

**PETITION TO AMEND THE
BOUNDARIES OF THE BOGGY
CREEK IMPROVEMENT
DISTRICT
(2016)**

BEFORE THE CITY OF ORLANDO

**PETITION TO AMEND THE BOUNDARIES OF THE
BOGGY CREEK IMPROVEMENT DISTRICT**

Petitioner, the Boggy Creek Improvement District, a unit of special-purpose local government established pursuant to the provisions of Chapter 190, *Florida Statutes*, and City of Orlando Ordinance No. 011126701, and located entirely within the boundaries of the City of Orlando, Florida (hereafter “District”), hereby petitions the City of Orlando City Council, pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, and specifically section 190.046, *Florida Statutes*, to adopt an amendment to Ordinance Nos. 011126701, 030224703, 0602131003, and 0805191002 to amend the boundaries of the District. This is the fourth boundary amendment for the District. In support of this petition, the District states:

1. Basis for Petition. This boundary amendment is necessitated by changes in the development plan, including but not limited to locating the development of similar, adjacent residential products within one community development district instead of two and making the District boundaries consistent with current wetland delineations.

2. Location and Size. The District is located entirely within the City of Orlando, Florida (“City”). **Exhibit 1** depicts the general location of the existing District. The District currently covers approximately 1085.023 acres of land. The current metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2**. The general location of and the metes and bounds descriptions for the lands to be added to the District (the “Expansion Parcel”), consisting of approximately 45.673 acres, and the lands to be contracted

from the District (the “Contraction Parcel”), consisting of approximately 4.639 acres, are set forth in **Exhibit 3**. The amendment will result in a net addition of approximately 41.034 acres. A sketch and metes and bounds description of the external boundaries of the District incorporating the requested amendment is set forth in **Exhibit 4** (the “Amended District”). The Amended District meets the acreage requirements of section 190.046(1)(f)2., *Florida Statutes*. After amendment, the District will encompass a total of approximately 1126.057 acres. There are no parcels within the Amended District that are to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to amend the boundaries of the District from the owners of one hundred percent of property subject to the proposed amendment. This consent is contained in **Exhibit 5**. The favorable action of the Board of Supervisors of the District also constitutes consent for all of the landowners within the District pursuant to section 190.046(1)(g), *Florida Statutes*, as is evidenced by the District’s Resolution 2016-02, and submission of this Petition. Resolution 2016-02 is attached hereto as **Exhibit 6**.

4. Future Land Uses. The designation of future general distribution, location, and extent of the public and private land uses proposed for the Amended District by the future land use plan element of the local Comprehensive Plan and the Southeast Orlando Sector Plan are shown on **Exhibit 7**. Amendment of the District in the manner proposed is consistent with the adopted local Comprehensive Plan.

5. District facilities and services. The District presently intends to construct, acquire or install the improvements or provide facilities or services to the Expansion Parcel, described in more detail in **Exhibit 8** which sets forth, based on available data, the estimated construction costs of the facilities that the District presently plans to provide from approximately 2016

through 2025. Actual construction timetables and expenditures may vary, due in part to the effects of future changes in economic conditions upon costs such as labor, services, materials, interests rates and market conditions. No facilities or services are currently provided by the District to the Expansion Parcel.

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

7. This petition to amend the boundaries of the Boggy Creek Improvement District should be granted for the following reasons:

a. Amendment of the District and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the effective local Comprehensive Plan.

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

c. Existence of the Amended District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the Amended District. The Amended District is the best alternative for delivering community development services and facilities to the area within the District without imposing an additional burden on the general population of

the local general-purpose government. Amendment of the District to develop a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the Amended District will not be incompatible with the capacity and use of existing local and regional community development services and facilities.

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

WHEREFORE, Petitioner respectfully requests the City Council of the City of Orlando, Florida to:

a. schedule a public hearing in accordance with the requirements of section 190.046(1)(c), *Florida Statutes*;

b. grant the petition and amend Ordinance Nos. 011126701, 030224703, 0602131003, and 0805191002 to amend the boundaries of the District pursuant to Chapter 190, *Florida Statutes*.

