interlocal agreements with surrounding counties including compliance and modifications. I was also responsible for electric purchase power agreements and green power initiative contracts. Prior to JEA, I served in senior financial positions with Fortune 100 companies in the utility and land development industries.

6. Please describe your educational background.

I graduated from University of Central Florida and received a BSBA with a major in accountancy. I am a Certified Public Accountant (Florida), a former Certified Internal Auditor, and a Certified Information Systems Auditor. I am also a graduate of Wharton Business School Executive Development Program.

7. What has been your role with respect to the proposed Rivers Edge II Community Development District ("District") establishment proceeding?

1 I serve as a financial, economic, and management consultant relating to the establishment
2 of the District.

3
4 **DISTRICT MANAGEMENT**

- 5
6 **8. At this point, I will ask you to address certain matters that relate to CDD**
7 **management. Please describe the general manner in which a CDD actually**
8 **operates.**

9
10 CDDs are governed by a five-member Board of Supervisors ("Board"). These Board
11 members are initially elected by landowners in the CDD. The Board is the governing
12 body of the CDD. The Board employs a district manager, who supervises the district's
13 services, facilities, and administrative functions. The Board annually considers and, after
14 public notice and hearing, adopts a budget. The CDD submits a copy of the proposed
15 budget to the applicable local general-purpose government for review and optional
16 comment prior to its adoption each year.

- 17
18 **9. Are there requirements, such as the open meetings and public records laws, imposed**
19 **upon CDDs in order to safeguard the public that are similar to those imposed upon**
20 **other general purpose local governments?**

21
22 Yes, there are.

- 23
24 **10. Please describe these requirements and safeguards.**

25
26 First, it is important to note that the establishment of a CDD does not change any
27 requirements for governmental approval of construction within the CDD. Any land
28 development requirements and all state and local development regulations still apply.

29
30 Second, members of the Board must be residents of Florida and citizens of the United
31 States. After the Board shifts to being elected by the resident electors of the CDD the
32 supervisors must also be residents and electors of the CDD. Board members must
33 annually file the same financial disclosure forms required by other local officials. All
34 meetings of the Board are open to the public and are subject to the government in the
35 sunshine requirements of Chapter 286, *Florida Statutes*. Furthermore, the CDD's records
36 must be open for public inspection in accordance with the Florida law governing public
37 records.

38
39 Next, the CDD must provide financial reports to the state in the same form and manner as
40 is required of all other political subdivisions. The CDD is annually audited by an
41 independent certified public accountant. As I said before, the CDD budget is adopted
42 annually by the Board after a public hearing. All rates, fees, and charges imposed by the
43 district must be adopted pursuant to Chapter 120, *Florida Statutes*.

1 Finally, to impose special or non-ad valorem assessments under Chapter 170, *Florida*
2 *Statutes*, a CDD must provide published and mailed notice to those who are assessed.
3 That assessment process entails preparation of a methodology that fairly and equitably
4 allocates the cost of the CDD's projects.
5

6 **11. Please describe in general terms how a CDD operates financially, both on a day-to-**
7 **day and a long-term basis.**
8

9 In the early stages, particularly when a CDD is formed in mid-year, the CDD's operating
10 funds may be funded by a "funding agreement" between the CDD and the
11 landowner/developer in lieu of assessments that the CDD might have imposed on
12 property within the CDD.
13

14 In order to provide long term financing of capital projects, CDDs often issue bonds. All
15 bonds issued by CDDs must be secured by a trust agreement, and any bond maturing over
16 a period of more than five years must be validated and confirmed by court decree
17 pursuant to Chapter 75, *Florida Statutes*. The CDD also may borrow funds on a long or
18 short-term basis.
19

20 Debt may be retired by the district through non-ad valorem or special assessments
21 imposed on benefited properties, or rates, fees, and charges imposed on users of CDD
22 facilities and services. By law, debt of the CDD cannot become debt of any other
23 government (County, county or state), without that government's consent.
24

25 **12. What alternatives, other than CDDs, are you familiar with that might be available**
26 **to provide community infrastructure for the lands within the District?**
27

