



# **WEST VILLAGES IMPROVEMENT DISTRICT**

## **CITY OF NORTH PORT SARASOTA COUNTY REGULAR BOARD MEETING & PUBLIC HEARING OCTOBER 12, 2023 10:00 A.M.**

Special District Services, Inc.  
The Oaks Center  
2501A Burns Road  
Palm Beach Gardens, FL 33410

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**AGENDA**  
**WEST VILLAGES IMPROVEMENT DISTRICT**  
**Chambers Room – City of North Port**  
**4970 City Hall Boulevard**  
**North Port, Florida 34286**  
**REGULAR BOARD MEETING & PUBLIC HEARING**  
October 12, 2023  
10:00 a.m.

- A.** Call to Order
- B.** Proof of Publication.....Page 1
- C.** Establish Quorum
- D.** Comments from the Public on All Agenda Items
- E.** Approval of Minutes
1. September 14, 2023 Regular Board Meeting, Public Hearing & Attorney-Client Session Minutes.....Page 2
- F. General District Matters**
- G. Unit of Development 1**
1. Consider Approval of Change Order No. 5 between the District and The deMoya Group, Inc. for Wellen Park Blvd. Roundabout & US 41/SR 45 Improvements Project.....Page 25
- H. Unit of Development 3**
1. Discussion Regarding Roadway Resurfacing Project
2. Discussion Regarding Matters Related to Gran Paradiso Litigation
- Presentation from GovRates on Status of Rate Study
- Appointment of District Representatives Relative to Dispute Resolution Request From Thomas Ranch Intangibles.....Page 27
- I. Unit of Development 7**
1. Consider Approval of Matters Related to 2023 Financing
- Consider Approval of Final Supplemental Engineer’s Report.....Page 30
- Consider Approval of Final Supplemental Assessment Methodology Report .....Page 42
- Consider Resolution 2023-23 – Supplemental Assessment.....Page 60
- J. Unit of Development 10**
1. **Public Hearing – Designation of Unit of Development No. 10**
- a. Proof of Publication.....Page 71
- b. Receive Public Comments on Unit Confirmation Resolution
- c. Consider Resolution No. 2023-24 – Unit Confirmation Resolution.....Page 72
- K. Administrative Matters**
1. District Engineer
2. District Attorney
3. District Operations Manager
4. District Manager
- L.** Board Member Comments
- M.** Adjourn

WEST VILLAGES IMPROVEMENT DISTRICT  
FISCAL YEAR 2023/2024 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the West Villages Improvement District (the District) will hold Regular Meetings at 10:00 a.m. at the Commission Chambers located at 4970 City Hall Blvd, North Port, Florida 34286 on the following dates:

October 12, 2023

November 9, 2023

December 14, 2023

January 11, 2024

February 8, 2024

March 14, 2024

April 11, 2024

May 9, 2024

June 13, 2024

July 11, 2024

August 8, 2024

September 12, 2024

The purpose of the meetings is to conduct any business coming before the Board. The meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agendas for any meeting may be obtained from the Districts website or by contacting the District Manager at 941-244-2805 and/or toll-free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Meetings may be continued as found necessary to a time and date specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 941-244-2805 and/or toll free 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

WEST VILLAGES

IMPROVEMENT DISTRICT

[www.westvillagesid.org](http://www.westvillagesid.org)

PUBLISH: SARASOTA HERALD TRIBUNE 09/29/23

**WEST VILLAGES IMPROVEMENT DISTRICT  
PUBLIC HEARING, SPECIAL BOARD MEETING & ATTORNEY-CLIENT SESSION  
SEPTEMBER 14, 2023**

**A. CALL TO ORDER**

The September 14, 2023, Special Board Meeting of the West Villages Improvement District (“WVID” or the “District”) was called to order at 11:00 a.m. in the Chambers Room of the City of North Port located at 4970 City Hall Boulevard, North Port, Florida 34286.

**B. PROOF OF PUBLICATION**

Proof of publication was presented which showed the notice of the Special Board Meeting had been published in the *Sarasota Herald-Tribune* on August 25, 2023, and September 1, 2023, as legally required.

**C. ESTABLISH A QUORUM**

It was determined that the attendance of the following Supervisors constituted a quorum, and it was in order to proceed with the meeting:

|               |                  |                   |
|---------------|------------------|-------------------|
| Chairman      | John Luczynski   | Present in person |
| Vice Chairman | Steve Lewis      | Present in person |
| Supervisor    | Tom Buckley      | Present in person |
| Supervisor    | Christine Masney | Present in person |
| Supervisor    | John Meisel      | Present in person |

Staff members in attendance were:

|                   |                           |                                 |
|-------------------|---------------------------|---------------------------------|
| District Manager  | William Crosley           | Special District Services, Inc. |
| District Manager  | Todd Wodraska             | Special District Services, Inc. |
| District Manager  | Andrew Karmeris           | Special District Services, Inc. |
| Finance           | Michael McElligott        | Special District Services, Inc. |
| District Counsel  | Lindsay Whelan            | Kutak Rock LLP                  |
| District Engineer | Giacomo Licari (via Zoom) | Dewberry                        |

Also present were Cynthia Wilhelm of Nabors, Giblin & Nickerson; and Spencer Anderson, Sarasota County Engineer.

Also see the sign-in sheet.

**D. DISCUSSION REGARDING PUBLIC DECORUM AT BOARD MEETINGS**

Mr. Luczynski went over the District’s public comment policy that was adopted in 2016 and read aloud remarks pertaining to the policy, which is attached hereto.

**E. COMMENTS FROM THE PUBLIC ON ALL AGENDA ITEMS**



Pam Kantola commented that she felt the District was not following Florida Statutes when it comes to calculating the turnover of board seats.

## **F. APPROVAL OF MINUTES**

### **1. August 17, 2023, Regular Board Meeting & Attorney-Client Session**

Mr. Lewis suggested changing the reference in agenda item I2 to state Taylor Morrison instead of “developer” to ensure no one confuses which developer is being referenced as responsible for paying the road expenses. Mr. Lewis also suggested changing the word from “developer” and instead naming “Mattamy Tampa/Sarasota LLC” in agenda item K1 for the responsibility to pay bond issuance due diligence if the bond does not close. Mr. Lewis also suggested that agenda item G3 be rewritten for clarity on when the irrigation system could be running after a rainfall event, and that the new agreed upon meeting time was changed to 10:00 not 9:00 a.m.

Mr. Meisel stated that he made an inquiry at the last meeting as to whether a conference call was held where both GovRates and Manson Bolves representatives attended. Ms. Whelan stated that after the August meeting she reviewed her notes and confirmed that WVID staff and GovRates had one call with Manson Bolves to ask them to provide backup for any capital installation costs that the master developer has funded and what its position was regarding the existing contractual well availability rate.

A **MOTION** was then made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the August 17, 2023, Regular Board Meeting & Attorney-Client Session minutes, as amended.

## **G. ATTORNEY-CLIENT SESSION RELATIVE TO GRAN PARADISO HOA IRRIGATION LITIGATION**

Ms. Whelan stated that there was no need for advice from the Board at this time.

Mr. Meisel stated that he reached out to Ms. Whelan prior to the September meeting requesting that she seek a formal opinion from the Ethics Commission on whether Supervisors could vote on certain district matters and asked if she had reached out to the Commission. Ms. Whelan stated that she had previously discussed with Mr. Meisel that her firm’s legal representation is to the entire District Board acting as a collegiate body, not individual Supervisors, and that nothing prohibits individual Supervisors from retaining their own legal counsel to represent them relative to their ethical obligations or from contacting the Commission on Ethics on their own behalf. However her firm, as legal counsel to the WVID , does not have the authority to expend public funds on matters like these related to individual Supervisors without receiving direction from the Board to do so.

A **MOTION** was made by Mr. Meisel authorizing Ms. Whelan to reach out to Ethics Commission to determine if Supervisors voting on issues that come before the Board relative to the FY 24 budget that may benefit their employer is a conflict of interest.

Mr. Lewis stated that he preferred for the current process to play out for the Commission on Ethics to make a determination relative to whether an ethics violation has occurred by the Supervisors relative to their employment with the master developer.

Ms. Whelan inquired as to why Supervisor Meisel was concerned about the adoption of the FY 24 budget. Supervisor Meisel stated that he was concerned about the Unit 6 assessment as it relates to the irrigation litigation and the distribution of assessments which in his opinion could be a potential conflict of interest.

Ms. Whelan stated she does not represent individual Supervisors and she is not advising them personally, but that generally she wanted Supervisor Meisel to be aware that there is an exception to the prohibition against special district board members voting on matters that inure to the benefit of their employer that exists for one-acre one-vote landowner-elected board members and that this definition includes all four of the WVID Board members that are employed by the master developer. She then explained the history of special districts. She specifically discussed that Florida law expressly provides that it is the landowners that initially elect board members for special districts and that those board members are most often employees or representatives of the landowner or master developer since they have development expertise which is needed during the period of time that the districts are under active land development. Residents generally do not have expertise in coordinating the urban development of large tracts of land. The voting conflicts exception for one-acre one-vote special district board seats exists in Florida law because these boards are voting on matters all the time that ultimately affect the landowners within a district, including the master developer who is a landowner and their employer, and that the purpose of a special district would be frustrated without this exemption. She added that in her opinion no special district in the State could adopt a budget if the law was applied the way Supervisor Meisel was interpreting the law.

Supervisor Meisel stated every WVID Supervisor had a fiduciary responsibility to not only the landowners but to the residents as well.

Mr. Meisel's **MOTION** failed for a lack of a second.

Supervisor Meisel stated that he planned to file ethics complaints against the Supervisors.

## **H. GENERAL DISTRICT MATTERS**

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously to recess the Special Board Meeting and open the Public Hearing.

### **1. Public Hearing – Fiscal Year 2023/2024 Final Budget**

#### **a. Proof of Publication**

Proof of publication was presented which showed the notice of the Public Hearing had been published in the *Sarasota Herald-Tribune* on August 25, 2023, and September 1, 2023, as legally required.

#### **b. Receive Public Comment on Fiscal Year 2023/2024 Final Budget and Assessments**

Ruth Theurer complimented the Board and administrative staff on the unit guide that was included with the assessment letters that were sent to each resident as a result of an increase to operations and maintenance assessments. Ms. Theurer also suggested that residents attend the meetings and listen and educate themselves on District matters.

Pam Kantola commented that the Gran Paradiso Property Owners Association (GPPOA) has still not been reimbursed for Hurricane Ian damages. Ms. Kantola also commented that she is not supportive of the District billing the residents for its defense relative to the irrigation lawsuit.

Chairman Luczynski stated that Ms. Kantola's comments on the GPPOA not yet being reimbursed for Hurricane Ian damages was not telling the whole story of what has occurred to date, and that he wanted to correct the record. He stated that he was entitled as Chairman of the Board to respond to public comments that are not accurate to avoid the dissemination of false information.

Due to significant public outbursts, Chairman Luczynski called for a 10 minute recess to the meeting and public hearing at 12 PM. Ms. Whelan sounded the halls and the meeting resumed at 12:10 PM.

Chairman Luczynski stated that he wanted to provide some data and information in regards to Ms. Kantola's comment regarding nonpayment of Hurricane Ian damages to the GPPOA. Chairman Luczynski stated that he sent an email to the GPPOA board members and staff on about June 6<sup>th</sup> requesting invoice documentation showing that the money that the GPPOA spent on the Hurricane Ian damages was completed only on District property and not on any POA or resident property. Since WVID is a government entity, it is not appropriate for the Board to spend public money to maintain private property. After months of asking for this documentation without the GPPOA providing invoices to confirm that the work was only done on WVID property, he stated that he then offered to approve payment upon receiving a notarized affidavit of both 1) a representative of the GPPOA and 2) their contractor(s) that said all of the work that was done on District property and no money was spent on private property. To date neither Ms. Kantola nor anyone else on the GPPOA board has even given the respect to WVID to respond to that email. Chairman Luczynski additionally stated that there have been other emails sent from District staff to the GPPOA board and staff on July 6<sup>th</sup>, August 25<sup>th</sup>, and as more recently asking for the same information. He stated that the WVID Board is not improperly holding any money back, and it is unfair that WVID staff is being beleaguered every month by Ms. Kantola and others stating that those bills have not been paid and insinuating that the District is doing something improper.

Ms. Masney asked Supervisor Meisel, as a resident of Gran Paradiso, if he had any comments on this matter. Supervisor Meisel stated that he was not on the GPPOA board and does not speak to the GPPOA board on any matters related to the GPPOA. Chairman Luczynski stated that he did not believe Supervisor Meisel's statement that he was not currently in communication with the GPPOA board members and their legal counsel.

Manager Crosley confirmed that all of the emails sent for requests for documentation have been copied to the entire GPPOA board of directors, GPPOA Manager Michelle LeCroy, the District Chairman, and District Counsel.

Paul Maloney stated his dissatisfaction on the Unit 6 special assessment being considered for legal representation to defend the frivolous Gran Paradiso Property Owners Association irrigation lawsuit and prefers that these costs be assessed in Unit 3.

Jennifer Detweiler stated that she is in agreement with Mr. Maloney, Mr. Cobb and Mr. Brady's statements, and that she desired unity in the Wellen Park community.

Jim Cranston stated that he wanted to let everyone know there were many residents who oppose GPPOA's irrigation litigation efforts, and who will strongly endorse both the WVID FY 24 budget

decision and the District's urbanization map. Mr. Cranston stated that the GPPOA irrigation lawsuit was initiated against the District, in violation of Chapter 720 of the Florida Statutes which requires a homeowner vote needed to pursue litigation in advance of filing the litigation. Mr. Cranston asked why the legal defense of the GPPOA irrigation lawsuit should be burdened by all of the communities in Wellen Park instead of just Gran Paradiso that brought the lawsuit. He further stated that he looks forward to supporting the District Board and being part of the solution.

Steve Glunt thanked the WVID Board for their work. Mr. Glunt also stated that civility on both sides of the GPPOA irrigation litigation is needed and that he desires to get all parties to the table to sit down and talk.

Manager Crosley read statements from Larry Cobb and Neil Brady who were not able to attend the public hearing, but provided written statements which will be entered into the official record.

Manager Crosley made a brief presentation of the 2023-2024 Budget by unit of development. Mr. Crosley explained the District's budget process started back in June when a noticed budget workshop was held on June 19<sup>th</sup>, 2023, with Chairman Luczynski and Supervisor Meisel attending along with District staff and several residents. At the budget workshop, the details of the proposed FY 24 budget were reviewed by unit of development and that there was detailed discussion for each unit. The proposed budget was then presented to the WVID Board at its June 27, 2023, meeting where the Board approved the proposed budget, as presented, with no changes. Manager Crosley indicated that there have been no substantive changes from the proposed budget in the version of the final budget you are reviewing today at your public hearing.

Supervisor Meisel stated the assessments have to have a direct beneficiary to the property and asked who is to be benefitting from the assessment to Unit 6. Ms. Whelan responded that Florida law requires that assessments be fairly and reasonably allocated among the benefited land. Michael McElligott of SDS stated that Unit 6 was created for the sole purpose of being an enterprise fund relative to the District's provision of irrigation service to its customers so that is an appropriate unit to capture litigation expenses, along with Unit 3 which filed the lawsuit. He stated that all connected users of the District's irrigation utility benefit from the operation of that utility, including relative to the defense of litigation related to the operation of the utility. Unlike the irrigation fees charged by WVID relative to the provision of irrigation water, which hinge on how much water is received from users and their proportionate use of the system, all connected users benefit from the operation of the irrigation utility relative to the District's extra-ordinary expenses related to the defense of litigation equally if they are receiving irrigation water from the District.

Supervisor Meisel stated that he wanted assessments for legal defense to be in Unit 1 because Islandwalk would then be included since they drive by an irrigated roadway right-of-way on US 41. He also stated that he had issue with the assessment allocation not being on an ERU basis.

Supervisor Meisel cited the Boca Raton v. State of Florida case and asked Ms. Whelan if she was aware of the case. Ms. Whelan confirmed that she was aware of the case and that it establishes the legal requirements for a special assessment. Mr. Meisel then threatened to coordinate a lawsuit against the District relative to the Unit 6 assessment if the budget was adopted as presented.

Mr. McElligott offered that the District is not bound to use an ERU schedule utilized to bill irrigation user fees for the District's provision of water, which is charged based on volume in determining its assessment allocation. He stated that there are different requirements and

considerations for determining the allocation of rates and fees and the allocation of special assessments. He reiterated that the irrigation rates are charged per the irrigation rate study, which was not prepared by an assessment consultant, based on metrics tied to a property's use or volume of water received by the District. However, the extra-ordinary costs related to the litigation affect all connected users the same regardless of lot size, and so the litigation affects and benefits all connected users equally regardless of how much water they are receiving.

Chairman Luczynski stated that in response to prior public comments, if the GPPOA wants to settle the irrigation lawsuit then they need to provide an offer of settlement to the District since they are the party that filed the lawsuit. The Chairman discussed the vast reliance on wells to receive irrigation water in Gran Paradiso, and the fact that the 2009 irrigation supply agreement between the GPPOA and WVID was only for Englewood Water District (EWD) reclaimed water and no other source, unlike the current WVID irrigation supply agreement that the GPPOA is challenging which provides for the District's provision of irrigation water from stormwater and well water, as well as reclaimed water from three different sources. He reminded the Board that that the District's agreement with EWD for reclaimed water will terminate in March 2024, at which point EWD will cease providing water to the District and so if the 2009 irrigation water supply agreement between WVID and GPPOA is deemed by the Court to be the operative irrigation supply agreement to the Gran Paradiso community, then it appears that Gran Paradiso will be left without any source of supply of irrigation water. Mr. Meisel indicated that he believed that the EWD agreement will not terminate until 2026. Ms. Whelan confirmed that EWD had previously provided the District with a 5-year termination notice and that it will cease its obligation to provide water to the District in early 2024.

Chairman Luczynski went on to state that if the District does not have well water because the well availability fee is not in place and we no longer have a commitment from the owner of the well rights to provide us with the water drawn from the wells, then there will not be enough irrigation quality water to properly irrigate the overall Wellen Park project. He stated that unfortunately reclaimed water will never provide more than 20%-40% of the total irrigation demand for the project and so the District has to also rely on stormwater and well water for its total irrigation demand.

Supervisor Lewis asked Supervisor Meisel to provide solutions to matters affecting the District and its residents and landowners instead of only grandstanding and criticizing the District. Upon being asked by Supervisor Meisel to provide examples, Supervisor Lewis responded that he believes Supervisor Meisel wearing his "vote yes on deannexation" t-shirt supporting Mr. Meisel's political action committee supporting the deannexation effort from the City of North Port during WVID's August and September Board meetings is an example.

Ms. Whelan stated in response to Mr. Meisel's questions on the Unit 6 assessment that, pursuant to Florida law, the District has broad latitude in determining the appropriate assessment areas as well as the method of assessment allocation, and that she believed the District's budget and assessment consultants from SDS discussed in detail their rationale for the Unit 6 assessment and allocation. Ms. Whelan further noted that in a project of this size, multiple areas can benefit from a given assessment and that for example, the lands within Unit 3 also likely benefit in a manner that is able to be allocated fairly and reasonably since the lawsuit relates to an attempt to invalidate irrigation supply agreements between WVID and the GPPOA. However, upon threats from Mr. Meisel at prior meetings that he would file a lawsuit against the District if it were to assess Gran Paradiso for the litigation that its homeowners' association filed against the District, District staff determined that while both Unit 3 and Unit 6 benefit, Unit 6 appeared to be the more prudent unit

for the costs to be captured, at least initially until the conclusion of the litigation, in order to attempt to mitigate the threat of litigation on this topic and in an attempt to treat all users of the irrigation system equally.