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RESPECTFULLY SUBMITTED, as of the 22nd day of July, 2016.

HOPPING GREEN & SAMS, P.A.

By: Tucker F. Mackie

Tucker F. Mackie
Florida Bar No. 0041023
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
(850) 222-7500 (telephone)

District Counsel for Petitioner
Boggy Creek Improvement District

EXHIBIT 1

This map illustrates the Boggy Creek Improvement District, which is shaded in yellow. The district is divided into several sub-zones, including the Boggy Creek Improvement District (central), Boggy Creek Improvement District (top left), Boggy Creek Improvement District (bottom left), and Boggy Creek Improvement District (top right). A large pink area in the top right corner is labeled 'GREENWAY IMPROVEMENT DISTRICT'. A major road, 'BOGGY CREEK ROAD', runs vertically through the center. A 'SOUTHERN CONNECTOR' road runs horizontally across the top. A 'BELTWAY' runs diagonally from the bottom left to the top right. Other roads shown include 'HARRISON' and 'BAYVIEW'. The map also shows various lot numbers and a grid system.



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 844-4058
CERTIFICATE OF AUTHORIZATION NO. LB66

Printed: Fri 04-Apr-2008 ~ 04:51PM
F:\Pro\08\08157\Schw\500\schw08157.docx

EXHIBIT 2

BOGGY CREEK IMPROVEMENT DISTRICT
(2008 Revision)

DESCRIPTION:

PART A

That part of Sections 23, 24, 25, 26 and 27 Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southeast corner of the Southeast 1/4 of said Section 26; thence N89°17'38"W along the South line of the Southeast 1/4 of said Section 26 for a distance of 371.16 feet; thence N43°43'49"E, 229.28 feet; thence N30°56'19"E, 288.27 feet; thence N47°29'38"W, 18.00 feet; thence N40°26'49"W, 200.13 feet; thence N26°23'48"W, 360.97 feet; thence S27°24'00"W, 61.96 feet; thence N34°54'59"W, 352.22 feet; thence N25°05'40"E, 127.07 feet; thence N56°41'49"W, 169.62 feet to the POINT OF BEGINNING; thence N56°41'49"W, 55.83 feet; thence S75°02'30"W, 242.11 feet; thence S68°38'50"W, 385.25 feet; thence N89°12'59"W, 200.64 feet; thence N78°41'22"W, 371.10 feet; thence N73°22'47"W, 79.91 feet; thence N84°23'32"W, 223.73 feet; thence S49°37'58"W, 224.15 feet; thence S57°54'58"W, 315.66 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence N89°36'24"W along said South line for a distance of 2015.30 feet to the Southeast corner of the Southwest 1/4 of said Section 27; thence N89°55'36"W along the South line of the Southwest 1/4 of said Section 27 for a distance of 896.00 feet to the Southeast corner of Commercial Parcel No. 2 within Exhibit A of lands recorded in Official Records Book 4797, Page 3447, of the Public Records of Orange County, Florida; thence N01°41'54"E along the East line of said Commercial Parcel No. 2 for a distance of 629.33 feet to the Northeast corner thereof; thence N88°18'06"W along the North line of said Commercial Parcel No. 2 for a distance of 1639.65 feet to the East right-of-way line of Boggy Creek Road, as recorded in Official Records Book 4345, Page 3237, of said Public Records; thence N06°38'30"E along said East right-of-way line, 140.52 feet to the Southwest corner of Commercial Parcel No. 1 within said Exhibit A of Official Records Book 4797, Page 3447, of said Public Records; thence S88°18'06"E along the South line of said Commercial Parcel No. 1 for a distance of 842.53 feet to the Southeast corner thereof; thence N01°41'54"E along the East line of said Commercial Parcel No. 1 for a distance of 1195.70 feet to the Southerly Limited Access Right-of-way Line of State Road No. 417, as recorded in said Official Records Book 4345, Page 3237, of said Public Records, and to a point on a non-tangent curve concave Northwesterly having a radius of 7733.81 feet and a chord bearing of N73°39'02"E; thence run the following courses and distances along said Southerly Limited Access Right-of-way Line: Easterly along the arc of said curve through a central angle of 04°07'38" for a distance of 557.10 feet to the point of tangency; N71°35'13"E, 3673.57 feet; N81°59'44"E, 104.10 feet; N64°34'47"E, 295.19 feet; N64°34'50"E, 464.20 feet; N66°42'23"E,