28 In my opinion there are two alternatives that might provide community infrastructure
29 such as the roads, utilities, drainage, and other improvements contemplated for the
30 District. First, the general-purpose local government could finance the improvements
31 utilizing special assessments and general funds. Alternatively, the developer could
32 provide infrastructure through private means, including private financing if available. As
33 discussed later in my testimony, neither of these alternatives is preferable to use of the
34 CDD concept.
35

36 **13. Do you have an opinion, as someone experienced in district management and**
37 **operations, as to whether the District is the best available alternative for delivering**
38 **community services and facilities to the areas that will be served by the District?**
39

40 Yes. For this project, the District is the best alternative available for delivering the
41 proposed services and facilities to the area that will be served. These improvements
42 include: approximately one mile of minor collector roadways to CR 223, stormwater
43 management facilities, landscape improvements along Longleaf Pine Parkway,
44 recreational facilities, parks and related improvements.
45

1 **14. What is the basis for your opinion?**
2

3 Let's look at the alternatives. St. Johns County ("County") could finance and manage the
4 roadway and drainage improvements utilizing special assessments or general funds. The
5 developer and/or a homeowner's association could provide these facilities, as well as the
6 water and sewer facilities, through private financing.
7

8 In evaluating these alternatives, it is important to consider whether the alternative can
9 provide the best focus, can effectively and efficiently manage and maintain the facilities,
10 and whether the alternative can secure low cost, long-term public financing. The County
11 clearly provides the long-term perspective and is a stable and relatively low cost source
12 of financing and provider of services at sustained levels. However, the County has
13 substantial demands over a broad geographical area that places a heavy management
14 delivery load on its staff. In addition, if dependent district financing were used, the
15 County would be responsible for all administrative aspects of the dependent district. By
16 using a dependent district mechanism, the County would be increasing its responsibility
17 and hence liability for the variety of actions that will take place in the Rivers Edge II
18 development. By contrast, a CDD can be created to provide focused attention to a
19 specific area in a cost effective manner. It also allows the County to focus staff time,
20 finances, and other resources elsewhere and does not burden the general body of
21 taxpayers in the County with the debt associated with this growth.
22

23 The other alternative is the use of private means – either through a property owner's
24 association or through the developer, or both in combination. This combination can
25 clearly satisfy the high demand for focused service and facilities and managed delivery.
26 However, only a public entity can assure a long-term perspective, act as a stable provider
27 of services and facilities, qualify as a lower cost source of financing and pay for services
28 at sustained levels. Property owners' associations lack the ability to effectively finance
29 these types of improvements. Their ability to assure adequate funds for sustained high
30 levels of maintenance is less than with a CDD.
31

32 Furthermore, neither the developer nor a POA would be required to conduct all actions
33 relating to the provision of these improvements in the "sunshine" as a CDD must, or
34 abide by other public access requirements that are incumbent upon a CDD and its Board.
35 Also, provision and long term operation and maintenance of these improvements,
36 particularly the recreation and drainage activities, by a CDD ensures that residents have
37 guaranteed access to the body or entity making decisions about these facilities, and in fact
38 will one day sit as the five member Board making the decisions that impact their
39 community directly.
40

41 A CDD is an independent special purpose unit of local government designed to focus its
42 attention on providing the best long-term service to its specific benefited properties and
43 residents. It has limited power and a limited area of jurisdiction. The District will be
44 governed by its own Board and managed by those whose sole purpose is to provide the

1 District long term planning, management and financing of these services and facilities.
2 This long-term management capability extends to the operation and maintenance of the
3 facilities owned by the District. Further, the sources for funding and manner of collection
4 of funds will assure that the District's facilities will be managed at the sustained levels of
5 quality desired by residents well into the future.
6

- 7 **15. Do you have an opinion, as someone experienced in district management and**
8 **operations, as to whether the area of land to be included within the District is of**
9 **sufficient size, is sufficiently compact, and is sufficiently contiguous to be**
10 **developable as one functional interrelated community?**

11
12 Yes.