Ms. Whelan also discussed that Unit 6 is the unit specifically established for the District's provision of irrigation service to its users and so Unit 1, for example, does not seem like an appropriate unit because we have an established unit for irrigation matters. Also, the Unit 1 boundary is both over-inclusive in that it includes developed property that WVID does not provide irrigation service to and is under-inclusive in that it does not include undeveloped property located in Sarasota County that the District will provide service to in the future, once development proceeds in that area. Ms. Whelan stated that she can appreciate Supervisor Meisel's desire to advocate that the WVID Board should change the assessment area and allocation proposed by the District's professional assessment and budget consultants in a manner that reduces his FY 24 assessment, however just because a resident or landowner does not like the assessment allocation or the amount does not make the assessment wrong or legally improper.

Ms. Whelan further stated that the FY 24 budget, including the Unit 6 assessment area and assessment allocation, was discussed in significant detail at the WVID budget workshop held in June and which was attended by Supervisor Meisel, Chairman Luczynski, and District residents and that Supervisor Meisel and residents did not raise any of these concerns at that workshop meeting. She further stated that the FY 24 budget presented and adopted at the June WVID Board meeting was substantially the same as that presented at the budget workshop and that Supervisor Meisel and residents did not raise any of these concerns at that meeting either. She explained that the maximum FY 24 special assessment caps were set based on the budget and assessment levels in the proposed FY 24 budget that was approved by the District at the June Board meeting, and at this point it's not even legally possible to move an assessment to a different unit because then we would have not provided residents and landowners the legally required notice as to their maximum FY 24 special assessment levels.

Supervisor Meisel stated that he felt he had addressed his concerns about the Unit 6 assessment and would vote against adoption of the budget.

**c. Consider Resolution No. 2023-17 – Adopting a Fiscal Year 2023/2024 Final Budget**

Resolution No. 2023-17 was presented, entitled:

**RESOLUTION 2023-17**

**THE ANNUAL APPROPRIATION RESOLUTION OF THE WEST VILLAGES IMPROVEMENT DISTRICT ("DISTRICT") RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.**

A **MOTION** was made by Mr. Lewis. Seconded by Ms. Masney adopting Resolution No. 2023-17, as presented. Upon being put to a vote, the **MOTION** carried 4 to 1 with Mr. Meisel dissenting.

The Public Hearing was then closed and the Special Board Meeting was reconvened.

**d. Consider Resolution No. 2023-18 – Adopting a Fiscal Year 2023/2024 Assessment Roll**

Mr. Crosley presented Resolution No. 2023-18, entitled:

**RESOLUTION 2023-18**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST VILLAGES IMPROVEMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Crosley explained that this resolution adopts the assessments for FY 24 based on the budget adopted in Resolution 2023-17.

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| A <b>MOTION</b> was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously adopting Resolution No. 2023-18, as presented. |
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**2. Consider Form of Direct Collection Agreement**

Ms. Whelan explained that this agreement provides an additional collection mechanism for undeveloped lands which are directly billed their special assessments. Entering into this agreement provides the District with greater protection in an unlikely event of default by a direct-billed landowner as it allows the District to pursue foreclosure of its assessment lien based on both assessment and contract law principles. She indicated that the Board is being asked to approve the form of the direct collection agreement and that her office would work with the District Manager's office to get a separate agreement prepared for each direct-billed landowner.

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| A <b>MOTION</b> was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the Form of Direct Collection Agreement, as presented. |
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**3. Consider Resolution No. 2023-19 – Adopting a Fiscal Year 2023/2024 Meeting Schedule**

Resolution No. 2023-19 was presented, entitled:

**RESOLUTION NO. 2023-19**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST VILLAGES IMPROVEMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2023/2024 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.**

It was noted that this schedule follows the historical meeting day of the second Thursday of each month with the exception that the Board Meeting time will now be at 10:00 a.m.

A **MOTION** was made by Mr. Luczynski, seconded by Mr. Lewis and passed unanimously adopting Resolution No. 2023-19, as presented.

#### **4. Discussion Regarding Response from Sarasota County Regarding Urbanization Map**

Ms. Whelan stated that for the benefit of residents in attendance today that may not have attended our last several Board meetings, the District is required by the Florida Statutes to have an urbanization map completed at least every 5 years to determine when the next Board seat will turn over from being elected on a one-acre one-vote landowner basis to a qualified elector/resident basis. The next seat turns over once 26% of the lands within the District is deemed to be urbanized as defined in Florida Statutes. The District Engineer prepared and presented its map at the District's June meeting which found that the District is 8.17% or 20.41% urbanized, depending on how strictly the language of the Florida Statutes is construed. The District received a challenge to that map from David Fernstrum who is a resident within the District. Pursuant to Florida law, upon receiving a challenge to its maps the District is required to have the County Engineer prepare its own independent map for presentation to the Board. So what the Board is reviewing today is the independent map prepared by Sarasota County for the Board's consideration.

Spencer Anderson, Sarasota County Engineer, reviewed Sarasota County's urbanization report which found that the District is 21.8% urbanized.

Supervisor Meisel asked how many urbanization calculations the county has performed in the past. Mr. Anderson responded that this was the first calculation that the County has performed.

Supervisor Meisel asked Mr. Anderson what the letters "PE" stand for after his name. Mr. Spencer responded that it is a professional engineering license in the State of Florida.

Mr. Meisel asked if Mr. Anderson reached out to any American Institute of Certified Planners (AICP) to validate what he was validating on his report. Mr. Anderson responded that he consulted with the County Planning and Development Services Department including those with AICP's, as well as the County Attorneys' office to develop the map that was issued to the District.

Mr. Meisel asked how much of the area would be permanently uninhabitable which would then not qualify towards the total number of acres for urbanization and why was it left out of the denominator if it will never be inhabited. Mr. Anderson responded that the Florida Statutes did not require the County to determine urbanization within only the developable portions of the district boundary and that the statute requires the County to determine urbanization within the entire district boundary.

Chairman Luczynski stated that the County used occupancy permits as of June 30, 2023, as opposed to Dewberry using information as of January 1, 2023, and that he believes that those two points lead to the 1.4 % difference of urbanization on the two reports.

Supervisor Lewis commented that he understood why this calculation is contentious because the statute is unclear and there could be multiple opinions on how to construe it, and it's a subjective



calculation. Supervisor Lewis stated that he felt that it was in the District residents' and landowners' best interest to amend the existing District enabling legislation to change the turnover provision from the existing calculation to the formula that other improvement and stewardship districts in the State utilize without issue.

Supervisor Meisel stated that he reached out to AICP planner Bill Spikowski who feels that the District and the County are calculating the urbanization incorrectly. Supervisor Meisel then stated that he was aware of residents who would file a lawsuit against the district challenging the urbanization calculation and that he was putting the District Supervisors on notice that it will happen if the WVID Board adopts the study that has been done.

A **MOTION** was made by Mr. Luczynski, seconded by Ms. Masney approving the Dewberry urbanization report, as presented. Upon being put to a vote, the **MOTION** carried 4 to 1 with Mr. Meisel dissenting.

The Board discussed the possibility of obtaining a legislative amendment to its special act to change the process that WVID has to follow relative to the turnover of Board seats from a subjective standard to an objective standard based on a formula that other special districts throughout the State utilize.

Ms. Whelan explained, for the benefit of residents in attendance today that may not have attended the June Board meeting where this topic was previously discussed, that no special improvement and stewardship districts established over the last 20 or so years that she is aware of use the subjective urbanization calculation process in Ch. 189 of the Florida Statutes that WVID's enabling legislation requires it to utilize. The vast majority, if not all, of the stewardship and improvement districts established since WVID follow an objective formula to determine when a seat converts over to a resident-elected seat. Ms. Whelan summarily explained that the formula is based on anticipated population within WVID. She identified that you would take the projected total build-out population and reduce that amount to account for the amount of people anticipated to be over 18 and registered to vote in Sarasota County, which is based on objective US Census and Sarasota County Supervisor of Elections records. Once you determine the anticipated total number of registered electors living within the District, each seat turns over at every 1/5 interval. The annual number of registered electors is routinely calculated for other special districts, and is calculated and distributed by the County Supervisor of Elections. District staff would utilize the annual number of registered electors provided by the County to determine when the next Board seat would turn over to a general election process. Ms. Whelan stated that the benefit of this alternative method is that it's an objective calculation. She stated that the question of when another Board seat turns over is essentially a non-issue for all other improvement and stewardship districts and that WVID is one of the only districts that continues to have these discussions and debate on resident turnover requirements since it utilizes the antiquated urbanization calculation process set forth in Chapter 189 of the Florida Statutes.

A **MOTION** was then made by Mr. Lewis authorizing District staff to take the actions necessary to change WVID's procedure of determining when a seat is converted to a resident-elected seat to follow the objective method that is consistent with other special districts throughout the State of Florida.

Supervisor Meisel state that he wanted to see the calculation to see if it benefitted a faster resident turnover prior to making a decision on whether to amend the District's special act and that he did not want to incur the cost of a legislative amendment.

Supervisor Lewis responded that the turnover threshold that an objective formula calculates should not matter in this inquiry and that the whole point is that it is a fair and neutral calculation that other special districts throughout the State have used for 20 years without issue. He stated that by proceeding with the legislative amendment, the District would end up saving on litigation costs since every year it adopts its urbanization report under threat of litigation from residents and a legislative boundary amendment will be more cost efficient than litigation.

Chairman Luczynski inquired regarding timing and cost. Ms. Whelan advised that the 2024 legislative session is fast approaching and that she would do her best to get this matter timely coordinated, but in any event she needs Board direction at this meeting in order to proceed with a legislative amendment for the 2024 legislative session in order to comply with legislative rules relating to filing these types of bills. She estimated the expense to amend the District enabling legislation to be approximately \$60,000, with cost efficiencies likely gained by the fact that WVID is requesting the Legislature to allow it to use an objective process that they are familiar with and that other similar special districts utilize without issue.

Mr. Lewis' **MOTION** was seconded by Ms. Masney and upon being put to a vote, the **MOTION** carried 4 to 1 with Mr. Meisel dissenting.

## **I. UNIT OF DEVELOPMENT NO. 1**

### **1. Consider Change Order No. 4 between the District and The deMoya Group, Inc. for Wellen Park Boulevard Roundabout & US41/SR 45 Improvements Project**

Mr. Crosley explained that Change Order No 4 reflects an increase of \$500,000 due to utility delays, extended overhead, and extended maintenance of traffic. This increase brings the new contract total to \$10,398,370.34.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Luczynski and passed unanimously approving Change Order No. 4 between the District and The deMoya Group, Inc. for Wellen Park Boulevard Roundabout & US41/SR 45 Improvements Project in the amount of \$500,000, as presented.

## **J. UNIT OF DEVELOPMENT NO. 3**

### **1. Discussion Regarding Matters Related to GP Litigation**

There was nothing to discuss under this standing matter.

## **K. UNIT OF DEVELOPMENT NO. 7**

### **1. Consider Matters Relating to 2023 Bonds**

Ms. Whelan discussed a general overview of the bond issuance process and explained that this issuance is for Tract F-3 in Village F and Phases 1A, 1B, and 2A in Village G-1B and does not affect any existing landowners.

#### **a. Consider Preliminary Supplemental Engineer's Report**

Mr. Licari presented the Preliminary Supplemental Engineer's Report outlining the cost of the capital improvement plan for neighborhood infrastructure improvements Tract F-3 in Village F and Phases 1A, 1B, and 2A in Village G-1B. Mr. Licari confirmed that these costs are reasonable for a project of this size and scope.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the Preliminary Supplemental Engineer's Report, in substantial form.

**b. Consider Preliminary Supplemental Assessment Methodology Report**

Mr. Karmeris presented the Preliminary Supplemental Assessment Methodology Report and explained the assessments are fairly and reasonably allocated and that the methodology is consistent with previous methodologies.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the Preliminary Supplemental Methodology Report, in substantial form.

**c. Consider Resolution No. 2023-21 – Adopting a Delegated Award Resolution**

Resolution No. 2023-21 was presented, entitled:

**RESOLUTION NO. 2023-21**

**A RESOLUTION DELEGATING TO THE CHAIRMAN OF THE BOARD OF SUPERVISORS OF WEST VILLAGES IMPROVEMENT DISTRICT (THE "DISTRICT") THE AUTHORITY TO APPROVE THE SALE, ISSUANCE AND TERMS OF SALE OF WEST VILLAGES IMPROVEMENT DISTRICT SPECIAL ASSESSMENT REVENUE BONDS (UNIT OF DEVELOPMENT NO. 7), SERIES 2023 (VILLAGES F-3 AND G-1B), AS A SINGLE SERIES OF BONDS UNDER THE MASTER TRUST INDENTURE (THE "SERIES 2023 BONDS") IN ORDER TO FINANCE THE SERIES 2023 PROJECT; ESTABLISHING THE PARAMETERS FOR THE PRINCIPAL AMOUNTS, INTEREST RATES, MATURITY DATES, REDEMPTION PROVISIONS AND OTHER DETAILS THEREOF; APPROVING THE FORM OF AND AUTHORIZING THE CHAIRMAN TO ACCEPT THE BOND PURCHASE CONTRACT FOR THE SERIES 2023 BONDS; APPROVING A NEGOTIATED SALE OF THE SERIES 2023 BONDS TO THE UNDERWRITER; RATIFYING THE MASTER TRUST INDENTURE AND APPROVING THE FORM OF FOURTH SUPPLEMENTAL TRUST INDENTURE AND AUTHORIZING THE EXECUTION AND DELIVERY THEREOF BY CERTAIN OFFICERS OF THE DISTRICT; APPOINTING A TRUSTEE, PAYING AGENT AND BOND REGISTRAR FOR THE SERIES 2023 BONDS; APPROVING THE FORM OF THE SERIES 2023 BONDS; APPROVING THE FORM OF AND AUTHORIZING THE USE OF THE PRELIMINARY LIMITED OFFERING MEMORANDUM AND LIMITED OFFERING MEMORANDUM RELATING TO THE SERIES 2023 BONDS; APPROVING THE FORM OF THE CONTINUING DISCLOSURE**

**AGREEMENT RELATING TO THE SERIES 2023 BONDS; AUTHORIZING CERTAIN OFFICERS OF THE DISTRICT TO TAKE ALL ACTIONS REQUIRED AND TO EXECUTE AND DELIVER ALL DOCUMENTS, INSTRUMENTS AND CERTIFICATES NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE SERIES 2023 BONDS; AUTHORIZING THE VICE CHAIRMAN AND ASSISTANT SECRETARIES TO ACT IN THE STEAD OF THE CHAIRMAN OR THE SECRETARY, AS THE CASE MAY BE; SPECIFYING THE APPLICATION OF THE PROCEEDS OF THE SERIES 2023 BONDS; AUTHORIZING CERTAIN OFFICERS OF THE DISTRICT TO TAKE ALL ACTIONS AND ENTER INTO ALL AGREEMENTS REQUIRED IN CONNECTION WITH THE ACQUISITION AND CONSTRUCTION OF THE SERIES 2023 PROJECT; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Wilhelm presented the Delegated Award Resolution which delegates to the Chairman of the Board the authority to enter into a bond purchase contract and approves the forms of certain documents needed in order to market, price, and sell the bonds.

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis and passed unanimously adopting Resolution No. 2023-21, as presented.

**d. Consider Draft Ancillary Financing Agreements**

- **Acquisition Agreement**
- **Collateral Assignment Agreement**
- **Completion Agreement**
- **True-Up Agreement**

Ms. Whelan presented the forms of the ancillary financing agreements and indicated that these are substantially the same forms approved by the Board in previous bond issuances and that they protect the District's interests.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Luczynski and passed unanimously approving the above referenced forms of the ancillary financing agreements, in substantial form.

**L. UNIT OF DEVELOPMENT NO. 10**

**1. Consider Resolution No. 2023-22 – Unit Designation Resolution**

Resolution No. 2023-22 was presented, entitled:

**RESOLUTION 2023-22**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST VILLAGES IMPROVEMENT DISTRICT DESIGNATING “WEST VILLAGES IMPROVEMENT DISTRICT UNIT OF DEVELOPMENT NO. 10;” SETTING A HEARING ON THE APPROVAL AND CONFIRMATION OF**

**THE ESTABLISHMENT OF SUCH UNIT; PROVIDING FOR  
RECORDATION OF THIS RESOLUTION; PROVIDING  
FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE  
DATE.**

Ms. Whelan advised that the District has received a petition to establish a new unit of development for a development project in Village I referred to as “Palmera.” She explained that the adoption of this resolution will kick off the unit establishment process and a public hearing will be held on the unit establishment at the District’s October Board meeting. It is anticipated that bond issuance proceedings will commence at some point after that public hearing.

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis and passed unanimously adopting Resolution No. 2023-22, as presented.

**2. Consider Bond Financing Team Funding Agreement**

Ms. Whelan presented the bond financing team funding agreement for proposed Unit 10 which provides that the landowner wanting to establish this unit will be responsible for all District costs associated with this issuance in the unlikely event that the bonds do not close. Ms. Whelan indicated that this is substantially the same agreement as prior forms used for prior bond issuances.

A **MOTION** was made by Mr. Buckley, seconded by Mr. Lewis and passed unanimously approving the Bond Financing Team Funding Agreement, as presented.

**3. Consider Rule G17 Underwriting Agreement with FMS Bonds, Inc.**

Ms. Whelan presented the underwriting agreement and explained that approving this agreement today will allow FMS Bonds to proceed with due diligence and document preparation relative to the financing.

A **MOTION** was made by Mr. Lewis, seconded by Mr. Buckley and passed unanimously approving the Rule G17 Underwriting Agreement with FMS Bonds, Inc., as presented.

**M. ADMINISTRATIVE MATTERS**

**1. District Engineer**

Mr. Licari stated that he sent the GPPOA a memo and plan for roadway resurfacing for the District-owned roads in Gran Paradiso. A response has not been received as of this meeting.

Mr. Licari also advised that the Playmore road resurfacing project was still being coordinated with the contractor and that a schedule has not yet been set.

**2. District Attorney**

There was no report at this time.

**3. District Operations’ Manager**

Mr. Johanneman updated the Board on the Islandwalk outfall project. The Islandwalk side of the project has been completed and land restored back to the original condition and the District side of the outfall is operational and flowing.

#### **4. District Manager**

Mr. Crosley advised that the next meeting was scheduled for October 12, 2023, at 10:00 a.m.

#### **N. BOARD MEMBER COMMENTS**

Supervisor Meisel asked if someone could send him the proposed formula for the Board seat turnover conversion. Ms. Whelan responded that she would be happy to send that to him. There was further discussion with the Board regarding who would be eligible to vote in elections once a Board seat transitioned pursuant to the Chapter 189 process that the District is currently required to utilize.