500.03 feet; N23°17'37"W, 10.00 feet; N66°42'23"E, 1347.33 feet; S23°17'37"E, 262.49 feet; N89°50'52"E, 462.22 feet; N23°17'37"W, 444.14 feet; N66°42'23"E, 1700.09 feet; S23°17'37"E, 305.02 feet; N66°42'23"E, 450.02 feet; N23°17'37"W, 305.02 feet; N66°42'23"E, 1700.09 feet; S23°17'37"E, 240.01 feet; N66°42'23"E, 509.08 feet to the Southerly line of Conservation Easement "A", as described in Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly line: S29°31'07"E, 70.44 feet; S42°12'14"E, 73.75 feet; S42°08'54"E, 119.27 feet; S69°22'47"E, 71.65 feet; S61°37'09"E, 113.52 feet; S60°38'59"E, 125.68 feet to the point of curvature of a curve concave Northerly having a radius of 100.00 feet and a chord bearing of S86°29'19"E; thence Easterly along the arc of said curve through a central angle of 51°40'41" for a distance of 90.20 feet to the point of tangency; N67°40'20"E, 76.59 feet; N80°12'06"E, 40.27 feet; N58°04'57"E, 111.70 feet; N70°11'18"E, 70.62 feet; N86°25'04"E, 113.81 feet; N83°01'49"E, 71.09 feet; thence departing said Southerly line run S00°00'00"E, 1439.13 feet; thence S72°10'43"W, 55.07 feet to the point of curvature of a curve concave Northerly having a radius of 3030.00 feet and a chord bearing of S83°10'38"W; thence Westerly along the arc of said curve through a central angle of 21°59'50" for a distance of 1163.29 feet to the point of tangency; thence N85°49'28"W, 410.79 feet; thence S00°00'00"W, 30.08 feet; thence N85°49'28"W, 615.18 feet to the point of curvature of a curve concave Southeasterly having a radius of 40.00 feet and a chord bearing of S50°44'40"W; thence Southwesterly along the arc of said curve through a central angle of 86°51'45" for a distance of 60.64 feet to the point of reverse of a curve concave Westerly having a radius of 1825.00 feet and a chord bearing of S12°31'09"W; thence Southerly along the arc of said curve through a central angle of 10°24'44" for a distance of 331.65 feet to the point of tangency; thence S17°43'31"W, 499.71 feet to the point of curvature of a curve concave Westerly having a radius of 1976.87 feet and a chord bearing of S20°42'03"W; thence Southerly along the arc of said curve through a central angle of 05°57'03" for a distance of 205.33 feet to the point of cusp of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of N67°41'48"E; thence Easterly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the point of tangency; thence S68°16'58"E, 532.64 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of S79°08'29"E; thence Easterly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; thence N90°00'00"E, 33.30 feet; thence S00°00'00"W, 1096.59 feet to the point of curvature of a curve concave Northwesterly having a radius of 40.00 feet and a chord bearing of S42°31'46"W; thence Southwesterly along the arc of said curve through a central angle of 85°03'33" for a distance of 59.38 feet to a non-tangent line; thence S04°56'27"E, 120.00 feet to a point on a non-tangent curve concave Southerly having a radius of 3190.00 feet and a chord bearing of S77°24'55"W; thence Westerly along the arc of said curve through a central angle of 15°17'16" for a distance of 851.16 feet to the point of tangency; thence S69°46'17"W, 396.18 feet to the point of curvature of a curve concave Northerly having a radius of 744.00 feet and a chord bearing of S71°32'08"W; thence Westerly along the arc of said curve through a central angle of 03°31'42" for a distance of 45.82 feet to the POINT OF BEGINNING.