- 13
14 **16. What is your opinion?**

15
16 Yes. From a management perspective, the area to be included within the proposed
17 District is of sufficient size, compactness and is sufficiently contiguous to be developable
18 as one functional, interrelated community.
19

- 20 **17. What is the basis for your opinion?**

21
22 The size of the District is approximately 886.90 acres. Based on my previous experience,
23 the District is of sufficient size, compactness, and contiguity to be developed as a
24 functional interrelated community.
25

26 The qualities of compactness, contiguity, and size relate directly to whether an area can
27 become one functional interrelated community. From the standpoint of the provision,
28 management and operation of the community infrastructure expected to be provided by
29 the District, the acres contemplated for inclusion within the District is sufficiently
30 compact, contiguous and of sufficient size to maximize the successful delivery of these
31 infrastructure improvements to these lands. The delivery of services and facilities to the
32 lands within the District will not be hampered by insurmountable barriers or spatial
33 problems. The area within the District is suitably configured to maximize the benefits
34 available from the District services and facilities to be provided.
35

- 36 **18. Do you have an opinion, as someone experienced in district management and**
37 **operations, as to whether the area that will be served by the District is amenable to**
38 **separate special district government?**

39
40 Yes.

- 41
42 **19. What is your opinion?**

43
44 The District is of sufficient size, compactness and contiguity. Therefore, the area to be
45 served by the District is clearly amenable to separate special district governance.

1 **20. What is the basis for your opinion?**
2

3 Two criteria are needed to evaluate a land area as amenable to separate special district
4 government. One, does the land area have need for the facilities and services and will its
5 owners and residents benefit from facilities that the special district could provide? Two,
6 is the land area of sufficient size, sufficient compactness and sufficiently contiguous to be
7 the basis for a functional interrelated community?
8

9 Under both criteria, the District is a planned community of sufficient size with a need for
10 the facilities and improvements that are presently expected to be provided by the
11 District. As described in the Petition, the District will construct and maintain certain
12 needed facilities and services. Other facilities and improvements may be constructed by
13 the District and ultimately maintained by the County. Based on my experience, CDDs of
14 this size are large enough to effectively provide and manage services. From a
15 management and operations perspective, the land area is well suited to the provision of
16 the proposed services and facilities. Ultimately, of course, if later circumstances would
17 cause the County to re-evaluate whether these lands should continue as separate special
18 district government, the County has the option under Section 190.046(4), *Florida*
19 *Statutes*, to effectively take over the functions of any CDD.
20

21 **21. Do you have an opinion, as someone experienced in district management and**
22 **operations, as to whether the community development services and facilities of the**
23 **District will be incompatible with the capacity and use of existing local and regional**
24 **community development services and facilities?**

25
26 Yes.
27

28 **22. What is your opinion?**
29

30 Yes. It is my opinion that the proposed services and facilities of the proposed District are
31 not incompatible with the capacity and uses of existing local or regional community
32 development services and facilities.
33

34 **23. What is the basis for your opinion?**
35

36 There is no duplication or overlap of facilities or services because no other entity or unit
37 of government is presently funding or providing the improvements proposed by the
38 District. Furthermore, the proposed District is an efficient method to maintain and
39 manage the necessary infrastructure improvements within the proposed District without
40 overburdening the County's government and its taxpayers.
41

42 **ECONOMICS AND FINANCING**
43

44 **24. Are you familiar with the Petition filed by Mattamy Jacksonville LLC.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

(“Petitioner”), to establish the District?

Yes, I have reviewed the petition and all of the attached exhibits. Specifically, I have reviewed Petition Exhibit 8 which is the Statement of Estimated Regulatory Costs (“SERC”), a requirement of Chapter 190, *Florida Statutes*.

25. Based on your review of Petition Exhibit 8, are there any updates that need to be made at this time?

No updates are necessary at this time.

26. What exactly is a SERC?

It is a requirement under Section 120.541(2), *Florida Statutes*, which has been incorporated into the law on establishment of CDDs.

27. In general terms, please summarize the economic analyses presented in the SERC.

An understanding of the SERC requires the recognition of the scope of review and evaluation for the establishment of a CDD as set out in Chapter 190, *Florida Statutes*. Section 190.002(2)(d), *Florida Statutes*, states “that the process of establishing such a district pursuant to uniform general law [must] 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.” Thus, the scope of the economic analysis included in the SERC addresses only the establishment of the District, and not the planning or development of the property itself.

The economic analysis sets out the assumptions about the development within the District and the anticipated infrastructure to be provided by it. The analysis addresses each of the potentially affected parties defined in the statute and evaluates the impact of the District on each such group.