Ms. Whelan explained that pursuant to the District's current turnover process, only "qualified electors" can vote for the transitioned seats which is limited to landowners who are registered to vote within the District. However, the turnover formula that most all other special districts utilize and that has been requested by the Board at today's meeting utilizes a more expansive eligibility that includes any resident of the District who is registered to vote, whether a landowner or renter. So if the District changes its Board turnover requirements to the more modern and widely-used method, more people within the District will have the right to vote in future District general elections versus the method that WVID is currently following.

#### **O. ADJOURNMENT**

|   |
|---|
| There being no further business to come before the Board, the Special Board Meeting was adjourned at 1:54 p.m. on a <b>MOTION</b> made by Mr. Lewis, seconded by Ms. Masney and passed unanimously. |
|---|

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Secretary/Assistant Secretary

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Chair/Vice Chair

**Remarks by WVID Chairman John Luczynski**  
**Public Decorum at WVID Board of Supervisors Meetings**

*Updated: August 7, 2023*

I'd like to take a few moments today to review the West Villages Improvement District public comment policy, specifically as it relates to public decorum during meetings and workshops.

The WVID policy includes rules governing decorum at public meetings and workshops, particularly when addressing the Board of Supervisors. However, outbursts during recent meetings have made it clear it was not only necessary for the Board to review the policy, but also take steps to ensure it is being properly enforced.

The policy, which was approved in 2016, definitively states:

- Community members wishing to speak must direct their comments to the Board as a whole, not a specific member of the Board or any staff member.
- No person, other than a Board member or staff member, can enter into a discussion with a public speaker while they are speaking, without the permission of the chairman or presiding officer.
- Speakers and attendees must refrain from disruptive behavior, making vulgar or threatening remarks, or launching personal attacks against the Board, staff or community members.

The WVID policy gives the chairman or presiding officer the discretion to remove attendees who disregard the rules from the meetings. In this scenario, the presiding officer may declare a recess and contact local law enforcement. If a person does not immediately leave the premise, the presiding officer may request that the person be placed under arrest.

The prevalence of disruptive behavior by some attendees has proven there is a need to strictly enforce the WVID public comment and public decorum policy. This includes adding a law enforcement presence, who will have the authority to remove attendees who have been deemed unruly and out of order.

The WVID Board of Supervisors encourages citizen participation and appreciates civil feedback from attendees. Thank you for your cooperation and support so that we may conduct business in a respectful and professional manner.

Rcvd  
9/13/23  
wrc

WVID Supervisors, staff, ladies and gentlemen:

I am a permanent resident of Mattamy Renaissance since 2019. I am writing the WVID Board to register my strong objection to being forced to pay for another litigation excursion initiated by, and championed by your Board Member, Mr. John Meisel.

Ironically, Mr. Meisel was elected to the WVID Board to equally and fairly represent the needs of **ALL** residents. His election was NOT for the purpose of pursuing personal grievances, or the narrow interests of his own development, all to be funded by the community as a whole.

The substantial costs and consequences of the Gran Paradiso water litigation, which this WVID Board is forcing me to pay for, is centered entirely on overt willful actions within and by Gran Paradiso alone. Gran Paradiso is the sole Plaintiff. Gran Paradiso is the sole litigating party. Those of us who reside in other community developments should not be forced to pay for their actions or misdeeds.

The cost of this litigation, along with any subsequent studies, reports, and consultations will most certainly trigger higher rates, taxes and fees for everyone. I urge this Board to allocate the entire cost of this matter to Gran Paradiso via a Special Assessment or other means, and to leave the other Wellen Park communities and Unit 6 out of this.

There is an additional aspect of this matter which is concerning. A possibility of a conflict of interest is surfacing in the actions of Mr. Meisel as a WVID Board Member. If this litigation was not duly authorized by the Gran Paradiso community; and it certainly was not by other Wellen Park developments outside Gran Paradiso (all of whom are being forced to pay for this); nor is this litigation on behalf of, or in the best interest of the very Board on which he is serving; then it appears that Mr. Meisel may be unable to fairly and impartially fulfill his duties equally on behalf of **ALL** residents of Wellen Park.

For this reason, I call upon Mr. Meisel to resign as a WVID Board Member, to be replaced by another who is able to set aside any appearance of personal pursuits and work effectively alongside other Board Members on behalf of our **entire** community and for the betterment of our future.

We are on the threshold of tremendous growth and unlimited future potential. I urge every single Board Member to "get on with" building and growing our community. We are no longer Mayberry-RFD. Any Board Member who cannot focus on building the future rather than litigating and working to alter the past, please resign for the good of all.

Thank You,

Neil Brady

11799 Alessandro Ln

Venice, FL 34293



Revd  
9/13/23  
WPC

WVID Supervisors, team members and guests,

I am unable to make it to this meeting in person due to demands of my job. I feel it is important enough to send this to be shared in your meeting Thursday.

My wife and I moved into Renaissance in 2019 as full-time residents. I am asking that the board review the issue of all residents needing to pay for one man's and one development's action. I feel that if Gran Paradiso and their board has decided to take legal action that they alone should be responsible for such action and affiliated expenses and all costs in doing so not that of other developments within the improvement district.

Thank you,  
Larry Cobb  
11583 Alessandro Lane  
Venice, FL

WVID Supervisors, Staff, Ladies and Gentlemen,

I'm CDR Jim Cranston, from Gran Paradiso. I have chosen to speak to you today, because I want you to know that there are many citizens, who oppose GP's irrigation litigation efforts, and who will strongly endorse both the WVID's budget decision and Urbanization Map. I would also like to thank the SC Engineer & PE for personally presenting the County's position.

I understand why the WVID must make an assessment, for litigation costs, in response to John Meisel's and the GPPOA's litigation, which alleges predatory, developer pricing and improper/illegal water use agreements. These 2 allegations are wholly wrong ... they are falsely based and without legal precedent of unlawfulness or impropriety. For your information ...

1. While finishing my 2-year term on the GPPOA BOD, in Nov & Dec 2022, John Meisel and another BOD member initiated the subject irrigation litigation, without either a BOD vote OR the required FL ST 720 prerequisite community vote.

2. In spite of the 5 emails, that I personally wrote, advising the President and fellow BOD members, including one WVID Supervisor here, present, ... that litigation of this nature & magnitude REQUIRED an affirmative community vote, BEFORE litigation was commenced, ... it was quietly and without community approval initiated, anyway.

3. I am embarrassed to stand before you and know that due to my community's misguided litigation ... all of you (minus Island walk) will have to pay for the indiscretions of a couple of individuals, who neglected their fiduciary responsibility and now have shown that **they do not understand what "putting the community first" REALLY means .**

For our WVID Supervisors: Please explain why WVID's litigation defense costs, caused by one community's frivolous and ill-gotten litigation effort, should be distributed to all the communities who have neither been represented, nor will be benefitted? Why do all of my Wellen Park neighbors have to pay for GP's mistake?

Furthermore, your supporters understand that community planning involves engineering, financing, insuring, bonding, construction management, population/needs forecasting, etcetera ... activities which are completed by knowledgeable professionals and management teams, who collaborate.

We know community planning is NOT a social media, Green-shirt, "fight du jour". We look forward to supporting WVID, and most of all, being part of the solution.

Thank you for the opportunity to speak, today.

James S. Cranston, CDR/USN(Ret)  
USCG Lic. Ship's Master

Mr. John Meisel  
September 13, 2023  
Page 2 of 2

The Dewberry methodology (and part of the county methodology) is also at odds with the methodology the U.S. Census Bureau uses to continually identify "urban areas" that "encompass residential, commercial, and other nonresidential urban land uses."

In the long run, these unwarranted exclusions from the urban area totals would mean that even when development of West Villages is complete, a very substantial portion of the West Villages Improvement District would still not be considered part of the "contiguous developed and inhabited urban area." Instead of the West Villages Improvement District transitioning gradually to elected supervisors as development progresses, the interim "one-acre-one vote" system would become the end-state for the incorrectly excluded land — clearly contrary to F.S. 189.041.

Sincerely,

A handwritten signature in black ink, reading "Bill Spikowski". The signature is fluid and cursive, with the first name "Bill" and last name "Spikowski" clearly distinguishable.

Bill Spikowski, FAICP





# SPIKOWSKI PLANNING ASSOCIATES

September 13, 2023

John Meisel  
13419 Campanile Court  
Venice, FL 34293

Dear Mr. Meisel:

You asked me to review and comment on the methodology being used by the West Villages Improvement District to determine whether any additional supervisors should be elected as development within the district progresses.

I reviewed the urbanization report prepared for the district by Dewberry on June 5, 2023. I also reviewed a followup letter from Sarasota County Public Works dated August 25, 2023, which presents an "Urban Area Map" that is similar to maps prepared by Dewberry but which differs in certain important respects. I have also reviewed Florida Statutes 189.041 which sets forth the procedures for transitioning special districts from one-acre/one-vote governance to governance by elected supervisors.

This statute requires a regularly updated computation of the acreage of the "contiguous developed and inhabited urban area" within the district. As the ratio of urban area to total area increases beyond pre-set levels, this statute requires that additional supervisors will be elected rather than selected on the interim one-acre/one-vote basis.

Dewberry plucked the word "inhabited" from the statutory phrase and created a new definition for it that essentially limits the computation to only finished residential lots with occupiable houses. The result is that many other components of each development are NOT counted as part of the "contiguous developed and inhabited urban area"; these components can include retention lakes, wetland preserves, major roads, golf courses, clubhouses, parks, utility areas, businesses, government offices, etc.

The Dewberry methodology is contrary to Florida Statutes 189.041 because Dewberry artificially limits the urban area to finished residential lots only. A similar methodology was used by Sarasota County for development that is actively underway; however the county for the most part properly analyzed land in Island Walk and most land north of S. Tamiami Trail (Gran Paradiso, Renaissance, etc.). Curiously, Sarasota County then categorically excluded all parcels it designated as commercial because those parcels were deemed not "inhabited," with no consideration given to the physical state or the development status of those parcels.

# WEST VILLAGES IMPROVEMENT DISTRICT

## SIGN-IN SHEET

**MEETING DATE:** September 14, 2023

Please print your name & address below.

Print Name **LEGIBLY**

Address/Company

Paul Maloney 13740 Yelma Street.

Jennifer Detwiler 11695 Alessandro Ln

Robert O'Neill 13450 Campanile Ct

Lisa O'Neill 13450 Campanile Ct

Fred Pasquasi 13349 Campanile Ct

Mary Ann Pasquasi 13349 Campanile Ct

Sam Kanto 13220 Amerigo Ln

Tim CRANSTON 20880 GRANAGO DR.

Linda Olson Colombo 20259 Passagio DR.

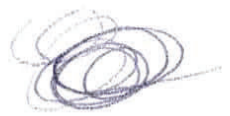
P. Ghyll Theurer 19251 Lappacio St

BRUCE THEURER 19251 LAPPACIO ST.

CINTHIA ELLIS 20309 REALE CIRCLE

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|  |  |
|  |  |



**SIGN-IN SHEET****MEETING DATE: September 14, 2023**

Please print your name &amp; address below.

Print Name **LEGIBLY**

Address/Company

|                      |                             |
|----------------------|-----------------------------|
| Arthur Adams         | 19415 Solazana St, Venice   |
| JACK KENSTETTER      | 12570 GIBBETI CIR. VENICE   |
| John Goughlin        | 20200 Convento Pl. Venice   |
| Tom DeSANTIS         | 13897 KARINA ST, VENICE     |
| CHRIS ZAGAJA         | 20310 GRANAGO DR. VENICE    |
| Debbie ZAGAJA        | 20310 GRANAGO DR Venice     |
| Connie Parenteau     | 13740 Yelma St, Venice      |
| Mary Ellen Abdelnour | 20051 Ragazza Circle Venice |
| Bill Abdelnour       | 20051 Ragazza Circle Venice |
| Steve Glunt          | 13898 Vananza Drive         |
| STEVE HEMPING        | IW                          |
| NORINE HEMPING       | IW                          |
| MICHAEL GROSSBERG    | IW                          |
|                      |                             |
|                      |                             |
|                      |                             |

|  |                               |
|--|-------------------------------|
| Date of Issuance:  | Effective Date:               |
| Owner: West Villages Improvement District                                | Owner's Contract No.: N/A     |
| Contractor: The deMoya Group, Inc.                                       | Contractor's Project No.: N/A |
| Engineer: Dewberry Engineers, Inc.                                       | Engineer's Project No.: N/A   |
| Project: Wellen Park Blvd. Roundabout & US 41/SR 45 Improvements Project | Contract Name: N/A            |

The Contract is modified as follows upon execution of this Change Order:

Description: HURRICANE IDALIA EXTRA WORK, SIGNING PAY ITEMS NOT IN ORIGINAL CONTRACT

Attachments: de Moya Group Request for Change Order #5.

| CHANGE IN CONTRACT PRICE  | CHANGE IN CONTRACT TIMES<br>[note changes in Milestones if applicable]  |
|---|---|
| Original Contract Price:<br><br>\$9,305,602.04  | Original Contract Times:<br>Substantial Completion: <u>540 days</u><br>Ready for Final Payment: <u>570 days</u><br>days or dates  |
| [Increase] [Decrease] from previously approved Change Orders No. <u>4</u> to No. <u>5</u> :<br><br>\$ <u>500,000.00</u> | [Increase] [Decrease] from previously approved Change Orders No. <u>4</u> to No. <u>5</u> :<br>Substantial Completion: <u>154 days</u><br>Ready for Final Payment: <u>1554 days</u><br>days |
| Contract Price prior to this Change Order:<br><br>\$10,398,370.44   | Contract Times prior to this Change Order:<br>Substantial Completion: <u>694 days</u><br>Ready for Final Payment: <u>724 days</u><br>days or dates  |
| [Increase] [Decrease] of this Change Order (circle one):<br><br>\$31,069.57   | [Increase] [Decrease] of this Change Order:<br>Substantial Completion: <u>0 days</u><br>Ready for Final Payment: <u>0 days</u><br>days or dates   |
| Contract Price incorporating this Change Order:<br><br>\$10,429,440.01  | Contract Times with all approved Change Orders:<br>Substantial Completion: <u>694 days</u><br>Ready for Final Payment: <u>724 days</u><br>days or dates                                     |

**RECOMMENDED:**

By: \_\_\_\_\_  
Title: Engineer  
Giacomo S Licari  
Date: \_\_\_\_\_

Digitally signed by Giacomo S Licari  
DN: cn=Giacomo S Licari,  
dnQualifier=A014100000017CSAC5039300015AOF,  
o=Dewberry, c=US  
Date: 2023.09.26 03:37:10-04'00'

**RECOMMENDED:**

By: \_\_\_\_\_  
Title: Construction Manager  
Robert Hill  
Date: \_\_\_\_\_

Digitally signed by Robert Hill  
Date: 2023.09.22 15:23:02  
-04'00'

**ACCEPTED:**

By: \_\_\_\_\_  
Title: Contractor  
Alex Lawrence  
Date: \_\_\_\_\_

Digitally signed  
by Alex Lawrence  
Date:  
2023.09.22  
11:28:03-04'00'

**APPROVED BY OWNER:**

By: \_\_\_\_\_  
Title: Chairman, Board of Supervisors  
Date: \_\_\_\_\_

**Request for Change Order**

**RCO Date:** 9/22/2023

**RCO #:** 5

**Project Name:** WELLEN PARK VILLAGE D ROUNDABOUT

**Reason/Description:** 1) Hurricane Idalia Prep and Recovery  
 2) Market Way Temporary sign  
 3) Mitered End Section for 36" SD  
 4) Single Post Signs

| Pay Item#    | Description  | Quantity | UOM | Unit Price  | Total        |
|--------------|--|----------|-----|-------------|--------------|
|              | <b>VILLAGE D MISCELLANEOUS ITEMS</b>                   |          |     |             | \$ -         |
|              | HURRICANE IDALIA EXTRA WORK                            | 1        | LS  | \$ 4,662.07 | \$ 4,662.07  |
|              | MARKET WAY TEMPORARY SIGN                              | 1        | EA  | \$ 1,007.50 | \$ 1,007.50  |
| 0430-984-638 | MITERED END SECTION, OPTIONAL - ELLIPICAL/ARCH, 36" SD | 1        | EA  | \$ 8,000.00 | \$ 8,000.00  |
|              | SINGLE POST SIGN, F&I, GROUND MOUNT UP TO 12SF         | 29       | EA  | \$ 600.00   | \$ 17,400.00 |

**NET CHANGE:** **\$ 31,069.57**

**These changes will Add (0) Days to the Construction Schedule**

**Qualifications/Exclusions:**

- 1 Proposal valid for 30 days
- 2
- 3

We agree to the work of this RCO proposal and this work is hereby incorporated into the scope of work of the contract and The de Moya Group can proceed with this work accordingly. Further, we agree that The de Moya Group will be paid for this work in the pay period the work is performed and there is no further approvals necessary which may delay payment. For all intents and purposes and upon signature below, this document is a change order to the contract.

Agreed to:

BY: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





**Manson  
Bolves  
Donaldson  
Tanner**  
Attorneys at Law

September 22, 2023

Joseph Brown, Esquire  
Kutak Rock, LLP  
P.O. Box 10230  
Tallahassee, FL 32302-2230  
[joseph.brown@kutakrock.com](mailto:joseph.brown@kutakrock.com)

RE: The Ranch Land Operations, LLLP and Thomas Ranch Intangibles, LLLP vs.  
Gran Paradiso Owners Association, Inc. and West Villages Improvement District

Dear Mr. Brown,

This is in response to your letter of March 31, 2023, regarding the West Villages Improvement District - Water Supply Agreement, Instrument No. 2018159052, Public Records of Sarasota County, Florida. ("Agreement") We represent The Ranch Lands Operation, LLLP ("Ranch") and Thomas Ranch Intangibles, LLLP ("Intangibles").

We disagree with your contention that the West Villages Improvement District ("District") is excused from payment of the "well availability fee" as required by the Agreement. Paragraph 5 a. of the Agreement provides that the payment of the "well availability fee" may be suspended during the duration of the "Listed Events" set forth within the Agreement. The entry of the Temporary Injunction is not a "Listed Event"; Therefore, it is not a proper basis for withholding the payments required.

Likewise, the Temporary Injunction does not provide grounds for the District to invoke the Force Majeure Provision as set forth in your letter. The Court found that the procedure for adopting Resolution 2018-18 was flawed, therefore the Resolution was invalid. Your letter supports this stating the Court's ruling was based upon the conclusion that the "District improperly noticed a public hearing on the irrigation rates adopted by Resolution 2018-18." The Court found that it was the District's alleged failure to properly notice the meeting that justified the Temporary Injunction. The District cannot rely upon the Court's ruling which is grounded upon the District's error to invoke Force Majeure. This issue was completely under the control of the District. The District cannot rely upon the Court's Order to excuse performance of the requirements of the

Agreement. Paragraph 18 of the Agreement entitled "Force Majeure" provides in part, "Any delay or failure in the performance by a Party hereunder will be excused if and to the extent

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caused by the occurrence of a Force Majeure. For this Agreement, "Force Majeure" means a cause or event that is not reasonably foreseeable or otherwise caused by or under the control of the party claiming Force Majeure, . . ." It is clear, that the basis for claiming the invocation of the Force Majeure provision is the entry of a Temporary Injunction grounded upon the failure of the District to properly adopt the rates pursuant to Resolution 2018-18. For this reason, the performance of the District by the payment of the "well availability fee" is not excused. Further, it appears that your client has cured the alleged defect by the adoption of WVID Resolution 23-08.