PART B

That portion of Section 22, Township 24 South, Range 30 East, Orange County, Florida, lying south of the City of Orlando/Greater Orlando Aviation Authority Order of Taking (being taken

under Case No. 91-4738 in Official Records Book 4318, Page 3458, Public Records of Orange County, Florida) and South of Lots 38 and 39, ORLANDO KISSIMMEE FARMS, according to the plat thereof as recorded in Plat Book O, Page 75, Public Records of Orange County, Florida; LESS the Eastern Beltway/Southern Connector right-of-way conveyed to Orlando-Orange County Expressway Authority in Official Records Book 4345, Page 3237, and LESS the Orlando Utilities Commission Railroad Right-of-way (120' wide right-of-way).

TOGETHER WITH: That portion of Section 27, Township 24 South, Range 30 East, Orange County, Florida, lying south of the City of Orlando/Greater Orlando Aviation Authority Order of Taking (being taken under Case No. 91-692 in Official Records Book 4277, Page 2265, and under Case No. 91-4738 in Official Records Book 4318, Page 3458, Public Records of Orange County, Florida); LESS that portion for the Eastern Beltway/Southern Connector right-of-way conveyed to Orlando-Orange County Expressway Authority in Official Records Book 4345, Page 3237, and less the Orlando Utilities Commission Railroad Right-of-way (120' wide right-of-way); LESS that portion lying South of said Eastern Beltway/Southern Connector right-of-way.

PART C

That part of Sections 23 and 24, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence $N00^{\circ}14'36''E$ along the West line of the Southwest 1/4 of said Section 24 for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Railroad Right-of-way, said right-of-way, as recorded in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida, and the POINT OF BEGINNING; thence $S66^{\circ}42'21''W$ along said Northerly right-of-way line, 2044.68 feet to the East line of a City of Orlando 135-foot wide Power Line Easement, as recorded in Official Records Book 1838, Page 953, of the Public Records of Orange County, Florida; thence $N00^{\circ}01'26''W$ along said East line, 2081.96 feet; thence $N75^{\circ}10'16''E$, 146.86 feet; thence $N43^{\circ}35'53''E$, 90.13 feet; thence $N39^{\circ}43'27''E$, 45.16 feet; thence $N86^{\circ}26'06''E$, 187.29 feet; thence $N74^{\circ}52'40''E$, 123.31 feet; thence $N60^{\circ}12'33''E$, 422.15 feet; thence $N42^{\circ}19'43''E$, 42.43 feet; thence $N41^{\circ}02'48''E$, 286.01 feet; thence $N05^{\circ}15'20''E$, 39.82 feet; thence $N01^{\circ}04'51''E$, 80.56 feet; thence $N18^{\circ}38'33''W$, 101.30 feet to a point on a non-tangent curve concave Northeasterly having a radius of 1005.00 feet and a chord bearing of $N38^{\circ}58'34''W$; thence Northwesterly along the arc of said curve through a central angle of $10^{\circ}21'23''$ for a distance of 181.66 feet to the point of tangency and the Easternmost corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence $N33^{\circ}47'53''W$ along the Northeasterly line of said Lot 1 for a distance of 529.41 feet; thence $N56^{\circ}12'07''E$, 100.00 feet; thence $S33^{\circ}47'53''E$, 529.41 feet to the point of curvature of a curve concave Northeasterly having a radius of 905.00 feet and a chord bearing of $S35^{\circ}10'36''E$; thence Southeasterly along the arc of said curve through a central angle of $02^{\circ}45'27''$ for a distance of 43.55 feet to a non-tangent line; thence $N23^{\circ}11'55''E$, 160.17 feet; thence $N55^{\circ}00'29''E$, 42.77 feet; thence $N71^{\circ}12'07''E$, 110.40 feet; thence $N60^{\circ}00'59''E$, 69.74 feet; thence $N64^{\circ}25'40''E$, 115.29 feet; thence $N34^{\circ}44'31''E$, 83.87 feet; thence $N78^{\circ}19'40''E$, 85.56 feet; thence