The District is a limited and highly specialized unit of local government. It is a special-purpose unit of local government with a single objective: the provision and maintenance of infrastructure and services for a planned new community. Its economic benefits exceed its economic cost to Petitioner, the County, and to all subsequent purchasers and landowners of the community - in short, to all affected parties.

Once the District is established, there are no direct costs to the County. While the District will provide certain reports and budgets to the County for its discretionary review, there are no requirements that it incur any obligations or expense associated with its review. In addition, to the extent the District utilizes the services of the Property Appraiser or Tax Collector under the provisions of Chapter 197, *Florida Statutes*, to collect its assessments the District must pay the costs associated with those services.

1 It is important to note that under Chapter 190, *Florida Statutes*, the debt of the District
2 cannot become the debt of the County, or the State of Florida. Since the District will be
3 an independent unit of government and will issue its own bonds, the District will not have
4 any affect on the bonding capacity of the County or the State of Florida.
5

6 **28. Please describe briefly the data and methodology used in preparing the SERC and**
7 **related analyses.**
8

9 The data for the analysis came from the landowner, other experts working on the Petition,
10 and from the Petition itself. The methodology is standard economic impact assessment.
11

12 **29. As a financial advisor, do you have an opinion regarding the financial viability and**
13 **feasibility of the District?**
14

15 Yes, I do.
16

17 **30. What is that opinion?**
18

19 In my opinion, based on my experience with other CDDs, the District is expected to be
20 financially viable and feasible.
21

22 **31. Does this conclude your testimony?**
23

24 Yes it does.
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

**TESTIMONY OF JASON SESSIONS FOR ESTABLISHMENT OF
RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT**

1. Please state your name and business address.

My name is Jason Sessions. My business address is 7800 Belfort Parkway #195,
Jacksonville, FL 32256.

2. By whom are you employed and in what capacity?

I am the Vice President of Development and Land Acquisition for Mattamy Jacksonville
LLC.

3. Briefly summarize your duties and responsibilities.

I am responsible for all land acquisition and development duties for the Jacksonville
Division of Mattamy Homes. These duties include, but are not limited to, all acquisition,
financing, cash flows, horizontal site development, engineering, amenity programming
and amenity development as well as managing all homeowner association and
community development district related responsibilities.

4. Who is the Petitioner in this proceeding?

The Petitioner is Mattamy Jacksonville LLC ("Petitioner").

**5. Are you familiar with the Petition filed by the Petitioner seeking the establishment
of a community development district?**

Yes. I assisted in the preparation of the Petition to Establish the Rivers Edge II
Community Development District and accompanying exhibits ("Petition"), filed on
February 5, 2018, and subsequently amended and restated on May 8, 2018 and May 14,
2018 with St. Johns County ("County"), and worked with members of the consultant
team to prepare the filing. I reviewed the Petition and exhibits prior to its filing.

6. What is the proposed name of the District?

The proposed name is the Rivers Edge II Community Development District ("District").

7. Have you reviewed the contents of the Petition and approved its findings?

Yes, I have.

8. Are there any changes or corrections to the Petition at this time?

No.

9. Are there any changes or corrections to any of the exhibits submitted to the County

1 at this time?

2
3 No.

4
5 **10. Please generally describe each of the exhibits attached to the Petition.**

6
7 Exhibit 1 is the map showing the general location of the proposed District.

8
9 Exhibit 2 is the metes and bounds description of external boundary of the proposed
10 District.

11
12 Exhibit 3 is the Consent of Landowner to CDD Establishment, executed by Mattamy
13 Jacksonville LLC, which represents the consent of one hundred percent (100%) of the
14 owners of the lands to be included within the District.

15
16 Exhibit 4 contains a map depicting the future general distribution, location and extent of
17 the public and private land uses within the proposed District by the land use plan element.

18
19 Exhibit 5 contains a map identifying existing and proposed major trunk water mains and
20 sewer connections serving the lands within and around the proposed District.

21
22 Exhibit 6 contains a list of the facilities and services the proposed District is expected to
23 finance, fund, construct, acquire and/or install, as well as the anticipated entity
24 responsible for the ownership and maintenance thereof.

25
26 Exhibit 7 contains the estimated costs of construction the infrastructure serving the land
27 within the proposed District.

28
29 Exhibit 8 is the Statement of Estimate Regulatory Costs ("SERC"), required by statute.