Even if the Force Majeure clause were available to protect the District from paying the "well availability fee" associated with Gran Paradiso, your letter provides no basis for the District to withhold the "well availability fee" due in connection with other communities within the District. The litigation which you referenced in your letter does not relate to any community other than Gran Paradiso. There is no basis for withholding payment of the "well availability fee" due in connection with other communities. Your letter does not provide any basis for withholding payment under Agreement for these other communities. Your Resolution 23-08 purports to cure any defect in the adoption of Resolution 2018-18 which confirms that the District is bound by the terms of the Water Supply Agreement. If the Court directs you to escrow some or all of the monies collected from Gran Paradiso, it does not change the District's obligation to pay for water supplied under the Agreement.

Likewise, pursuant to paragraph 14 of the Agreement, the District must indemnify, defend, and hold and Ranch harmless from all suits, claims, damages or liabilities arising out of the District's negligence or willful misconduct in connection with the District's duties under the Agreement. As such, the District's negligence in connection with the adoption of Resolution 2018-18 cannot act as a basis for excusing the District's performance under the Agreement.

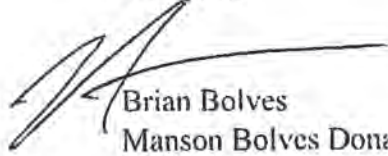
The Order on Injunction does not direct the District to continue to provide Irrigation Water to Gran Paradiso other than that provided for in the 2009 agreement between the WVID and the Englewood Water District. As such, if the "well availability fee" associated with Gran Paradiso is withheld, the position of Ranch and Intangibles is that the sale of irrigation water to Gran Paradiso, other than reclaim water provided by the Englewood Water District must cease. Please be advised that the District's continuation of service to Gran Paradiso is unauthorized and a basis for termination of the Agreement if the full fee is not paid pursuant to the Agreement.

Demand is made upon the District for full performance of the Agreement which includes the payment of all amounts due under the Agreement. Additionally, demand is made for the termination of service to Gran Paradiso or any other community which fails to pay the "well availability fee" under the Agreement.

If the District does not agree with the position of Ranch and Intangible as set forth herein, then my clients hereby invoke the Dispute Resolution provision of paragraph 16 of the Agreement. As such, representatives of each party with the authority to recommend a settlement will meet within 30 days of this letter or as otherwise agreed by the parties. The Agreement provides that the parties meet and attempt to reach agreement resolving the dispute which can be taken to the

respective boards. Please provide dates for your client's availability within 30 days of this letter so that a settlement conference may be scheduled.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Brian Bolves', with a long horizontal flourish extending to the right.

Brian Bolves  
Manson Bolves Donaldson & Tanner, P.A.

cc: Todd Wodraska  
Special District Services, Inc.

Jonathan Johnson, Esq.  
Lindsay Whelan, Esq.

# WEST VILLAGES IMPROVEMENT DISTRICT

Unit of Development No. 7  
Supplemental Engineer's Report – Series 2023 Bonds

SEPTEMBER 14, 2023



**SUBMITTED BY**

Dewberry Engineers Inc.  
2201 Cantu Court  
Suite 107  
Sarasota, Florida  
Phone: 813.327.7044  
Contact: Giacomo Licari

**SUBMITTED TO**

West Villages Improvement District  
19503 S. West Villages Parkway Suite #A3  
Venice, Florida 34293  
Phone: 941.244.2703

# Supplemental Engineer’s Report

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## 1. General

The West Villages Improvement District ("WVID") was created by and operates under Chapter 2004-456, Laws of Florida as amended (the "Act") and operates pursuant to the Act and applicable provisions of Chapter 298, Florida Statutes and other Florida law. WVID was created to construct, operate, and maintain public works and utilities including water, sewer, drainage, irrigation, water management, parks, recreational facilities, roadway, or related activities, as more particularly described the Act.

## 2. Purpose and Scope

The purpose of this Supplemental Engineer's Report – Series 2023 Bonds (this "Report") is to present the nature and extent of the improvements that may be implemented by WVID for and on behalf of Village F, Tract F3, and Village G-1B, Phases 1A, 1B & 2A of Unit of Development No. 7 ("Unit No. 7"). These improvements will thereafter be owned, operated, and/or maintained by either WVID or another legally empowered governmental entity.

The text of this Report generally describes the existing land within the two (2) tracts of Unit No. 7 and the proposed improvements and recommendations. This Report is not intended to be used for exact representation or for construction purposes since detailed construction documents for all of the proposed improvements have not yet been finalized.

## 3. Lands in Unit of Development No. 7 Included in this Report

An Aerial Location Map showing the location of the two (2) tracts in Unit No. 7 covered by this Report is included as Exhibit A. The legal description(s) are included as Exhibit B and C and reflect the lands included in this Report. These lands total approximately 277.9 acres.

## 4. Existing Conditions

### 4.1 Topography

The area within Village F, Tract F3, and Village G-1B, Phases 1A, 1B & 2A of Unit No. 7 is relatively flat with site elevations ranging from approximately five (5) feet to eleven (11) feet. The land within Unit No. 7 is primarily undeveloped pasture and rangelands, upland pine flatwood, and wetlands.

### 4.2 Soil and Vegetation

Based on the 1991 Soil Survey of Sarasota County, Florida, prepared by the United States Department of Agriculture (USDA) Soil Conservation Service (SCS), the predominant surficial soil types within Unit No. 7 are identified as SCS Soil No. 10, EauGallie and Myakka Fine Sands, SCS Soils No. 31, Pineda Fine Sand, SCD Soils No. 36, and Pople Fine Sands. SCS Soil No. 10 is a nearly level, poorly drained soil that can be made up entirely of EauGallie and similar soils, entirely Myakka and similar soils, or a combination of EauGallie, Myakka and other soils. Typically, the EauGallie soil has a surface layer of black fine sand with a subsurface layer of gray fine sand to a depth of about 22 inches. The surface layer of the Myakka soil is typically dark grayish brown fine sand about 6 inches thick while the subsurface layer is light gray fine sand about 18 inches thick. Pineda Fine Sand is a nearly level, poorly drained soil. Typically, the surface and subsurface layers are grey fine sands totaling approximately 22 inches thick. The subsoil consists of an upper layer of 14 inches of brown fine sand and a lower layer of 12 inches of mottled, light brownish gray fine sandy loam. Pople Fine Sand is nearly level, poorly drained soil on low hammocks and in poorly defined drainageways and broad sloughs. Typically, the surface layer is very dark grayish brown fine sand approximately four (4) inches thick. The subsurface layer is light brownish gray fine sand approximately three (3) inches thick. The subsoil is brown and brownish yellow fine sand in the upper 21-inches and gray fine sandy loam in the lower 28-inches.

The property within Unit No. 7 currently consists of various vegetative communities comprised of both upland and wetland habitats. Several of the vegetation communities have been modified as a result of onsite agricultural activities including ditching and fire suppression. Areas that were historically extensive open forests or wiregrass prairies have since become heavily forested or have been cleared for cattle grazing and commercial nursery. Extensive ditching has also altered the hydrology of several of the wetland systems onsite, particularly where the ditches bisect wetlands or are adjacent to wetlands.

#### **4.3 Land Use and Zoning**

Village F, Tract F3, and Village G-1B, Phases 1A, 1B & 2A of Unit No. 7 is located within the City of North Port, Florida ("City"). The land within these two (2) tracts of Unit No. 7 is currently being designed and prepared for development review and approval with the City. Some approvals from permitting agencies and the City have been obtained and listed in tables 5.1 and 5.2. It is expected that the City will approve uses compatible with the adopted Comprehensive Land Use Plan.

### **5. Infrastructure Plans**

#### **5.1 Public Infrastructure Improvements**

WVID has formed Unit No. 7 in order to finance the design and construction and/or acquisition of public infrastructure for Villages B, E, F, and G which, includes Village F, Tract F3 and Village G-1B, Phases 1A, 1B & 2A of Unit No. 7 (the "Project") and its ultimate property owners.

The improvements for the tracts will be consistent with the City of North Port Comprehensive Plan and implementing ordinances, studies, plans, and may include:

- Public roadways, including thoroughfares, arterial, collector, or local streets;
- Drainage and stormwater improvements;
- Water and sewer facilities;
- Irrigation facilities;
- Public roadway landscape, lighting, signage, and furnishings;
- Entry features; and
- Consulting and contingencies.

Access to the Project will be provided via River Road, US 41, West Villages Parkway, Preto Boulevard, Manasota Beach Road, and Playmore Drive. Potable water and sanitary sewer services will be provided by the City of North Port.

#### **5.2 Permitting**

Required permits already received or ones that will be applied for are summarized in Table 5.1. It is our opinion that there are no technical reasons existing at this time that would prohibit the permitting and construction of the planned infrastructure, subject to continued compliance with agency criteria and conditions of the already approved plans and permits.

Permits necessary to complete the Project have either been obtained as described below, or in our opinion, are obtainable from the permitting agencies, subject to reasonable, normal, and customary permit conditions.

Table 5.1 Permitting Status

| PERMIT STATUS                               |                  |               |
|---|------------------|---------------|
| PERMIT                                      | PERMIT NUMBERS   | DATE APPROVED |
| <b>Village F, Tract F3</b>                  |                  | •             |
| SWFWMD ERP (Mass Grading & Construction)    | 43032522.113     | • TBD         |
| CONP INF - Construction Permit              | INF-23-006       | • TBD         |
| CONP SCP - Construction Permit              | SCP-23-007       | • TBD         |
| FDEP Water Permit                           | TBD              | • TBD         |
| FDEP Wastewater Permit (Sarasota County)    | TBD              | • TBD         |
| WVID Right-of-Way Permit                    | TBD              | • TBD         |
| <b>Village G-1B, Phases 1A, 1B &amp; 2A</b> |                  | •             |
| SWFWMD ERP (Mass Grading & Construction)    | 43032522.085     | • 3/01/2022   |
| CONP INF - Construction Permit              | 21-340           | • 2/03/2022   |
| CONP SCP - Construction Permit              | 21-341           | • 2/03/2022   |
| CONP REV - Construction Permit              | 23-049 / 23-050  | • 4/03/2023   |
| FDEP Water Permit                           | 0208589-229-DSGP | • 2/25/2022   |
| FDEP Wastewater Permit (Sarasota County)    | CS58-416739      | • 2/25/2022   |
| WVID Right-of-Way Permit                    | 2022.3.22        | • 3/22/2022   |

*The remainder of this page has been left intentionally blank.*



### 5.3 Estimated Costs of Improvements

Table 5.2 lists the components of the planned improvements for the Project, together with their estimated costs of design and construction. The table also includes an estimate of administrative, consulting, engineering, legal and other fees, and contingencies associated with the improvements.

Table 5.2 Estimated Costs of Improvements

| VILLAGE F, TRACT F3 AND VILLAGE G-1B, PHASES 1A, 1B, & 2A<br>ESTIMATED COSTS OF IMPROVEMENTS (2023 DOLLARS) |                         |
|---|-------------------------|
| IMPROVEMENTS  | ESTIMATED COST          |
| <b>Village F, Tract F3</b>  |                         |
| Earthwork   | \$ 1,222,490.00         |
| Roads (Turn Lanes)  | \$ 275,000.00           |
| Drainage and Stormwater   | \$ 1,833,736.00         |
| Potable Water   | \$ 792,236.00           |
| Wastewater  | \$ 1,900,227.00         |
| Subtotal  | \$ 6,023,689.00         |
| Consultants, Administration, and Contingency (+/- 15%)  | \$ 903,553.35           |
| <b>Total Costs for Village F, Tract F3</b>  | <b>\$ 6,927,242.35</b>  |
|   |                         |
| <b>Village G-1B, Phases 1A,1B &amp; 2A</b>  |                         |
| Earthwork   | \$ 5,977,042.00         |
| Drainage and Stormwater   | \$ 2,559,315.00         |
| Roads (Turn Lanes)  | \$ 150,678.00           |
| Potable Water   | \$ 1,544,772.00         |
| Wastewater  | \$ 4,004,746.00         |
| Subtotal  | \$14,236,553.00         |
| Consultants, Administration, and Contingency (+/- 15%)  | \$ 2,135,482.95         |
| <b>Total Costs for Village G-1B, Phases 1A, 1B &amp; 2A</b>   | <b>\$ 16,372,035.95</b> |
|   |                         |
| <b>Total Costs for Village F, Tract F3 and Village G-1B, Phases 1A, 1B &amp; 2A</b>                         | <b>\$ 23,299,278.30</b> |

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## 6. Maintenance Responsibilities

### 6.1 Public Infrastructure Improvements

Maintenance and operational responsibilities of the Project will include the following:

1. Maintenance and operation of the potable water and sanitary sewer systems will be the responsibility of the City;
2. Maintenance and operation of the stormwater management system will be the responsibility of the WVID;
3. Maintenance and operation of the collector and arterial roadway, turn lanes, sidewalk, and landscaping improvements will be the responsibility of WVID, City, or FDOT depending on the ownership of the road; and
4. Maintenance of parks or government projects will be the responsibility of the WVID or City.

## 7. Summary and Conclusion

The improvements, as outlined, are necessary for the functional development of the Project, which is being designed in accordance with current governmental regulatory requirements. The Project will serve its intended function provided the construction is in substantial compliance with the design. Items of construction for the Project are based upon current development plans.

## 8. Engineer's Certification

It is our professional opinion that the infrastructure costs provided herein for the WVID improvements for the Project are reasonable to complete the construction of the infrastructure described herein and that these infrastructure improvements will benefit and add value to the WVID. These estimated costs are based upon prices currently being experienced for similar items of work in southwest Florida and expected inflation in the future. Actual costs may vary based on final engineering, planning, and approvals from regulatory agencies.

I hereby certify that the foregoing is a true and correct copy of the engineer's report for the WVID.



Giacomo Licari, P.E.  
Florida Registration No. 72415





**WEST VILLAGES - UNIT 7**  
**VILLAGE F, TRACT F3 & VILLAGE G-1B**  
**PHASES 1A, 1B & 2A**



EXHIBIT 'A'





## EXHIBIT "B"

### Village F, Tract F3 (as per Title Commitment)

#### DESCRIPTION:

A parcel of land lying in Sections 4 and 5, Township 40 South, Range 20 East, Sarasota County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 5, run thence along the East boundary of the Southeast 1/4 of said Section 5, N.00°24'04"E., 620.24 feet to the POINT OF BEGINNING; thence N.71°20'21"W., 987.87 feet to the Easterlymost corner of SUNSTONE VILLAGE F5 PHASES 1A AND 1B, according to the plat thereof, as recorded in Plat Book 55, Pages 288 through 323 inclusive, of the Public Records of Sarasota County, Florida; thence along the Easterly boundary of said SUNSTONE VILLAGE F5 PHASES 1A AND 1B, the following three (3) courses: 1) N.09°14'39"W., 404.97 feet; 2) N.11°51'23"W., 282.27 feet; 3) N.21°37'16"W., 1258.21 feet to the Northerlymost corner of said SUNSTONE VILLAGE F5 PHASES 1A AND 1B; thence N.00°54'23"E., 263.29 feet; thence N.80°00'00"E., 942.21 feet; thence N.63°00'00"E., 327.10 feet to a point on a curve on the Westerly boundary of the right-of-way for West Villages Parkway, according to Special Warranty Deed, recorded in Official Records Instrument # 2021017985, of the Public Records of Sarasota County, Florida; thence along said Westerly boundary of the right-of-way for West Villages Parkway, the following three (3) courses: 1) Southeasterly, 859.87 feet along the arc of a curve to the left having a radius of 2067.00 feet and a central angle of 23°50'06" (chord bearing S.38°55'03"E., 853.68 feet) to a point of tangency; 2) S.50°50'06"E., 1970.32 feet to a point of curvature; thence Southeasterly, 119.36 feet along the arc of a curve to the right having a radius of 2083.00 feet and a central angle of 03°16'59" (chord bearing S.49°11'36"E., 119.34 feet); 3) S.52°10'50"W., 1564.92 feet; thence N.71°20'21"W., 653.32 feet to the POINT OF BEGINNING.

Less and except the portion of the above described land conveyed to the West Villages Improvement District by Special Warranty Deed recorded in Instrument Number 2021017985, Public Records of Sarasota County, Florida.

## EXHIBIT "C"

Village G-1B, Phases 1A, 1B & 2A (as prepared by the certifying Surveyor and Mapper)

### DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA; THENCE N 89°39'52" W, ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 722.60 FEET; THENCE S 00°20'08" W, PERPENDICULAR TO SAID NORTH LINE OF SAID SECTION 4, A DISTANCE OF 207.64 FEET TO THE POINT OF BEGINNING;  
THENCE S 06° 22' 39" E, A DISTANCE OF 878.12 FEET; THENCE S 02° 19' 55" E, A DISTANCE OF 1036.30 FEET; THENCE N 89° 09' 30" W, A DISTANCE OF 1166.97 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 05° 14' 10", HAVING A RADIUS OF 1690.74 FEET, AND WHOSE LONG CHORD BEARS S 07° 40' 48" W, A DISTANCE OF 154.46 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 154.51 FEET TO THE BEGINNING OF A COMPOUND CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 31° 36' 47", HAVING A RADIUS OF 543.83 FEET, AND WHOSE LONG CHORD BEARS S 26° 57' 56" W, A DISTANCE OF 296.27 FEET; THENCE ALONG SAID COMPOUND CURVE A DISTANCE OF 300.06 FEET; THENCE S 42° 53' 13" W, A DISTANCE OF 214.30 FEET; THENCE S 42° 31' 54" E, A DISTANCE OF 703.00 FEET; THENCE S 00° 00' 00" W, A DISTANCE OF 185.18 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 15° 00' 47", HAVING A RADIUS OF 910.00 FEET, AND WHOSE LONG CHORD BEARS S 63° 15' 55" W, A DISTANCE OF 237.76 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 13° 29' 03", HAVING A RADIUS OF 580.00 FEET, AND WHOSE LONG CHORD BEARS S 50° 14' 56" E, A DISTANCE OF 136.19 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 136.50 FEET; THENCE S 31° 28' 54" E, A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 00° 50' 31", HAVING A RADIUS OF 720.00 FEET, AND WHOSE LONG CHORD BEARS S 58° 05' 51" W, A DISTANCE OF 10.58 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 10.58 FEET TO THE POINT OF REVERSE CURVATURE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 36° 19' 58", HAVING A RADIUS OF 560.00 FEET, AND WHOSE LONG CHORD BEARS S 19° 32' 39" E, A DISTANCE OF 349.19 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 355.11 FEET; THENCE S 01° 22' 40" E, A DISTANCE OF 340.58 FEET; THENCE N 88° 37' 20" E, A DISTANCE OF 243.24 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 44° 24' 55", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S 69° 10' 13" E, A DISTANCE OF 37.80 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 38.76 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 72° 53' 51", HAVING A RADIUS OF 195.00 FEET, AND WHOSE LONG CHORD BEARS S 83° 24' 41" E, A DISTANCE OF 231.70 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 248.10 FEET; THENCE S 12° 54' 09" E, A DISTANCE OF 236.84 FEET; THENCE N 86° 29' 34" W, A DISTANCE OF 347.09 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 06° 03' 48", HAVING A RADIUS OF 1434.00 FEET, AND WHOSE LONG CHORD BEARS N 83° 27' 40" W, A DISTANCE OF 151.68 FEET; THENCE ALONG SAID CURVE,