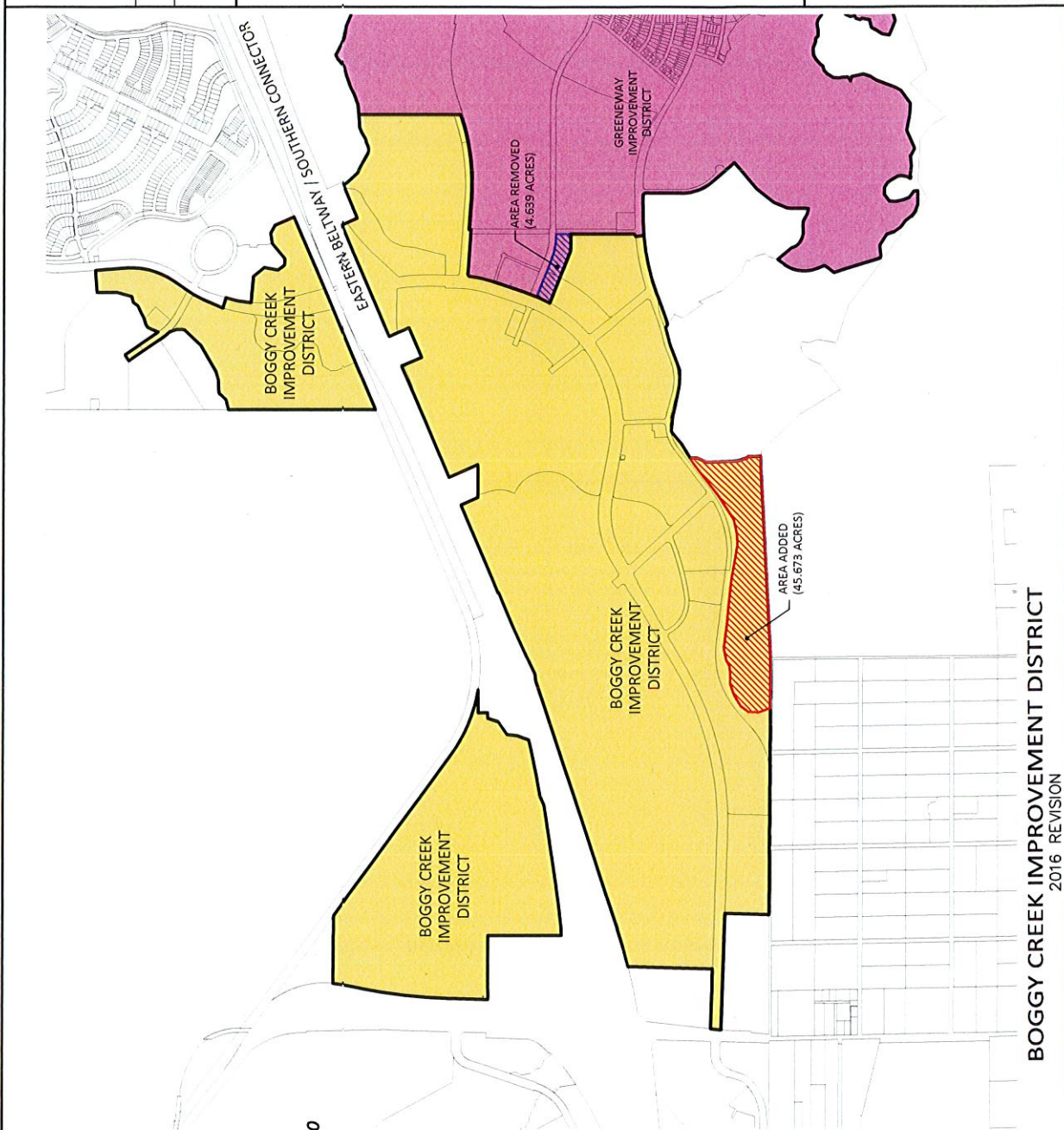
N14°45'41"E, 220.26 feet; thence N00°25'50"E, 276.70 feet; thence N85°42'44"E, 309.66 feet; thence S04°17'16"E, 424.22 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of S14°23'52"W; thence Southerly along the arc of said curve through a central angle of 37°22'17" for a distance of 704.43 feet to the point of tangency; thence S33°05'00"W, 208.63 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of S28°19'00"W; thence Southwesterly along the arc of said curve through a central angle of 09°32'00" for a distance of 359.41 feet to non-tangent line; thence S23°26'51"W, 258.93 feet; thence S73°17'12"E, 150.01 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of S10°51'37"W; thence Southerly along the arc of said curve through a central angle of 12°40'05" for a distance of 365.21 feet to a non-tangent line; thence S85°00'25"E, 369.25 feet; thence S39°54'33"E, 193.74 feet; thence S10°16'14"W, 201.57 feet; thence S37°35'26"E, 112.22 feet; thence S85°01'08"E, 89.57 feet; thence N49°41'35"E, 280.29 feet; thence N80°15'24"E, 142.51 feet; thence S61°29'24"E, 132.55 feet; thence S23°17'09"E, 292.91 feet to the aforesaid Northerly line of an Orlando Utilities Commission Railroad Right-of-way; thence S66°42'21"W along said Northerly line, 896.17 feet to the POINT OF BEGINNING.