30
31 Exhibit 9 is the authorization of agent form, which authorizes Jennifer L. Kilinski to act
32 as agent for the Petitioner.

33
34 **11. Were these exhibits prepared by you or under your supervision?**

35
36 Yes, I engaged a consultant team and directed the preparation of the exhibits to the
37 Petition.

38
39 **12. To the best of your knowledge, is the general location map identified as Exhibit 1 a
40 true and accurate depiction of the general location of the proposed District?**

41
42 Yes, it is.

43
44 **13. To the best of your knowledge, is the metes and bounds description of the external
45 boundary of the District included in Exhibit 2, a true and accurate recitation of the
46 land area to be included within the proposed District?**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Yes, it is.

14. To the best of your knowledge, is Exhibit 3 a true and accurate copy of the consent obtained from the owner of one hundred percent (100%) of the lands to be included within the proposed District?

Yes, it is.

15. To the best of your knowledge, is the map included in Exhibit 4 a true and accurate depiction of the future general distribution, location and extent of public and private land uses within the proposed District?

Yes, it is.

16. To the best of your knowledge, is Exhibit 5 a true and accurate depiction of the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District?

Yes, it is.

17. To the best of your knowledge, does Exhibit 6 truly and accurately list the facilities and services that the proposed District is expected to finance, fund, construct, acquire and/or install, as well as the anticipated owner and entity responsible for operation and maintenance thereof?

Yes, it does.

18. To the best of your knowledge, does Exhibit 7 truly and accurately list the estimated costs of constructing the infrastructure serving land within the proposed District?

Yes, it does.

18. To the best of your knowledge, is Exhibit 8 a true and accurate copy of the Statement of Estimated Regulatory Costs?

Yes, it is.

19. To the best of your knowledge, is Exhibit 9 a true and accurate copy of the Authorization of Agent form?

Yes, it is.

20. Are the contents of the Petition and the exhibits attached to it, as described herein, true and correct to the best of your knowledge?

Yes, it is.

- 1 **21. Are you familiar with the area that is proposed to be included within the District?**
2
3 Yes, I am familiar with the general area and the site specifically.
4
- 5 **22. Approximately how large is the proposed District in acres?**
6
7 The proposed District is located entirely within unincorporated St. Johns County and
8 covers approximately 886.90 acres of land.
9
- 10 **23. What steps were taken with respect to filing the Petition with the County?**
11
12 On February 15, 2017, the Petitioner filed the original Petition with the County.
13 Subsequently, an amended and restated petition was filed with the County on May 8,
14 2018 and May 14, 2018.
15
- 16 **24. Has notice of the hearing been provided in accordance with Section 190.005, Florida**
17 **Statutes?**
18
19 Yes. A notice of hearing is being published in the St. Augustine Record, a newspaper of
20 general circulation in the County and of general interest and readership in the community,
21 as a display ad for four (4) consecutive weeks immediately preceding the hearing. Proof
22 of publication has been filed with the County and will be available by the time of the
23 establishment hearing.
24
- 25 **25. Who are the five persons designated in the Petition to serve as the initial Board of**
26 **Supervisors?**
27
28 The five persons are myself, Chuck Bolen, Amber King, Jason Beard, and Justin Frisbee.
29
- 30 **26. Do you know each of these persons personally?**
31
32 Yes, I do.
33
- 34 **27. Are each of the persons designated to serve as the initial Board of Supervisors**
35 **residents of the State of Florida and citizens of the United States?**
36
37 Yes, they are.
38
- 39 **28. Are there residential units planned for development within the proposed District?**
40
41 Yes. There are approximately 1181 single family units and 131 town home units planned
42 for development within the proposed District, which are anticipated to be constructed in
43 multiple phases.
44
- 45 **29. Are there residents currently living within the areas to be included within the**
46 **District, and, if so, have they been notified about the creation of the District?**
47

1 No there are not residents currently living within the areas to be included within the
2 District.
3

4 **30. What steps will be taken to ensure that prospective purchasers of the District**
5 **receive notice of the existence of the District and its assessments?**
6