A DISTANCE OF 151.75 FEET; THENCE N 80° 25' 46" W, A DISTANCE OF 110.19 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 01° 42' 55", HAVING A RADIUS OF 730.00 FEET, AND WHOSE LONG CHORD BEARS S 12° 39' 36" W, A DISTANCE OF 21.85 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 21.86 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 08° 34' 18", HAVING A RADIUS OF 1995.00 FEET, AND WHOSE LONG CHORD BEARS S 09° 13' 54" W, A DISTANCE OF 298.18 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 298.46 FEET; THENCE S 80° 25' 46" E, A DISTANCE OF 109.60 FEET TO THE BEGINNING OF A CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 06° 03' 48", HAVING A RADIUS OF 1754.00 FEET, AND WHOSE LONG CHORD BEARS S 83° 27' 40" E, A DISTANCE OF 185.53 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 185.62 FEET; THENCE S 86° 29' 34" E, A DISTANCE OF 363.21 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 26° 40' 07", HAVING A RADIUS OF 40.00 FEET, AND WHOSE LONG CHORD BEARS S 73° 09' 30" E, A DISTANCE OF 18.45 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 18.62 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 29° 19' 41", HAVING A RADIUS OF 195.00 FEET, AND WHOSE LONG CHORD BEARS S 74° 29' 17" E, A DISTANCE OF 98.73 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 99.81 FEET; THENCE S 11° 35' 44" W, A DISTANCE OF 98.73 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 60° 33' 26", HAVING A RADIUS OF 195.00 FEET, AND WHOSE LONG CHORD BEARS S 71° 58' 43" W, A DISTANCE OF 196.64 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 206.10 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 44° 24' 55", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S 63° 54' 28" W, A DISTANCE OF 37.80 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 38.76 FEET; THENCE S 86° 06' 55" W, A DISTANCE OF 471.67 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 03° 57' 59", HAVING A RADIUS OF 340.00 FEET, AND WHOSE LONG CHORD BEARS S 88° 05' 54" W, A DISTANCE OF 23.53 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 23.54 FEET; THENCE N 89° 55' 06" W, A DISTANCE OF 93.73 FEET TO THE BEGINNING OF A CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 28° 10' 13", HAVING A RADIUS OF 460.00 FEET, AND WHOSE LONG CHORD BEARS S 75° 59' 47" W, A DISTANCE OF 223.90 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 226.17 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 106° 19' 26", HAVING A RADIUS OF 324.00 FEET, AND WHOSE LONG CHORD BEARS N 64° 55' 37" W, A DISTANCE OF 518.62 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 601.25 FEET; THENCE S 78° 14' 06" W, A DISTANCE OF 370.21 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF WEST VILLAGES PARKWAY ALSO BEING THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 38° 06' 57", HAVING A RADIUS OF 2213.00 FEET, AND WHOSE LONG CHORD BEARS N 31° 46' 37" W, A DISTANCE OF 1445.20 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 1472.19 FEET; THENCE N 50° 50' 06" W, A DISTANCE OF 751.81 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 62° 46' 58", HAVING A RADIUS OF 257.38 FEET, AND WHOSE LONG CHORD BEARS N 52° 03' 08" E, A DISTANCE OF 268.13 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 282.03 FEET; THENCE N 53° 25' 44" E, A DISTANCE OF 77.84 FEET; THENCE N 33° 20' 39" W, A DISTANCE OF 42.44 FEET; THENCE N 71° 29' 50" E, A DISTANCE OF 130.00 FEET; THENCE N 43° 58' 36" E, A DISTANCE OF 69.39 FEET; THENCE N 84° 05' 45" E, A DISTANCE OF 132.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 32° 38' 29", HAVING A RADIUS OF 671.02 FEET, AND WHOSE LONG CHORD BEARS N 03° 43' 21" W, A DISTANCE OF 377.13 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 382.28 FEET; THENCE N 64° 12' 36" E, A DISTANCE OF 191.92 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 12° 57' 17", HAVING A RADIUS OF 910.00 FEET, AND WHOSE LONG CHORD BEARS N 57° 43' 57" E, A

DISTANCE OF 205.31 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 205.75 FEET; THENCE N 51° 15' 19" E, A DISTANCE OF 64.98 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 38° 18' 00", HAVING A RADIUS OF 590.00 FEET, AND WHOSE LONG CHORD BEARS N 70° 24' 19" E, A DISTANCE OF 387.09 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 394.39 FEET; THENCE N 89° 33' 19" E, A DISTANCE OF 277.24 FEET; THENCE N 89° 33' 19" E, A DISTANCE OF 229.96 FEET; THENCE N 89° 33' 19" E, A DISTANCE OF 420.24 FEET; THENCE N 00° 26' 41" W, A DISTANCE OF 130.00 FEET; THENCE S 89° 47' 57" E, A DISTANCE OF 59.98 FEET; THENCE N 23° 59' 21" E, A DISTANCE OF 71.16 FEET; THENCE N 09° 38' 23" W, A DISTANCE OF 130.00 FEET; THENCE N 30° 34' 07" W, A DISTANCE OF 114.75 FEET; THENCE N 00° 00' 00" E, A DISTANCE OF 56.94 FEET; THENCE N 20° 21' 05" E, A DISTANCE OF 85.66 FEET; THENCE N 40° 36' 55" E, A DISTANCE OF 79.23 FEET; THENCE N 37° 40' 43" W, A DISTANCE OF 61.28 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 61° 48' 47", HAVING A RADIUS OF 710.00 FEET, AND WHOSE LONG CHORD BEARS N 24° 01' 35" E, A DISTANCE OF 729.37 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 765.98 FEET; THENCE N 08° 36' 19" E, A DISTANCE OF 482.24 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 36° 30' 40", HAVING A RADIUS OF 475.00 FEET, AND WHOSE LONG CHORD BEARS N 80° 12' 08" E, A DISTANCE OF 297.59 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 302.69 FEET; THENCE N 61° 56' 48" E, A DISTANCE OF 141.90 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 22° 32' 09", HAVING A RADIUS OF 820.00 FEET, AND WHOSE LONG CHORD BEARS N 73° 12' 53" E, A DISTANCE OF 320.45 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 322.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,851,829 SQUARE FEET OR 157.296 ACRES (MORE OR LESS)



# Third Supplemental Special Assessment Methodology Report

WEST VILLAGES IMPROVEMENT DISTRICT  
Unit of Development No. 7  
(2023 Project)

September 27, 2023

**SPECIAL DISTRICT SERVICES, INC**

2501A Burns Road  
Palm Beach Gardens, Florida 33410  
561-630-4922



## 1.0 INTRODUCTION

The West Villages Improvement District (the “District”) is a local unit of special-purpose government with portions located in both the City of North Port, Florida and Sarasota County, Florida. The District was created in June 2004 by Chapter 2004-456, Laws of Florida, a special act of the Florida Legislature as amended by Chapters 2006-355, 2007-307, 2008-284, and 2022-241, Laws of Florida (collectively, the “Act”). The Act provides legal authority for the District to finance the acquisition, construction, operation, and maintenance of the infrastructure improvements authorized in the Act. In order to address its authorized purpose, the District previously created Unit of Development No. 7 (“Unit No. 7”). This Third Supplemental Special Assessment Methodology Report (the “Third Supplemental Report”) will address the current development plan within Villages F-3 and G-1B (which includes Phases 1A, 1B, and 2A) within Unit No. 7 and the issuance of the District's Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2023 (Village F-3 and G-1B) (the “Series 2023 Bonds”) to finance the 2023 Project (defined herein). Unit No. 7 includes approximately 1,476+/- acres and was created by the District to acquire and construct public infrastructure improvements designed to provide special benefit to the lands in Unit No. 7 (the "Unit No. 7 Improvements"). Of the 1,476+/- acres within Unit No. 7, Village F-3 includes approximately 120.6+/- acres and Village G-1B includes approximately 157.3+/- acres.

The West Villages Improvement District Unit of Development No. 7 Supplemental Engineer’s Report (Series 2023 Bonds) (the “Supplemental Engineer’s Report”) dated September 14, 2023, sets forth certain infrastructure improvements to be funded, in part, by the Series 2023 Bonds, including Public roadways; Stormwater Improvements; Water and sewer facilities; Irrigation facilities; Public roadway landscape, lighting, signage, and furnishings; Entry features; and Consulting and contingencies (the “2023 Project”). The Supplemental Engineer’s Report was prepared by Dewberry Engineers, Inc., 2201 Cantu Court, Suite 107, Sarasota, Florida 34232.

It is anticipated that Unit No. 7 will include a variety of Unit Types and lot sizes; the 50' Single Family Unit will be used as the base unit upon which the other product types will be compared and has been assigned one (1) ERU. Specific ERU Factors for future Unit Types will be determined in proportion to their relationship to a 50' Single Family Unit.

### **Product Types and Number of Units**

| <b>Product Type</b> | <b>Village G-1B</b> | <b>Village F-3</b> | <b>Total</b> |
|---------------------|---------------------|--------------------|--------------|
| 40' Unit            | 41                  | -                  | <b>41</b>    |
| 50' Unit            | 175                 | 97                 | <b>272</b>   |
| 60' Unit            | -                   | 109                | <b>109</b>   |
| Duplex/Paired Villa | 30                  | -                  | <b>30</b>    |
| <b>Total(s)</b>     | <b>246</b>          | <b>206</b>         | <b>452</b>   |

This Third Supplemental Report will equitably allocate the costs being incurred by the District to provide infrastructure improvements to the benefitted, developable lands within Villages F-3 and G-1B in Unit No. 7. The implementation of the improvements will convey special and peculiar benefits to all of the assessable properties within Villages F-3 and G-1B in Unit No. 7. The Series 2023 Bonds to be issued to finance a portion of the 2023 Project within Unit No. 7.

## **2.0 PROJECTS TO BE FUNDED BY THE DISTRICT**

The 2023 Project as designed is an integrated system of facilities that provides specific benefits to all of the assessable lands within Villages F-3 and G-1B within Unit No. 7. The total cost of the 2023 Project is currently estimated to be \$23,299,278.30 which does not include the debt service reserve fund, capitalized interest, issuance costs and other assumptions. A detail of the total costs of the 2023 Project is shown herein on **Table A**.

The construction costs for the 2023 Project shown herein on **Table A** were provided by the District Engineer, Dewberry Engineers, Inc. Special District Services, Inc., as District Manager, makes no representation regarding the accuracy or validity of those costs and did not undertake any analysis or verification regarding such costs.

The District issued \$4,805,000.00 of Series 2023 Bonds for the purpose of financing a portion of the 2023 Project in Unit No. 7. The Series 2023 Bonds, will be repaid through the levy of non-ad valorem special assessments (the "Series 2023 Assessments") on all benefitted, assessable property within Villages F-3 and G-1B in Unit No. 7 as shown herein on **Table E** and **Table F**. Any portion of the 2023 Project not financed through the issuance of the Series 2023 Bonds will be paid for by Mattamy Tampa/Sarasota LLC the "Developer").

## **3.0 FUNDING OF IMPROVEMENTS**

To defray the costs of construction of a portion of the 2023 Project, the District will impose Series 2023 Assessments on all benefitted real property within Villages F-3 and G-1B within Unit No. 7 in proportion to the special benefit derived by the 2023 Project on such property. These assessments are based on the special and peculiar benefits accruing to such property from the improvements comprising the 2023 Project. The use of non-ad valorem special assessments has an advantage in that the properties that receive the special benefits from the 2023 Project are the only properties that are obligated to pay for those facilities and services. Without these improvements, development of the property would not be possible.

In summary, special assessments may be levied only against certain property: (1) for facilities which provide special benefits to such property as distinct from general benefits, (2) only against property which receives that special benefit, (3) in proportion to the benefits received by the properties, and (4) according to fair and reasonable methods of allocation that the governing body of the jurisdiction determines. The special assessments (both capital and operation assessments) placed upon benefitted properties within Villages F-3 and G-1B within Unit No. 7 with respect to the 2023 Project, must be sufficient to cover the debt service of the Series 2023 Bonds that will be issued to finance a portion of the 2023 Project and the costs to maintain those portions of the infrastructure that remain under the ownership of the District. The assessments must be fairly and reasonably allocated to the properties being assessed.

## **4.0 ALLOCATION OF COSTS AND ASSESSMENTS**

In developing the methodology used for the Series 2023 Assessments for Villages F-3 and G-1B within Unit No. 7, two interrelated factors were used:

- A. Allocation of Benefit: Each assessable lot/unit/parcel of land within Villages F-3 and G-1B within Unit No. 7 benefits from the construction and financing of the 2023 Project.

- B. Allocation of Cost/Debt:** The Series 2023 Assessments imposed on each assessable lot/unit/parcel of land within Villages F-3 and G-1B within Unit No. 7 cannot exceed the value of the benefits provided to such lot/unit/parcel of land.

The planned improvements comprising the 2023 Project are an integrated system of facilities designed to provide benefits to all assessable property within Villages F-3 and G-1B within Unit No. 7. The fair and reasonable method of allocating the benefit to each planned residential unit has been accomplished by assigning an *equivalent residential unit* (“ERU”) to each unit type. Therefore, for the purpose of this Third Supplemental Report, each 50 foot (50') single family residential lot/unit will be assigned one (1) ERU. It is anticipated that Villages F-3 and G-1B within Unit No. 7 will include a variety of Unit Types and lot sizes; therefore, the 50' Single Family Unit will be used as the base unit upon which the other product types will be compared and has been assigned one (1) ERU. Specific ERU Factors for future Unit Types will be determined in proportion to their relationship to a 50' Single Family Unit.

The proposed land uses within the 2023 Project will be assigned ERUs as shown below on **Table I.**

**Table I – Equivalent Residential Unit (ERU)**  
**(2023 Project)**

| <b>Development Plan<br/>Residential Parcel<br/>(Product Type)</b> | <b>Number of Units<br/>by Parcel/Type</b> | <b>ERU<br/>Factor<br/>by Type</b> | <b>Total ERUs</b> |
|---|---|-----------------------------------|-------------------|
| F-3 - 50' Unit  | 97  | 1.00                              | 97.00             |
| F-3 - 60' Unit  | 109                                       | 1.20                              | 130.80            |
| <b>F-3 Total</b>  | <b>206</b>                                | <b>N/A</b>                        | <b>227.80</b>     |
|   |   |                                   |                   |
| G-1B - Duplex/Paired Villa  | 30  | .60                               | 18.00             |
| G-1B - 40' Unit   | 41  | .80                               | 32.80             |
| G-1B - 50' Unit   | 175                                       | 1.00                              | 175.00            |
| <b>G-1B Total</b>   | <b>246</b>                                | <b>N/A</b>                        | <b>225.80</b>     |
|   |   |                                   |                   |
| <b>Totals</b>   | <b>452</b>                                | <b>N/A</b>                        | <b>453.60</b>     |

The 2023 Project cost allocations per unit are shown herein on **Table C** and the Series 2023 Bond debt allocations per unit are shown herein on **Table D**. The Series 2023 Assessments will be allocated to each unit type in the proportions as shown herein on **Table I** and **Table F**.

Upon the sale of the Series 2023 Bonds, the District’s debt attributable to the 2023 Project will be allocated to Village F-3 in proportion to its share of the bonds on an equal acreage basis which totals approximately 120.6+/- acres. Village G-1B has been platted and upon sale of the Series 2023 Bonds, the District’s debt attributable to the 2023 Project will be allocated to Village G-1B in proportion to its share of the bonds to each platted residential dwelling unit/lot within Village G-1B. Upon platting Village F-3, the District’s debt attributable to the 2023 Project will be allocated to each platted residential dwelling unit/lot within Villages F-3 in Unit No. 7, respectively, on an Equivalent Residential Unit (“ERU”) basis as shown herein on **Table F**. As platting occurs, the Series 2023 Assessments will be assigned on a first platted first assessed basis

to platted parcels and residential dwelling units/lots receiving property folio numbers; and allocated on an ERU basis as shown herein on **Table F**.

Given the District's land use plan and the type of infrastructure and/or services to be funded by the Series 2023 Bonds, this method will result in a fair allocation of benefits and services and an equitable allocation of costs for the 2023 Project. However, if the future platting results in changes in land use or proportion of benefit per unit, this allocation methodology may need to be supplemented to accommodate such changes.

To the extent land is sold in bulk to a third party, prior to platting, then the District will assign Series 2023 Assessments based upon the development rights conveyed and/or assigned to the parcel in the land sale based upon the ERU factors as shown herein on **Tables D, E and F**.

## **5.0 COLLECTION OF SPECIAL ASSESSMENTS**

The Series 2023 Assessments relating to the 2023 Project for Unit No. 7 will be collected through the Uniform Method of Collection described in Chapter 197, Section 197.3632; *F.S.* or any other legal means available to the District.

Since there are costs associated with the collection of the Series 2023 Assessments (whether by uniform method of collection as authorized under Chapter 197.3632, *F.S.*, or other legal means available to the District), these costs must also be included in the special assessment levy. These costs generally include the 1% collection fee of the County Tax Collector, a 1% service fee of the County Property Appraiser and a 4% discount for early payment of taxes. These additional costs may be reflected by dividing the annual debt service and maintenance assessment amounts by a factor of 0.94. In the event the special assessments are direct billed, then the collection costs and discounts may not apply.

## **6.0 FINANCING STRUCTURE**

The estimated cost of the 2023 Project is \$23,299,278.30. The construction program and the costs associated therewith are shown herein on **Table A**.

A portion of the capital improvements comprising the 2023 Project are to be financed by the Series 2023 Bonds which will be payable from and secured by Series 2023 Assessments levied annually against all of the benefitted, assessable properties within Villages F-3 and G-1B within Unit No. 7 as described herein. The total aggregate principal amount of the Series 2023 Bonds issued by the District for the 2023 Project is \$4,805,000.00. The proceeds of the Series 2023 Bonds provided \$4,171,674.53 for construction related costs. The proceeds of the 2023 Bonds are divided into a G-1B construction account of \$2,076,640.45 and a F-3 construction account of \$2,095,034.08. The sizing of the Series 2023 Bonds includes a debt service reserve fund equal to 50% of the maximum annual debt service, capitalized interest and issuance costs as shown herein on **Table B**.

## **7.0 MODIFICATIONS, REVISIONS AND TRUE-UP MECHANISIM**

Allocation of costs and debt, shown herein on **Table C** and **Table D**, for the infrastructure improvements financed by the District for the 2023 Project (estimated at \$23,299,278.30) is based on the estimated 452 residential dwelling units to be constructed within Villages G-1B and F-3 within Unit No. 7 and benefitted by the 2023 Project. Based on the par Series 2023 Bond size of \$4,805,000.00 at an average coupon interest rate of 6.17% the maximum annual debt service on the Series 2023 Bonds will be \$353,725.00 which *has not* been grossed up to include the 1%

County Tax Collector fee, 1% County Property Appraiser fee, and 4% discount for early payment of taxes.