7 There are certain state law disclosure requirements that all community development
8 districts ("CDDs") must meet.
9

10 First, within thirty (30) days of the establishment of the District, a Notice of
11 Establishment is required to be recorded in the property records. The notice contains a
12 legal description of the boundaries of the District and discloses, as required by Section
13 190.0485, *Florida Statutes*, through inclusion of the bold-faced language set forth in the
14 paragraph immediately below, that the District may levy assessments. The document
15 also provides contact information for members of the public to obtain more information
16 about the District. This document should appear on a title search typically prepared when
17 someone intends to purchase a home after a District has been established.
18

19 Second, Section 190.048, *Florida Statutes*, requires certain contractual language to
20 appear in bold-faced and conspicuous type immediately prior to the signature line on
21 every initial purchase contract. The following language will be required: **The Rivers**
22 **Edge II Community Development District may impose and levy taxes or**
23 **assessments, or both taxes and assessments, on this property. These taxes and**
24 **assessments pay the construction, operation, and maintenance costs of certain public**
25 **facilities and services of the District and are set annually by the governing board of**
26 **the District. These taxes and assessments are in addition to county and other local**
27 **governmental taxes and assessments and all other taxes and assessments provided**
28 **for by law.**
29

30 Third, when assessments are levied for the first time or when previously levied
31 assessments are raised, notice of a public hearing is required to be given by publication in
32 a local newspaper and by mail to all property owners within the District. The assessments
33 are then considered at a public hearing.
34

35 Fourth, the District will be required to adopt and record in the St. Johns County Public
36 Records a Disclosure of Public Financing and Maintenance of Public Improvements. This
37 Disclosure summarizes the financing plan the District has undertaken, the existence, if
38 any, of capital and operation and maintenance assessments, and the facilities and services
39 that the District provides and maintains. This Disclosure is then provided by the District
40 to the developer to satisfy the requirements of Section 190.009, *Florida Statutes*, and is
41 also available for inspection by residents and prospective residents.
42

43 **31. Would you please describe the proposed timetable for development of land within**
44 **the proposed District?**
45

46 It is anticipated that the District improvements will be made, acquired, constructed and/or
47 installed from 2018 to 2030.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

32. Has all of the developable land within the proposed District been planned as a single community?

Yes, the developable land, along with the master infrastructure to be maintained by the proposed District that will service the developable land, although anticipated to be constructed in multiple phases, is planned as a single community. The Petitioner is requesting security powers in its Petition as the District is expected to have a gated portion of the community with approximately 800 units included therein.

33. Would you generally describe the services and facilities you currently expect the proposed District to provide?

The Petitioner presently intends for the District to be involved in providing the following services and facilities: approximately one mile of minor collector roadways to CR 223, stormwater management facilities, landscape improvements along Longleaf Pine Parkway, recreational amenities, parks and related improvements. The facilities are outlined in Exhibit 6 of the Petition.

Petitioner's good faith expectation of the costs associated with such facilities and services is itemized in Exhibit 7 to the Petition.

34. Did you cause the cost estimates identified in Exhibit 7 to be prepared?

Yes, the cost estimates were prepared under my supervision and direction.

35. What methods were used to estimate these costs?

The estimates are based on research regarding historical costs of constructing similar infrastructure and current market conditions.

36. In your opinion, are the cost estimates for the facilities for the proposed District reasonable?

Yes, to the best of my knowledge and based on the information available.

37. In general, what financing methods does the Petitioner propose the District may use to pay for the anticipated facilities and services?

Petitioner presently expects that the District will finance facilities and services through the issuance of tax-exempt bonds, special assessments and through other available financing mechanisms. The debt issued by the proposed District is expected to be retired by non-ad valorem assessments (also known as "special assessments") on benefitted property within the proposed District. Ongoing maintenance and operation of the District and its facilities and services are expected to be funded by non-ad valorem special assessments. Any facilities not financed with a bond issue may be funded by the developer using conventional financing options.