To ensure that each residential unit within Villages G-1B and F-3 within Unit No. 7 is assessed no more than their pro-rata amount of the annual debt service (for the 2023 Project) shown herein on **Table E** and **Table F**, the District will be required to perform a “true-up” analysis, which requires a computation at the time of submission of each plat or re-plat to determine the potential remaining ERUs for each Village. The District shall, at such times as a plat or re-plat is submitted to the City and/or County:

- A. Assume that the total number of assessable residential dwelling units/lots being utilized as a basis for this assessment methodology is i) 246 residential units/lots relative to Village G-1B for a total of 225.80 ERUs allocated to such Village and ii) 206 residential units/lots relative to Village F-3 for a total of 227.80 ERUs allocated to such Village as shown herein on **Tables C, D and F** (“Total Assessable Units/Lots”).
- B. Ascertain the number of assessable residential dwelling units/lots in the proposed plat or re-plat and any prior plats (“Planned Assessable Units/Lots”) and total amount of ERUs (as shown herein on **Table I**) associated with such Planned Assessable Units/Lots for each respective Village.
- C. Ascertain the current amount of remaining assessable residential dwelling units/lots (the “Remaining Assessable Units/Lots”) and total number of ERUs associated with the Remaining Assessable Units/Lots for each respective Village.

If the ERUs associated with the Planned Assessable Units/Lots for each respective Village are equal to the ERUs associated with the Total Assessable Units/Lots for each respective Village, no action would be required at that time. However, if the sum of the ERUs associated with the Planned Assessable Units/Lots for each respective Village and the ERUs associated with the Remaining Assessable Units/Lots are less than the ERUs associated with the Total Assessable Units/Lots for such Village, then the Developer will be obligated to remit to the District an amount of money sufficient to enable the District to retire an amount of Series 2023 Bonds such that the amount of debt service allocated to each ERU associated with the Planned Assessable Unit/Lot for such Village does not exceed the amount of debt service that would have been allocated thereto had the total number of Planned Assessable Units/Lots been i) 246 residential units/lots relative to Village G-1B for a total of 225.80 ERUs allocated to such property and ii) 206 residential units/lots relative to Village F-3 for a total of 227.80 ERUs allocated to such property. Conversely, if the Planned Assessable Units/Lots or the mix of residential units is greater than the Total Assessable Units/Lots for the respective Village, then there will be a pro-rata decrease in the annual Series 2023 Assessments to all of the benefited properties in such Village.

All assessments levied run with the land. A determination of a true-up payment shall be at the sole discretion of the District. It is the responsibility of the landowner of record to make any required true-up payments that are due including any accrued interest. The District will not release any liens on the property for which true-up payments are due until provision for such payment has been satisfied.

In the event that additional land is annexed into Unit No. 7 which is currently not subject to the Series 2023 Assessments and is developed in such a manner as to receive special benefit from the



2023 Project described herein, it will be necessary for this assessment methodology to be reallocated to include such parcels. The additional land will then be allocated an appropriate share of the Series 2023 Assessments while all currently assessed parcels will receive a relative reduction in their Series 2023 Assessments.

## **8.0 PRELIMINARY ASSESSMENT ROLL**

As previously described in this Third Supplemental Report, the debt associated with the District's improvement plan will be initially distributed on Village G-1B in proportion to its share of the bonds on a residential dwelling unit basis and to Village F-3 in proportion to its share of the bonds on an equal acreage basis which totals approximately 120.6+/- acres as outlined herein on **Table F** and **Exhibit "A"** attached hereto. As plats are approved, parcels and/or lot/units within Villages G-1B and F-3 within Unit No. 7 will be assessed in the manner described herein.

The lands within Villages G-1B and F-3 within Unit No. 7 consist of approximately 277.9+/- acres with 157.3+/- acres in Village G-1B and 120.6+/- in Village F-3 as described in **Exhibit "A"** attached hereto. As of the date of this Third Supplemental Report, Village F-3 within Unit No. 7 is unplatted and the majority of the property in Villages F-3 is undeveloped. Village G-1B is platted and currently under development. The par amount of Series 2023 Bonds issued by the District to pay for a portion of the 2023 Project is \$4,805,000.00 with \$2,076,640.45 allocated to Village G-1B and \$2,095,034.08 allocated to Village F-3. Prior to final plat approval, the Series 2023 Assessments levied against the lands within Village F-3 within Unit No. 7 in the District will be apportioned on Village F-3 in proportion to its share of the Series 2023 Bonds on an equal acreage basis which totals approximately 120.6+/- acres and to Village G-1B in proportion to its share of the Series 2023 Bonds on a residential dwelling unit basis as described in **Table D**. Therefore, each gross acre of land in Village F-3 in Unit No. 7 in the District will be assessed a maximum of approximately \$1,567.01 and each residential dwelling unit in Village G-1B in Unit No. 7 in the District will be assessed as outlined herein on **Table F**. When fully developed, Villages G-1B and F-3 within Unit No. 7 is expected to contain approximately 452 residential dwelling units of varying product types.

## **9.0 ADDITIONAL STIPULATIONS**

Certain financing, development, and engineering data was provided by members of District staff, Consultants and/or the Developer. The allocation methodology described herein was based on information provided by those professionals. Special District Services, Inc. makes no representations regarding said information beyond restatement of the factual information necessary for compilation of this Third Supplemental Report.

Special District Services, Inc. does not represent the West Villages Improvement District as a Municipal Advisor or Securities Broker nor is Special District Services, Inc. registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Special District Services, Inc. does not provide the West Villages Improvement District with financial advisory services or offer investment advice in any form.

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TABLE A

**2023 PROJECT COST ESTIMATES****WEST VILLAGES IMPROVEMENT DISTRICT  
UNIT OF DEVELOPMENT NO. 7**

| DESCRIPTION OF IMPROVEMENT                     | TOTAL COSTS            |
|--|------------------------|
| <b>Village F-3</b>                             |                        |
| Earthwork                                      | \$1,222,490.00         |
| Roads  | \$275,000.00           |
| Drainage and Stormwater                        | \$1,833,736.00         |
| Potable Water                                  | \$792,236.00           |
| Wastewater                                     | \$1,900,227.00         |
| Consultants, Administration, and Contingencies | \$903,553.35           |
| <b>Subtotal for F-3</b>                        | <b>\$6,927,242.35</b>  |
| <b>Village G-1B</b>                            |                        |
| Earthwork                                      | \$5,977,042.00         |
| Drainage and Stormwater                        | \$2,559,315.00         |
| Roads  | \$150,678.00           |
| Potable Water                                  | \$1,544,772.00         |
| Wastewater                                     | \$4,004,746.00         |
| Consultants, Administration, and Contingencies | \$2,135,482.95         |
| <b>Subtotal for G-1B</b>                       | <b>\$16,372,035.95</b> |
| <b>Total Costs for F-3 and G-1B</b>            | <b>\$23,299,278.30</b> |

**TABLE B**

**SERIES 2023 BOND SIZING**

**WEST VILLAGES IMPROVEMENT DISTRICT  
UNIT OF DEVELOPMENT NO. 7**

|  |                                  |
|--|----------------------------------|
|  | <b>SERIES 2023<br/>BOND SIZE</b> |
| <b>Par Amount</b>                            | <b>\$ 4,805,000.00</b>           |
| <b>Original Issue Discount</b>               | <b>\$ (52,193.55)</b>            |
| <b>Debt Service Reserve Fund (DSRF)</b>      | <b>\$ (176,862.50)</b>           |
| <b>Capitalized Interest</b>                  | <b>\$ (157,422.92)</b>           |
| <b>Issuance Costs</b>                        | <b>\$ (246,846.50)</b>           |
| <b>G-1B Construction Account</b>             | <b>\$ 2,076,640.45</b>           |
| <b>F-3 Construction Account</b>              | <b>\$ 2,095,034.08</b>           |
| <b>TOTAL CONSTRUCTION FUNDS</b>              | <b>\$ 4,171,674.53</b>           |
| <b>Interest Rate (Average Coupon)</b>        | <b>6.17%</b>                     |
| <b>Principal Amortization Period (Years)</b> | <b>30</b>                        |



TABLE C

**ALLOCATION OF 2023 PROJECT COSTS****WEST VILLAGES IMPROVEMENT DISTRICT  
UNIT OF DEVELOPMENT NO. 7**

| <b>Development Plan<br/>(Description and Product<br/>Type)</b> | <b>Number of<br/>Units by<br/>Parcel/Type</b> | <b>ERU<br/>Factor</b> | <b>*Total<br/>ERUs</b> | <b>Total Cost<br/>Allocation Per<br/>Unit Type*</b> | <b>Total Cost<br/>Allocation Per<br/>Unit*</b> |
|--|---|-----------------------|------------------------|---|--|
| G-1B - Paired Villas   | 30  | 0.60                  | 18.00                  | \$924,575   | \$30,819                                       |
| G-1B - 40' Unit  | 41  | 0.80                  | 32.80                  | \$1,684,780   | \$41,092                                       |
| G-1B - 50' Unit  | 175   | 1.00                  | 175.00                 | \$8,988,919   | \$51,365                                       |
| <b>G-1B Total</b>  | <b>246</b>                                    | <b>N/A</b>            | <b>225.80</b>          | <b>11,598,274</b>                                   | <b>N/A</b>                                     |
|  |   |                       |                        |   |  |
| F-3 - 50' Unit   | 97  | 1.00                  | 97.00                  | \$4,982,429   | \$51,365                                       |
| F-3 - 60' Unit   | 109   | 1.20                  | 130.80                 | \$6,718,575   | \$61,638                                       |
| <b>F-3 Total</b>   | <b>206</b>                                    | <b>N/A</b>            | <b>227.80</b>          | <b>11,701,004</b>                                   | <b>N/A</b>                                     |
|  |   |                       |                        |   |  |
| <b>Totals</b>  | <b>452</b>                                    | <b>N/A</b>            | <b>453.60</b>          | <b>23,299,278.30</b>                                | <b>N/A</b>                                     |

\*Rounded

TABLE D

**ALLOCATION OF SERIES 2023 BOND DEBT****WEST VILLAGES IMPROVEMENT DISTRICT  
UNIT OF DEVELOPMENT NO. 7**

| <b>Development Plan<br/>(Description and Product<br/>Type)</b> | <b>Number of<br/>Units by<br/>Parcel/Type</b> | <b>ERU<br/>Factor</b> | <b>*Total<br/>ERUs</b> | <b>*Series 2023 Bond<br/>Debt Allocation<br/>Per Parcel/Unit<br/>Type</b> | <b>*Series 2023<br/>Bond Debt<br/>Allocation Per<br/>Unit</b> |
|--|---|-----------------------|------------------------|---|---|
| G-1B - Paired Villas   | 30  | 0.60                  | 18.00                  | \$190,675   | \$6,356   |
| G-1B - 40' Unit  | 41  | 0.80                  | 32.80                  | \$347,451   | \$8,474   |
| G-1B - 50' Unit  | 175   | 1.00                  | 175.00                 | \$1,853,781   | \$10,593  |
| <b>G-1B Total</b>  | <b>246</b>                                    | <b>N/A</b>            | <b>225.80</b>          | <b>2,391,907</b>  | <b>N/A</b>  |
|  |   |                       |                        |   |   |
| F-3 - 50' Unit   | 97  | 1.00                  | 97.00                  | \$1,027,524   | \$10,593  |
| F-3 - 60' Unit   | 109   | 1.20                  | 130.80                 | \$1,385,569   | \$12,712  |
| <b>F-3 Total</b>   | <b>206</b>                                    | <b>N/A</b>            | <b>227.80</b>          | <b>2,413,093</b>  | <b>N/A</b>  |
|  |   |                       |                        |   |   |
| <b>Totals</b>  | <b>452</b>                                    | <b>N/A</b>            | <b>453.60</b>          | <b>4,805,000.00</b>   | <b>N/A</b>  |

\*Rounded

**TABLE E**

**CALCULATION OF ANNUAL DEBT SERVICE**  
**(SERIES 2023 BONDS)**

**WEST VILLAGES IMPROVEMENT DISTRICT**  
**UNIT OF DEVELOPMENT NO. 7**

|  | <b>2023 Series Bond<br/>Debt Service</b> |
|--|--|
| 1 Maximum Annual Debt Service                                  | \$353,725.00                             |
| 2 Maximum Annual Debt Service Assessment to be Collected       | * \$376,303.19 *                         |
| 3 Total Number of Village G-1 Residential Units                | 246                                      |
| 4 Maximum Annual Debt Service per Village G-1 Residential Unit | See Table F                              |
| 5 Total Number of Village F-3 Gross Acres (Approximately)      | 120.6                                    |
| 6 Maximum Annual Debt Service per Village F-3 Gross Acre       | \$1,567.01                               |
| 7 Total Number of Residential Units Planned                    | 452                                      |
| 8 Maximum Annual Debt Service per Unit Type                    | See Table F                              |

\*Grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes. Fees and discounts may not be applicable if assessments are direct billed.

**TABLE F**  
**ALLOCATION OF DEBT SERVICE ASSESSMENTS**  
**(2023 SERIES BONDS)**

**ASSESSMENT ROLL**

**WEST VILLAGES IMPROVEMENT DISTRICT**  
**UNIT OF DEVELOPMENT NO. 7**

| Product              | Number of Units by Type | ERU Factor* | Total ERUs*   | **Maximum Annual Debt Assessment Per Unit* | **Maximum Annual Debt Assessment Per Unit Type* |
|----------------------|-------------------------|-------------|---------------|--|---|
| G-1B - Paired Villas | 30                      | 0.60        | 18.00         | \$ 498                                     | \$ 14,933                                       |
| G-1B - 40' Unit      | 41                      | 0.80        | 32.80         | \$ 664                                     | \$ 27,211                                       |
| G-1B - 50' Unit      | 175                     | 1.00        | 175.00        | \$ 830                                     | \$ 145,179                                      |
| <b>G-1B Total</b>    | <b>246</b>              | <b>N/A</b>  | <b>225.80</b> | <b>N/A</b>                                 | <b>\$ 187,322</b>                               |
|                      |                         |             |               |  |   |
| F-3 - 50' Unit       | 97                      | 1.00        | 97.00         | \$ 830                                     | \$ 80,470                                       |
| F-3 - 60' Unit       | 109                     | 1.20        | 130.80        | \$ 996                                     | \$ 108,511                                      |
| <b>F-3 Total</b>     | <b>206</b>              | <b>N/A</b>  | <b>227.80</b> | <b>N/A</b>                                 | <b>\$ 188,981</b>                               |
|                      |                         |             |               |  |   |
| <b>TOTAL</b>         | <b>452</b>              | <b>N/A</b>  | <b>453.60</b> | <b>N/A</b>                                 | <b>\$ 376,303</b>                               |

\*Rounded

\*\*Grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes.

| Folio ID#'s and/or Parcel Plat Description | Developable Acreage by Parcel/ Platted Unit Type | **Maximum Annual Debt Assessment Per Acre/Unit* | Par Debt Per Acre/Unit* | Total Par Debt Per Acreage/Unit Type* |
|--|--|---|-------------------------|---------------------------------------|
| G-1B - Paired Villas                       | 30   | \$ 498  | \$ 6,356                | \$ 190,675                            |
| G-1B - 40' Unit                            | 41   | \$ 664  | \$ 8,474                | \$ 347,451                            |
| G-1B - 50' Unit                            | 175  | \$ 830  | \$ 10,593               | \$ 1,853,781                          |
| Village F-3 Gross Acreage                  | 120.60   | \$ 1,567  | \$ 20,009               | \$ 2,413,093                          |
| <b>TOTALS</b>                              | <b>N/A</b>                                       | <b>N/A</b>                                      | <b>N/A</b>              | <b>\$ 4,805,000</b>                   |

\*Rounded

\*\*Grossed up to include 1% collection fee of the County Tax Collector, 1% service fee of the County Property Appraiser and 4% for early payment of taxes.

Village F, Tract F3 (as per Title Commitment)

DESCRIPTION:

A parcel of land lying in Sections 4 and 5, Township 40 South, Range 20 East, Sarasota County, Florida, and being more particularly described as follows:

COMMENCE at the Southeast corner of said Section 5, run thence along the East boundary of the Southeast 1/4 of said Section 5, N.00°24'04"E., 620.24 feet to the POINT OF BEGINNING; thence N.71°20'21"W., 987.87 feet to the Easterlymost corner of SUNSTONE VILLAGE F5 PHASES 1A AND 1B, according to the plat thereof, as recorded in Plat Book 55, Pages 288 through 323 inclusive, of the Public Records of Sarasota County, Florida; thence along the Easterly boundary of said SUNSTONE VILLAGE F5 PHASES 1A AND 1B, the following three (3) courses: 1) N.09°14'39"W., 404.97 feet; 2) N.11°51'23"W., 282.27 feet; 3) N.21°37'16"W., 1258.21 feet to the Northerlymost corner of said SUNSTONE VILLAGE F5 PHASES 1A AND 1B; thence N.00°54'23"E., 263.29 feet; thence N.80°00'00"E., 942.21 feet; thence N.63°00'00"E., 327.10 feet to a point on a curve on the Westerly boundary of the right-of-way for West Villages Parkway, according to Special Warranty Deed, recorded in Official Records Instrument # 2021017985, of the Public Records of Sarasota County, Florida; thence along said Westerly boundary of the right-of-way for West Villages Parkway, the following three (3) courses: 1) Southeasterly, 859.87 feet along the arc of a curve to the left having a radius of 2067.00 feet and a central angle of 23°50'06" (chord bearing S.38°55'03"E., 853.68 feet) to a point of tangency; 2) S.50°50'06"E., 1970.32 feet to a point of curvature; thence Southeasterly, 119.36 feet along the arc of a curve to the right having a radius of 2083.00 feet and a central angle of 03°16'59" (chord bearing S.49°11'36"E., 119.34 feet); 3) S.52°10'50"W., 1564.92 feet; thence N.71°20'21"W., 653.32 feet to the POINT OF BEGINNING.

Less and except the portion of the above described land conveyed to the West Villages Improvement District by Special Warranty Deed recorded in Instrument Number 2021017985, Public Records of Sarasota County, Florida.

Village G, Phases 1A, 1B & 2A (as prepared by the certifying Surveyor and Mapper)

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA; THENCE N 89°39'52" W, ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 722.60 FEET; THENCE S 00°20'08" W, PERPENDICULAR TO SAID NORTH LINE OF SAID SECTION 4, A DISTANCE OF 207.64 FEET TO THE POINT OF BEGINNING; THENCE S 06° 22' 39" E, A DISTANCE OF 878.12 FEET; THENCE S 02° 19' 55" E, A DISTANCE OF 1036.30 FEET; THENCE N 89° 09' 30" W, A DISTANCE OF 1166.97 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 05° 14' 10", HAVING A RADIUS OF 1690.74 FEET, AND WHOSE LONG CHORD BEARS S 07° 40' 48" W, A DISTANCE OF 154.46 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 154.51 FEET TO THE BEGINNING OF A COMPOUND CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 31° 36' 47", HAVING A RADIUS OF 543.83 FEET, AND WHOSE LONG CHORD BEARS S 26° 57' 56" W, A DISTANCE OF 296.27 FEET; THENCE ALONG SAID COMPOUND CURVE A DISTANCE OF 300.06 FEET; THENCE S 42° 53' 13" W, A DISTANCE OF 214.30 FEET; THENCE S 42° 31' 54" E, A DISTANCE OF 703.00 FEET; THENCE S 00° 00' 00" W, A DISTANCE OF 185.18 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 15° 00' 47", HAVING A RADIUS OF 910.00 FEET, AND WHOSE LONG CHORD BEARS S 63° 15' 55" W, A DISTANCE OF 237.76 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 13° 29' 03", HAVING A RADIUS OF 580.00 FEET, AND WHOSE LONG CHORD BEARS S 50° 14' 56" E, A DISTANCE OF 136.19 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 136.50 FEET; THENCE S 31° 28' 54" E, A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 00° 50' 31", HAVING A RADIUS OF 720.00 FEET, AND WHOSE LONG CHORD BEARS S 58° 05' 51" W, A DISTANCE OF 10.58 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 10.58 FEET TO THE POINT OF REVERSE CURVATURE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 36° 19' 58", HAVING A RADIUS OF 560.00 FEET, AND WHOSE LONG CHORD BEARS S 19° 32' 39" E, A DISTANCE OF 349.19 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 355.11 FEET; THENCE S 01° 22' 40" E, A DISTANCE OF 340.58 FEET; THENCE N 88° 37' 20" E, A DISTANCE OF 243.24 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 44° 24' 55", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S 69° 10' 13" E, A DISTANCE OF 37.80 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 38.76 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 72° 53' 51", HAVING A RADIUS OF 195.00 FEET, AND WHOSE LONG CHORD BEARS S 83° 24' 41" E, A DISTANCE OF 231.70 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 248.10 FEET; THENCE S 12° 54' 09" E, A DISTANCE OF 236.84 FEET; THENCE N 86° 29' 34" W, A DISTANCE OF 347.09 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 06° 03' 48", HAVING A RADIUS OF 1434.00 FEET, AND WHOSE LONG CHORD BEARS N 83° 27' 40" W, A DISTANCE OF 151.68 FEET; THENCE ALONG SAID CURVE,



A DISTANCE OF 151.75 FEET; THENCE N 80° 25' 46" W, A DISTANCE OF 110.19 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 01° 42' 55", HAVING A RADIUS OF 730.00 FEET, AND WHOSE LONG CHORD BEARS S 12° 39' 36" W, A DISTANCE OF 21.85 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 21.86 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 08° 34' 18", HAVING A RADIUS OF 1995.00 FEET, AND WHOSE LONG CHORD BEARS S 09° 13' 54" W, A DISTANCE OF 298.18 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 298.46 FEET; THENCE S 80° 25' 46" E, A DISTANCE OF 109.60 FEET TO THE BEGINNING OF A CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 06° 03' 48", HAVING A RADIUS OF 1754.00 FEET, AND WHOSE LONG CHORD BEARS S 83° 27' 40" E, A DISTANCE OF 185.53 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 185.62 FEET; THENCE S 86° 29' 34" E, A DISTANCE OF 363.21 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 26° 40' 07", HAVING A RADIUS OF 40.00 FEET, AND WHOSE LONG CHORD BEARS S 73° 09' 30" E, A DISTANCE OF 18.45 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 18.62 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 29° 19' 41", HAVING A RADIUS OF 195.00 FEET, AND WHOSE LONG CHORD BEARS S 74° 29' 17" E, A DISTANCE OF 98.73 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 99.81 FEET; THENCE S 11° 35' 44" W, A DISTANCE OF 98.73 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 60° 33' 26", HAVING A RADIUS OF 195.00 FEET, AND WHOSE LONG CHORD BEARS S 71° 58' 43" W, A DISTANCE OF 196.64 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 206.10 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 44° 24' 55", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S 63° 54' 28" W, A DISTANCE OF 37.80 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 38.76 FEET; THENCE S 86° 06' 55" W, A DISTANCE OF 471.67 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 03° 57' 59", HAVING A RADIUS OF 340.00 FEET, AND WHOSE LONG CHORD BEARS S 88° 05' 54" W, A DISTANCE OF 23.53 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 23.54 FEET; THENCE N 89° 55' 06" W, A DISTANCE OF 93.73 FEET TO THE BEGINNING OF A CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 28° 10' 13", HAVING A RADIUS OF 460.00 FEET, AND WHOSE LONG CHORD BEARS S 75° 59' 47" W, A DISTANCE OF 223.90 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 226.17 FEET TO A POINT OF REVERSE CURVATURE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 106° 19' 26", HAVING A RADIUS OF 324.00 FEET, AND WHOSE LONG CHORD BEARS N 64° 55' 37" W, A DISTANCE OF 518.62 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 601.25 FEET; THENCE S 78° 14' 06" W, A DISTANCE OF 370.21 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF WEST VILLAGES PARKWAY ALSO BEING THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 38° 06' 57", HAVING A RADIUS OF 2213.00 FEET, AND WHOSE LONG CHORD BEARS N 31° 46' 37" W, A DISTANCE OF 1445.20 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 1472.19 FEET; THENCE N 50° 50' 06" W, A DISTANCE OF 751.81 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 62° 46' 58", HAVING A RADIUS OF 257.38 FEET, AND WHOSE LONG CHORD BEARS N 52° 03' 08" E, A DISTANCE OF 268.13 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 282.03 FEET; THENCE N 53° 25' 44" E, A DISTANCE OF 77.84 FEET; THENCE N 33° 20' 39" W, A DISTANCE OF 42.44 FEET; THENCE N 71° 29' 50" E, A DISTANCE OF 130.00 FEET; THENCE N 43° 58' 36" E, A DISTANCE OF 69.39 FEET; THENCE N 84° 05' 45" E, A DISTANCE OF 132.00 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 32° 38' 29", HAVING A RADIUS OF 671.02 FEET, AND WHOSE LONG CHORD BEARS N 03° 43' 21" W, A DISTANCE OF 377.13 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 382.28 FEET; THENCE N 64° 12' 36" E, A DISTANCE OF 191.92 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 12° 57' 17", HAVING A RADIUS OF 910.00 FEET, AND WHOSE LONG CHORD BEARS N 57° 43' 57" E, A

## Exhibit "A"

DISTANCE OF 205.31 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 205.75 FEET; THENCE N 51° 15' 19" E, A DISTANCE OF 64.98 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 38° 18' 00", HAVING A RADIUS OF 590.00 FEET, AND WHOSE LONG CHORD BEARS N 70° 24' 19" E, A DISTANCE OF 387.09 FEET; THENCE ALONG SAID CURVE, A DISTANCE OF 394.39 FEET; THENCE N 89° 33' 19" E, A DISTANCE OF 277.24 FEET; THENCE N 89° 33' 19" E, A DISTANCE OF 229.96 FEET; THENCE N 89° 33' 19" E, A DISTANCE OF 420.24 FEET; THENCE N 00° 26' 41" W, A DISTANCE OF 130.00 FEET; THENCE S 89° 47' 57" E, A DISTANCE OF 59.98 FEET; THENCE N 23° 59' 21" E, A DISTANCE OF 71.16 FEET; THENCE N 09° 38' 23" W, A DISTANCE OF 130.00 FEET; THENCE N 30° 34' 07" W, A DISTANCE OF 114.75 FEET; THENCE N 00° 00' 00" E, A DISTANCE OF 56.94 FEET; THENCE N 20° 21' 05" E, A DISTANCE OF 85.66 FEET; THENCE N 40° 36' 55" E, A DISTANCE OF 79.23 FEET; THENCE N 37° 40' 43" W, A DISTANCE OF 61.28 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 61° 48' 47", HAVING A RADIUS OF 710.00 FEET, AND WHOSE LONG CHORD BEARS N 24° 01' 35" E, A DISTANCE OF 729.37 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 765.98 FEET; THENCE N 08° 36' 19" E, A DISTANCE OF 482.24 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE TURNING TO THE LEFT THROUGH A DELTA ANGLE OF 36° 30' 40", HAVING A RADIUS OF 475.00 FEET, AND WHOSE LONG CHORD BEARS N 80° 12' 08" E, A DISTANCE OF 297.59 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 302.69 FEET; THENCE N 61° 56' 48" E, A DISTANCE OF 141.90 FEET TO THE BEGINNING OF A CURVE TURNING TO THE RIGHT THROUGH A DELTA ANGLE OF 22° 32' 09", HAVING A RADIUS OF 820.00 FEET, AND WHOSE LONG CHORD BEARS N 73° 12' 53" E, A DISTANCE OF 320.45 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 322.53 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,851,829 SQUARE FEET OR 157.296 ACRES (MORE OR LESS)





**WEST VILLAGES - UNIT 7**  
**VILLAGE F, TRACT F3 & VILLAGE G**  
**PHASES 1A, 1B & 2A**



EXHIBIT 'A'





**RESOLUTION 2023-23**

**[UNIT OF DEVELOPMENT NO. 7 – SERIES 2023 BONDS  
(VILLAGES F-3 AND G-1B)]**

**A RESOLUTION OF THE WEST VILLAGES IMPROVEMENT DISTRICT SETTING FORTH THE SPECIFIC TERMS OF THE DISTRICT’S SPECIAL ASSESSMENT REVENUE BONDS (UNIT OF DEVELOPMENT NO. 7), SERIES 2023 (VILLAGES F-3 AND G-1B); CONFIRMING THE DISTRICT’S PROVISION OF INFRASTRUCTURE IMPROVEMENTS AND CONFIRMING A SUPPLEMENTAL ENGINEER’S REPORT; CONFIRMING AND ADOPTING A SUPPLEMENTAL ASSESSMENT REPORT; CONFIRMING, ALLOCATING AND AUTHORIZING THE COLLECTION OF SPECIAL ASSESSMENTS SECURING SERIES 2023 BONDS; PROVIDING FOR THE SUPPLEMENT TO THE IMPROVEMENT LIEN BOOK; PROVIDING FOR THE RECORDING OF A NOTICE OF SERIES 2023 SPECIAL ASSESSMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, the West Villages Improvement District (“District”) has previously indicated its intention to undertake, install, establish, construct or acquire certain public infrastructure improvements within Villages F-3 and G-1B within Unit of Development No. 7 within the District (“Unit No. 7”) and to finance such improvements through the imposition of special assessments on benefitted property within Unit No. 7 and the issuance of bonds; and

**WHEREAS**, the District’s Board of Supervisors (“Board”) has previously adopted, after notice and public hearing, Resolution 2019-01, relating to the imposition, levy, collection and enforcement of such special assessments; and

**WHEREAS**, pursuant to and consistent with the terms of Resolution 2019-01, this Resolution shall set forth the terms of bonds actually issued by the District, and apply the adopted special assessment methodology to the actual scope of the project to be completed with a series of bonds and the terms of the bond issue; and

**WHEREAS**, on September 27, 2023, the District entered into a Bond Purchase Contract whereby it agreed to sell its \$4,805,000 Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2023 (Villages F-3 and G-1B) (the “Series 2023 Bonds”); and

**WHEREAS**, pursuant to and consistent with Resolution 2019-01, the District desires to set forth the particular terms of the sale of the Series 2023 Bonds and confirm the lien of the special assessments securing the Series 2023 Bonds (the “Series 2023 Assessments”).

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WEST VILLAGES IMPROVEMENT DISTRICT AS FOLLOWS:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION.** This Resolution is adopted pursuant to the provisions of Florida law, including Chapters 170 and 197, Florida Statutes, Chapter 2004-456, Laws of Florida, as amended, and Resolution 2019-01.

**SECTION 2. FINDINGS.** The Board of Supervisors of the West Villages Improvement District hereby finds and determines as follows:

(a) On January 17, 2019, the District, after due notice and public hearing, adopted Resolution 2019-01, which, among other things, equalized, approved, confirmed and levied special assessments on the property within Unit No. 7 benefitting from the infrastructure improvements authorized by the District. That Resolution provided that as each series of bonds was issued to fund all or any portion of the District's infrastructure improvements within Unit No. 7, a supplemental resolution would be adopted to set forth the specific terms of the bonds and certifying the amount of the lien of the special assessments securing any portion of the bonds, including interest, costs of issuance, and the number of payments due, the True-Up amounts and the application of receipt of True-Up proceeds.

(b) The final *West Villages Improvement District Unit of Development No. 7 Supplemental Engineer's Report – Series 2023 Bonds*, dated September 14, 2023, attached to this Resolution as **Exhibit A** (the "Engineer's Report"), identifies and describes the presently expected components of the improvements to be financed with the Series 2023 Bonds (the "Series 2023 Improvements"). The District hereby confirms that the Series 2023 Improvements serve a proper, essential and valid public purpose. The Engineer's Report is hereby confirmed. The District ratifies its use in connection with the sale of the Series 2023 Bonds.

(c) The final *Third Supplemental Special Assessment Methodology Report - West Villages Improvement District, Unit of Development No. 7 (2023 Project)*, dated September 27, 2023, attached to this Resolution as **Exhibit B** (the "Supplemental Assessment Report"), applies the adopted *Master Special Assessment Methodology Report - West Villages Improvement District, Unit of Development No. 7*, dated December 13, 2018, (the "Master Assessment Report") to the financing of the Series 2023 Improvements and the actual terms of the Series 2023 Bonds. The Supplemental Assessment Report is hereby approved, adopted and confirmed. The District ratifies its use in connection with the sale of the Series 2023 Bonds.

(d) The Series 2023 Improvements will specially benefit all of the developable acreage within Villages F-3 and G-1B in Unit No. 7, as set forth in the Supplemental Assessment Report. It is reasonable, proper, just and right to assess the portion of the costs of the Series 2023 Improvements financed with the Series 2023 Bonds to such specially benefited properties within the District as set forth in Resolution 2019-01 and this Resolution.

**SECTION 3. CONFIRMATION OF MAXIMUM ASSESSMENT LIEN FOR SERIES 2023 BONDS.** As provided in Resolution 2019-01, this Resolution is intended to set forth the terms of the Series 2023 Bonds and the final amount of the lien of the special assessments securing those bonds.

The Series 2023 Bonds, in a par amount of \$4,805,000 shall bear such rates of interest and maturity as shown on **Exhibit C** attached hereto. The final payment on the Series 2023 Bonds shall be due on May 1, 2054. The sources and uses of funds of the Series 2023 Bonds shall be as set forth in **Exhibit D**. The debt service due on the Series 2023 Bonds is set forth on **Exhibit E** attached hereto. The lien of the special assessments securing the Series 2023 Bonds on all developable land within Unit No. 7 shall be the principal amount due on the Series 2023 Bonds, together with accrued but unpaid interest thereon, and together with the amount by which annual assessments are grossed up to include early payment discounts required by law and costs of collection.

#### **SECTION 4. ALLOCATION OF ASSESSMENTS SECURING SERIES 2023 BONDS.**

(a) The special assessments for the Series 2023 Bonds shall be allocated in accordance with **Exhibit B** which allocation shall initially be distributed on two-hundred forty-six (246) platted units consisting of thirty (30) paired villa units, forty-one (41) 40' units, and one-hundred seventy-five (175) 50' units within Village G-1B. The remaining debt will be distributed on an equal acreage basis on all of the remaining benefiting developable acreage within Village F-3, approximately 120.6 acres, and will be further allocated as lands are platted. The Supplemental Assessment Report is consistent with the District's Master Assessment Methodology. The Supplemental Assessment Report, considered herein, reflects the actual terms of the issuance of the District's Series 2023 Bonds. The estimated costs of collection of the special assessments for the Series 2023 Bonds are as set forth in the Supplemental Assessment Report.

(b) The lien of the special assessments securing the Series 2023 Bonds includes all developable land within Villages F-3 and G-1B in Unit No. 7, and as such land is ultimately defined and set forth in plats or other designations of developable acreage. To the extent land is added to Villages F-3 and G1-B in Unit No. 7, the District may, by supplemental resolution, determine such land to be benefited by the Series 2023 Improvements and reallocate the special assessments securing the Series 2023 Bonds and impose special assessments on the newly added and benefited property.

(c) Taking into account capitalized interest and earnings on certain funds and accounts as set forth in the *Master Trust Indenture* and the *Fourth Supplemental Trust Indenture*, the District shall begin annual collection of special assessments for the Series 2023 Bonds debt service payments using the methods available to it by law. Debt service payments and semi-annual installments of interest are reflected on **Exhibit E**.

(d) The District hereby certifies the special assessments for collection and directs staff to take all actions necessary to meet the time and other deadlines imposed by Sarasota County for collection and other Florida law. The District intends, to the extent possible and subject to entering into the appropriate agreements with the Sarasota County Tax Collector and Sarasota County Property Appraiser, to collect the Series 2023 Assessments on platted lands using the Uniform Method in Chapter 197, Florida Statutes. The District intends, to the extent possible, to directly



bill, collect and enforce the Series 2023 Assessments on unplatted lands. The District Manager shall prepare or cause to be prepared each year a tax roll for purposes of effecting the collection of the special assessments and present same to the District Board as required by law. The District Manager is further directed and authorized to take all actions necessary to collect any prepayments of debt as and when due and to collect special assessments on unplatted property using methods available to the District authorized by Florida law.

**SECTION 5. APPLICATION OF TRUE-UP PAYMENTS.** Pursuant to Resolution 2019-01, there may be required from time to time certain True-Up payments. As lands are platted or approved within Unit No. 7, the special assessments securing the Series 2023 Bonds shall be allocated to the platted lands and the unplatted lands as set forth in Resolution 2019-01, this Resolution, and the Supplemental Assessment Report, including, without limitation, the application of the True-Up process set forth in Section 8 of Resolution 2019-01. Based on the final par amount of \$4,805,000 in Series 2023 Bonds, the True-Up calculations will be made in accordance with the process set forth in the Supplemental Assessment Report. The District shall apply all True-Up payments related to the Series 2023 Bonds only to the credit of the Series 2023 Bonds. All True-Up payments, as well as all other prepayments of assessments, shall be deposited into the accounts specified in the *Fourth Supplemental Trust Indenture*, dated as of October 1, 2023, governing the Series 2023 Bonds.

**SECTION 6. IMPROVEMENT LIEN BOOK.** Immediately following the adoption of this Resolution these special assessments as reflected herein shall be recorded by the Secretary of the Board of the District in the District's Improvement Lien Book. The special assessment or assessments against each respective parcel shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

**SECTION 7. OTHER PROVISIONS REMAIN IN EFFECT.** This Resolution is intended to supplement Resolution 2019-01, which remains in full force and effect. This Resolution and Resolution 2019-01 shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

**SECTION 8. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a Notice of Unit of Development No. 7 Village F-3 and G-1B Series 2023 Special Assessments securing the Series Bonds in the Official Records of Sarasota County, Florida, or such other instrument evidencing the actions taken by the District.

**SECTION 9. SEVERABILITY.** If any section or part of a section of this resolution be declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**SECTION 10. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**APPROVED** and **ADOPTED** this 12th day of October, 2023.