1 **38. Who will be responsible for paying the proposed District's assessments?**
2

3 Only current property owners and those who choose to acquire property within the
4 proposed District will be responsible for paying District assessments.
5

6 **39. Will these proposed District debts be an obligation of the County or the State of**
7 **Florida?**
8

9 No. The debts will be solely the District's obligation and secured by non-ad valorem
10 assessments levied against property owners. Florida law provides that CDD debt cannot
11 become the obligation of a County, a city, or the state without the consent of that
12 government.
13

14 **40. Why is the Petitioner seeking to have a CDD established for this area?**
15

16 There are hundreds of CDDs throughout the State of Florida. CDDs are an efficient,
17 effective way to provide infrastructure and have become accepted in the marketplace to
18 homebuyers. CDDs have the ability to assist in the streamlined and efficient maintenance
19 and operation of infrastructure and services to developing communities.
20

21 From our perspective, the establishment of a CDD is logical for this project. It provides a
22 long-term, stable, financially-secure entity. The proposed District is a structured, formal
23 entity with the legal ability to respond to future changes in the circumstances and desires
24 of its residents. Under Florida law, the proposed District has access to the County's tax
25 collection mechanisms, which helps ensure that the facilities will be maintained. In that
26 sense, it is preferable over control by a property owners association.
27

28 Additionally, a CDD has the ability to enter into interlocal agreements with other
29 government entities. These allow a CDD to work with other government entities to
30 complete projects that benefit residents within the CDD boundaries while also assisting
31 local governments in completing infrastructure necessary to serve growth.
32

33 A CDD has the financial capability to assist in the provision of necessary capital
34 improvements sooner than may otherwise be the case. The County, developers, builders
35 and residents will all benefit from these improvements in terms of access, traffic flow,
36 safety and general property enhancement. Additionally, a CDD is the entity preferred by
37 many regulatory agencies, including many water management districts, to operate and
38 maintain the stormwater management and other similar systems. This is because the
39 CDD is a perpetual entity, operating in open meetings, with the financial ability to ensure
40 that the maintenance of these important environmental facilities and amenities is
41 accomplished. Given the nature of this project, in my opinion, a CDD is a logical,
42 prudent, and desirable way to ensure this needed infrastructure is maintained.
43

44 **41. Does this conclude your testimony?**
45

46 Yes.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

HOPPING GREEN & SAMS
119 S MONROE ST, STE 300

TALLAHASSEE, FL 32301

ACCT: 15693
AD# 0003043344-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

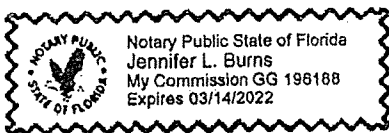
STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA Legal Retail in the matter of CDD-2018000001 was published in said newspaper on 05/22/2018, 05/29/2018, 06/05/2018, 06/12/2018.

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

Sworn to and subscribed before me this _____ day of JUN 15 2018
by Melissa Rhinehart who is personally known to me
or who has produced as identification

Jennifer L. Burns
(Signature of Notary Public)



NOTICE OF LOCAL PUBLIC HEARING

St. Johns County Board of County Commissioners For Establishment of the Rivers Edge II Community Development District

DATE: June 19, 2018
 TIME: 9:00 a.m.
 LOCATION: County Auditorium,
 County Administration Building,
 500 San Sebastian View
 St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on June 19, 2018, in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to consider an ordinance granting a petition to establish the "Rivers Edge II Community Development District" (the "District"). The title of the proposed ordinance is as follows:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2017); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The District is comprised of approximately 886.90 acres, more or less, generally located north of the St. Johns River, west of County Road 210, east of the Rivers Edge Community Development District and south of Greenbriar Road, entirely within unincorporated St. Johns County, Florida. The petitioner has proposed to establish the District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the Growth Management Department in the Permit Center at 4040 Lewis Speedway, St. Augustine, Florida 32084

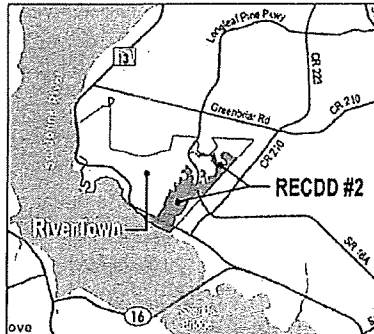
All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general-purpose local government, who wish to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or local unit of 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.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator at (904) 209-0650, at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD), call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearing.

BOARD OF
 COUNTY
 COMMISSIONERS
 ST. JOHNS COUNTY,
 FLORIDA

HENRY DEAN, CHAIR

File Number:
 CDD-201800001



STATE OF FLORIDA DEPARTMENT OF STATE

I, KEN DETZNER, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of St. Johns County Ordinance No. 2018-26, which was filed in this office on June 22, 2018, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.



Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
26th day of June, A.D., 2018.

Ken Detzner
Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.