**ATTEST:**

**WEST VILLAGES  
IMPROVEMENT DISTRICT**

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Secretary / Assistant Secretary

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Chairperson, Board of Supervisors

- Exhibit A:** *West Villages Improvement District Unit of Development No. 7 Supplemental Engineer's Report – Series 2023 Bonds*, dated September 14, 2023
- Exhibit B:** *Third Supplemental Special Assessment Methodology Report - West Villages Improvement District Unit of Development No. 7 (2023 Project)*, dated September 27, 2023
- Exhibit C:** Maturities and Coupon of Series 2023 Bonds
- Exhibit D:** Sources and Uses of Funds for Series 2023 Bonds
- Exhibit E:** Annual Debt Service Payment Due on Series 2023 Bonds

## **Exhibit A**

*West Villages Improvement District Unit of Development No. 7 Supplemental Engineer's Report*  
– *Series 2023 Bonds*, dated September 14, 2023

## **Exhibit B**

*Third Supplemental Special Assessment Methodology Report - West Villages Improvement  
District Unit of Development No. 7 (2023 Project), dated September 27, 2023*

## Exhibit C

### Maturities and Coupon of Series 2023 Bonds

West Villages Improvement District  
Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2023 (Villages F-3 and G-1B)

| Bond Component | Maturity Date | Amount    | Rate   | Yield  | Price  |
|----------------|---------------|-----------|--------|--------|--------|
| Term 1:        | 05/01/2030    | 420,000   | 5.250% | 5.350% | 99.451 |
| Term 2:        | 05/01/2043    | 1,595,000 | 6.000% | 6.130% | 98.527 |
| Term 3:        | 05/01/2054    | 2,790,000 | 6.250% | 6.320% | 99.054 |
|                |               | 4,805,000 |        |        |        |

|                         |              |            |
|-------------------------|--------------|------------|
| Dated Date              | 10/17/2023   |            |
| Delivery Date           | 10/17/2023   |            |
| First Coupon            | 05/01/2024   |            |
| Par Amount              | 4,805,000.00 |            |
| Original Issue Discount | -52,193.55   |            |
| Production              | 4,752,806.45 | 98.913766% |
| Underwriter's Discount  | -72,075.00   | -1.500000% |
| Purchase Price          | 4,680,731.45 | 97.413766% |
| Accrued Interest        |              |            |
| Net Proceeds            | 4,680,731.45 |            |



## Exhibit D

### Sources and Uses of Funds for Series 2023 Bonds

West Villages Improvement District  
Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2023 (Villages F-3 and G-1B)

#### Sources:

##### Bond Proceeds:

|                         |              |
|-------------------------|--------------|
| Par Amount              | 4,805,000.00 |
| Original Issue Discount | -52,193.55   |

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4,752,806.45

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#### Uses:

##### Project Fund Deposits:

|                         |                    |
|-------------------------|--------------------|
| Village F3 Subaccount   | 2,095,034.08       |
| Village G-1B Subaccount | 2,076,640.45       |
|                         | <hr/> 4,171,674.53 |

##### Other Fund Deposits:

|   |                  |
|---|------------------|
| Debt Service Reserve Fund (50% MADS)    | 176,862.50       |
| Capitalized Interest Fund (thru 5/1/24) | 157,422.92       |
|   | <hr/> 334,285.42 |

##### Delivery Date Expenses:

|                        |                  |
|------------------------|------------------|
| Cost of Issuance       | 174,771.50       |
| Underwriter's Discount | 72,075.00        |
|                        | <hr/> 246,846.50 |

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4,752,806.45

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## Exhibit E

### Annual Debt Service Payment Due on Series 2023 Bonds

West Villages Improvement District  
Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2023 (Villages F-3 and G-1B)

| Period<br>Ending | Principal | Coupon | Interest   | Debt Service | Annual<br>Debt Service |
|------------------|-----------|--------|------------|--------------|------------------------|
| 05/01/2024       |           |        | 157,422.92 | 157,422.92   |                        |
| 11/01/2024       |           |        | 146,062.50 | 146,062.50   | 303,485.42             |
| 05/01/2025       | 60,000    | 5.250% | 146,062.50 | 206,062.50   |                        |
| 11/01/2025       |           |        | 144,487.50 | 144,487.50   | 350,550.00             |
| 05/01/2026       | 65,000    | 5.250% | 144,487.50 | 209,487.50   |                        |
| 11/01/2026       |           |        | 142,781.25 | 142,781.25   | 352,268.75             |
| 05/01/2027       | 70,000    | 5.250% | 142,781.25 | 212,781.25   |                        |
| 11/01/2027       |           |        | 140,943.75 | 140,943.75   | 353,725.00             |
| 05/01/2028       | 70,000    | 5.250% | 140,943.75 | 210,943.75   |                        |
| 11/01/2028       |           |        | 139,106.25 | 139,106.25   | 350,050.00             |
| 05/01/2029       | 75,000    | 5.250% | 139,106.25 | 214,106.25   |                        |
| 11/01/2029       |           |        | 137,137.50 | 137,137.50   | 351,243.75             |
| 05/01/2030       | 80,000    | 5.250% | 137,137.50 | 217,137.50   |                        |
| 11/01/2030       |           |        | 135,037.50 | 135,037.50   | 352,175.00             |
| 05/01/2031       | 85,000    | 6.000% | 135,037.50 | 220,037.50   |                        |
| 11/01/2031       |           |        | 132,487.50 | 132,487.50   | 352,525.00             |
| 05/01/2032       | 90,000    | 6.000% | 132,487.50 | 222,487.50   |                        |
| 11/01/2032       |           |        | 129,787.50 | 129,787.50   | 352,275.00             |
| 05/01/2033       | 95,000    | 6.000% | 129,787.50 | 224,787.50   |                        |
| 11/01/2033       |           |        | 126,937.50 | 126,937.50   | 351,725.00             |
| 05/01/2034       | 100,000   | 6.000% | 126,937.50 | 226,937.50   |                        |
| 11/01/2034       |           |        | 123,937.50 | 123,937.50   | 350,875.00             |
| 05/01/2035       | 105,000   | 6.000% | 123,937.50 | 228,937.50   |                        |
| 11/01/2035       |           |        | 120,787.50 | 120,787.50   | 349,725.00             |
| 05/01/2036       | 115,000   | 6.000% | 120,787.50 | 235,787.50   |                        |
| 11/01/2036       |           |        | 117,337.50 | 117,337.50   | 353,125.00             |
| 05/01/2037       | 120,000   | 6.000% | 117,337.50 | 237,337.50   |                        |
| 11/01/2037       |           |        | 113,737.50 | 113,737.50   | 351,075.00             |
| 05/01/2038       | 125,000   | 6.000% | 113,737.50 | 238,737.50   |                        |
| 11/01/2038       |           |        | 109,987.50 | 109,987.50   | 348,725.00             |
| 05/01/2039       | 135,000   | 6.000% | 109,987.50 | 244,987.50   |                        |
| 11/01/2039       |           |        | 105,937.50 | 105,937.50   | 350,925.00             |
| 05/01/2040       | 145,000   | 6.000% | 105,937.50 | 250,937.50   |                        |
| 11/01/2040       |           |        | 101,587.50 | 101,587.50   | 352,525.00             |
| 05/01/2041       | 150,000   | 6.000% | 101,587.50 | 251,587.50   |                        |
| 11/01/2041       |           |        | 97,087.50  | 97,087.50    | 348,675.00             |
| 05/01/2042       | 160,000   | 6.000% | 97,087.50  | 257,087.50   |                        |
| 11/01/2042       |           |        | 92,287.50  | 92,287.50    | 349,375.00             |
| 05/01/2043       | 170,000   | 6.000% | 92,287.50  | 262,287.50   |                        |
| 11/01/2043       |           |        | 87,187.50  | 87,187.50    | 349,475.00             |
| 05/01/2044       | 180,000   | 6.250% | 87,187.50  | 267,187.50   |                        |
| 11/01/2044       |           |        | 81,562.50  | 81,562.50    | 348,750.00             |
| 05/01/2045       | 195,000   | 6.250% | 81,562.50  | 276,562.50   |                        |
| 11/01/2045       |           |        | 75,468.75  | 75,468.75    | 352,031.25             |
| 05/01/2046       | 205,000   | 6.250% | 75,468.75  | 280,468.75   |                        |
| 11/01/2046       |           |        | 69,062.50  | 69,062.50    | 349,531.25             |
| 05/01/2047       | 220,000   | 6.250% | 69,062.50  | 289,062.50   |                        |
| 11/01/2047       |           |        | 62,187.50  | 62,187.50    | 351,250.00             |
| 05/01/2048       | 235,000   | 6.250% | 62,187.50  | 297,187.50   |                        |
| 11/01/2048       |           |        | 54,843.75  | 54,843.75    | 352,031.25             |
| 05/01/2049       | 250,000   | 6.250% | 54,843.75  | 304,843.75   |                        |
| 11/01/2049       |           |        | 47,031.25  | 47,031.25    | 351,875.00             |
| 05/01/2050       | 265,000   | 6.250% | 47,031.25  | 312,031.25   |                        |
| 11/01/2050       |           |        | 38,750.00  | 38,750.00    | 350,781.25             |
| 05/01/2051       | 280,000   | 6.250% | 38,750.00  | 318,750.00   |                        |

West Villages Improvement District  
Special Assessment Revenue Bonds (Unit of Development No. 7), Series 2023 (Villages F-3 and G-1B)

| Period<br>Ending | Principal | Coupon | Interest     | Debt Service  | Annual<br>Debt Service |
|------------------|-----------|--------|--------------|---------------|------------------------|
| 11/01/2051       |           |        | 30,000.00    | 30,000.00     | 348,750.00             |
| 05/01/2052       | 300,000   | 6.250% | 30,000.00    | 330,000.00    |                        |
| 11/01/2052       |           |        | 20,625.00    | 20,625.00     | 350,625.00             |
| 05/01/2053       | 320,000   | 6.250% | 20,625.00    | 340,625.00    |                        |
| 11/01/2053       |           |        | 10,625.00    | 10,625.00     | 351,250.00             |
| 05/01/2054       | 340,000   | 6.250% | 10,625.00    | 350,625.00    |                        |
| 11/01/2054       |           |        |              |               | 350,625.00             |
|                  | 4,805,000 |        | 6,027,022.92 | 10,832,022.92 | 10,832,022.92          |

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## **RESOLUTION 2023-24**

### **A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WEST VILLAGES IMPROVEMENT DISTRICT APPROVING AND CONFIRMING THE DESIGNATION OF THE “WEST VILLAGES IMPROVEMENT DISTRICT UNIT OF DEVELOPMENT NO. 10;” PROVIDING FOR THE RECORDING OF A NOTICE REGARDING SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the West Villages Improvement District (the “District”), is a local unit of special-purpose government created and existing pursuant to Chapter 2004-456, *Laws of Florida*, as amended (the “Act”), and is situated in the City of North Port, Florida (the “City”) and unincorporated Sarasota County, Florida (the “County”); and

**WHEREAS**, the Board has received a petition from the fee simple owners of at least fifty-one (51%) percent of the real property described in the attached **Exhibit A** (the “Property”), requesting the establishment of a unit of development encompassing such property to be identified as the “West Villages Improvement District Unit of Development No. 10” (“Unit No. 10”); and

**WHEREAS**, on September 14, 2023, the Board of Supervisors of the District (the “Board”) adopted Resolution 2023-22 designating the lands comprising the property as Unit No. 10 and setting a public hearing thereon (the “Unit Designation Resolution”); and

**WHEREAS**, the District thereafter recorded a copy of the Unit Designation Resolution in the Official Records of Sarasota County, Florida, provided written notice to the City Manager of the City of North Port and County Administrator of Sarasota County, and published a notice soliciting the submission of written objections to the establishment of Unit No. 10, all in accordance with the Act; and

**WHEREAS**, on October 12, 2023, the Board held a public hearing on the District’s creation, fixing of the geographical boundaries and designation of the Property as the District’s Unit No. 10, and to hear all written objections relative to same; and

**WHEREAS**, the Board now desires to approve and confirm the designation of the Property as the “West Villages Improvement District Unit of Development No. 10.”

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE WEST VILLAGES IMPROVEMENT DISTRICT:**

**SECTION 1. CONFIRMATION OF DESIGNATION OF UNIT OF DEVELOPMENT.** The Board hereby approves and confirms the Board’s designation of the “West Villages Improvement District Unit of Development No. 10” for the purpose of exercising

some or all of the powers granted to the District pursuant to the Act and any other provisions of Florida law. The location, area and jurisdictional boundaries of Unit No. 10 shall be as described in the attached **Exhibit A**. Upon the adoption of this Resolution, the District is authorized to proceed with the development of the Property comprising Unit No. 10 consistent with the Act and Florida law.

**SECTION 2. NOTICE OF DESIGNATION.** In accordance with Section 20 of the Act, the District's Secretary is hereby directed to record a *Notice of Establishment of Unit No. 10* in the Official Records of Sarasota County, Florida, or such other instrument evidencing the actions hereby taken by the District.

**SECTION 3. SEVERABILITY.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED**, this 12<sup>th</sup> day of October, 2023.

**ATTEST:**

**WEST VILLAGES  
IMPROVEMENT DISTRICT**

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Secretary / Assistant Secretary

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Chairperson, Board of Supervisors

**Exhibit A:** Legal Description of Unit No. 10 Boundary



## **Exhibit A**

### **Legal Description of Unit No. 10 Boundary**

A parcel of land lying in Sections 5, 6, 7, and 8, Township 40 South, Range 20 East, Sarasota County, Florida, and being more particularly described as follows:

BEGIN at the Southwest corner of said Section 7; run thence along the West boundary thereof the following two (2) courses: 1) N.00°54'18"E., a distance of 2622.54 feet; 2) N.00°05'37"E., a distance of 2689.29 feet to the Southwest corner of said Section 6; thence along the West boundary thereof, N.00°08'44"E., a distance of 2164.18 feet to the Southwest corner of lands described in Official Records Instrument Number 2004012753, of the Public Records of Sarasota County, Florida; thence along the Southerly boundary of said lands described in Official Records Instrument Number 2004012753, the following twenty-one (21) courses: 1) Easterly, 250.26 feet along the arc of a non-tangent curve to the right having a radius of 633.03 feet and a central angle of 22°39'03" (chord bearing N.80°07'10"E., 248.63 feet) to a point of compound curvature; 2) Easterly, 108.46 feet along the arc of a compound curve to the right having a radius of 174.77 feet and a central angle of 35°33'31" (chord bearing S.70°46'33"E., 106.73 feet) to a point of compound curvature; 3) Southeasterly, 152.31 feet along the arc of a compound curve to the right having a radius of 280.04 feet and a central angle of 31°09'43" (chord bearing S.37°24'56"E., 150.44 feet) to a point of reverse curvature; 4) Easterly, 284.27 feet along the arc of a reverse curve to the left having a radius of 103.32 feet and a central angle of 157°38'36" (chord bearing N.79°20'38"E., 202.72 feet) to a point of reverse curvature; 5) Northeasterly, 286.87 feet along the arc of a reverse curve to the right having a radius of 206.41 feet and a central angle of 79°37'44" (chord bearing N.40°20'12"E., 264.33 feet) to a point of compound curvature; 6) Easterly, 224.87 feet along the arc of a compound curve to the right having a radius of 255.42 feet and a central angle of 50°26'37" (chord bearing S.74°37'38"E., 217.68 feet); 7) S.79°48'26"E., a distance of 101.21 feet; 8) N.69°47'28"E., a distance of 238.17 feet to a point of non-tangent curvature; 9) Easterly, 327.48 feet along the arc of a non-tangent curve to the left having a radius of 565.61 feet and a central angle of 33°10'24" (chord bearing N.76°20'49"E., 322.92 feet) to a point of reverse curvature; 10) Easterly, 232.70 feet along the arc of a reverse curve to the right having a radius of 224.35 feet and a central angle of 59°25'43" (chord bearing N.89°28'28"E., 222.41 feet); 11) S.59°49'31"E., a distance of 155.45 feet to a point of non-tangent curvature; 12) Easterly, 154.51 feet along the arc of a non-tangent curve to the left having a radius of 238.12 feet and a central angle of 37°10'44" (chord bearing S.79°24'02"E., 151.82 feet) to a point of non-tangent curvature; 13) Southeasterly, 454.31 feet along the arc of a non-tangent curve to the right having a radius of 912.50 feet and a central angle of 28°31'33" (chord bearing S.29°07'59"E., 449.63 feet); 14) S.71°12'24"E., a distance of 151.95 feet to a point of curvature; 15) Easterly, 224.43 feet along the arc of a tangent curve to the left having a radius of 407.21 feet and a central angle of 31°34'41" (chord bearing S.86°59'44"E., 221.60 feet) to a point of compound curvature; 16) Northeasterly, 103.45 feet along the arc of a compound curve to the left having a radius of 100.00 feet and a central angle of 59°16'15" (chord bearing

N.47°34'48"E., 98.90 feet) to a point of reverse curvature; 17) Easterly, 394.90 feet along the arc of a reverse curve to the right having a radius of 202.10 feet and a central angle of 111°57'19" (chord bearing N.73°55'20"E., 335.01 feet); 18) N.86°22'25"E., a distance of 63.92 feet; 19) S.09°41'57"E., a distance of 205.89 feet; 20) S.69°24'57"E., a distance of 583.03 feet; 21) S.89°13'11"E., a distance of 1512.38 feet to the Southeast corner of aforesaid lands described in Official Records Instrument Number 2004012753, also being a point on the West boundary of SOLSTICE PHASE ONE, according to the plat thereof, recorded in Plat Book 55, Page 380, of the Public Records of Sarasota County, Florida; thence along said West boundary of SOLSTICE PHASE ONE, S.01°26'06"E., a distance of 257.85 feet to the Southwest corner thereof; thence S.38°34'47"W., a distance of 130.00 feet; thence S.51°25'13"E., a distance of 1592.03 feet; thence S.38°34'47"W., a distance of 370.81 feet; thence southerly, 356.49 feet along the arc of a tangent curve to the left having a radius of 300.00 feet and a central angle of 68°05'06" (chord bearing S.04°32'15"W., 335.88 feet); thence southeasterly, 866.02 feet along the arc of a reverse curve to the right having a radius of 8635.45 feet and a central angle of 05°44'46" (chord bearing S.26°20'26"E., 865.66 feet) to a point on the Northerly boundary of PRETO BOULEVARD SOUTH EXTENSION, PLAT No.1, according to the plat thereof, recorded in Plat Book 57, Page 282, of the Public Records of Sarasota County, Florida; thence along said Northerly boundary and the Westerly boundary thereof the following ten (10) courses: 1) southwesterly, 254.34 feet along the arc of a non-tangent curve to the right having a radius of 2135.00 feet and a central angle of 06°49'32" (chord bearing S.63°25'17"W., 254.19 feet); 2) S.66°50'03"W., a distance of 467.65 feet; 3) westerly, 510.02 feet along the arc of a tangent curve to the right having a radius of 2085.00 feet and a central angle of 14°00'55" (chord bearing S.73°50'31"W., 508.75 feet); 4) southwesterly, 1648.37 feet along the arc of a reverse curve to the left having a radius of 1215.00 feet and a central angle of 77°43'55" (chord bearing S.41°59'01"W., 1524.83 feet); 5) S.03°07'03"W., a distance of 574.98 feet; 6) southerly, 1135.41 feet along the arc of a tangent curve to the left having a radius of 2315.00 feet and a central angle of 28°06'04" (chord bearing S.10°55'59"E., 1124.06 feet); 7) southerly, 429.50 feet along the arc of a reverse curve to the right having a radius of 960.00 feet and a central angle of 25°38'03" (chord bearing S.12°09'59"E., 425.93 feet); 8) S.00°39'02"W., a distance of 21.74 feet; 9) southerly, 359.76 feet along the arc of a tangent curve to the left having a radius of 1090.00 feet and a central angle of 18°54'39" (chord bearing S.08°48'17"E., 358.13 feet); 10) S.18°15'37"E., a distance of 103.58 feet to a point on the South boundary of said Section 7; thence along said South boundary the following two (2) courses: 1) N.89°38'43"W., a distance of 2161.34 feet; 2) N.89°38'12"W., a distance of 2674.87 feet to the POINT OF BEGINNING.

Containing 878.304 acres, more or less.