All together containing 1085.023 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

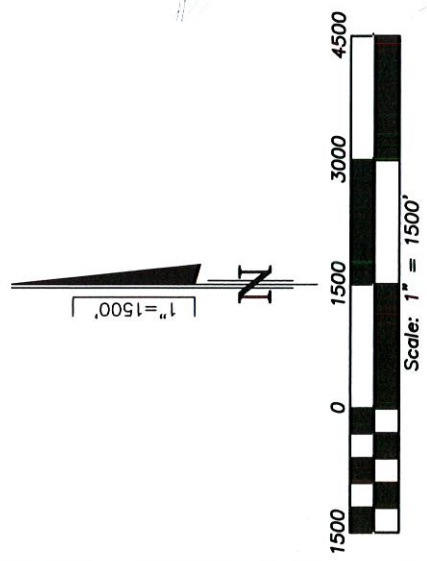
EXHIBIT 3

DRAWN BY: PH DATE: 01/23/08 CHECKED BY: SEG DATE: 01/23/08 JOB NO. 98157 SCALE 1"=1500' SHEET 1 OF 1		REVISIONS <table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>01/25/08</td> <td>PH</td> <td>REVISED SKETCH</td> </tr> <tr> <td>02/26/08</td> <td>PH</td> <td>REVISED SKETCH</td> </tr> <tr> <td>02/29/08</td> <td>PH</td> <td>REVISED SKETCH</td> </tr> <tr> <td>05/17/16</td> <td>PH</td> <td>REVISED SKETCH</td> </tr> </table>		DATE	BY	DESCRIPTION	01/25/08	PH	REVISED SKETCH	02/26/08	PH	REVISED SKETCH	02/29/08	PH	REVISED SKETCH	05/17/16	PH	REVISED SKETCH
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02/29/08	PH	REVISED SKETCH																
05/17/16	PH	REVISED SKETCH																

PREPARED FOR: **LAKE NONA**
BOGGY CREEK IMPROVEMENT DISTRICT



BOGGY CREEK IMPROVEMENT DISTRICT
 2016 REVISION



AREA SUMMARY	
BOGGY CREEK IMPROVEMENT DISTRICT	
2008 - REVISION =	1085.023 ACRES
AREA TO BE ADDED =	45.673 ACRES
AREA TO BE REMOVED =	4.639 ACRES
	1126.057 ACRES
SURVEY ADJUSTMENT = -0.014 ACRES	
2016 - REVISION =	1126.043 ACRES

LAKE NONA SOUTH
WETLAND 34 GROWTH MANAGEMENT PLAN AMENDMENT PARCEL

DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

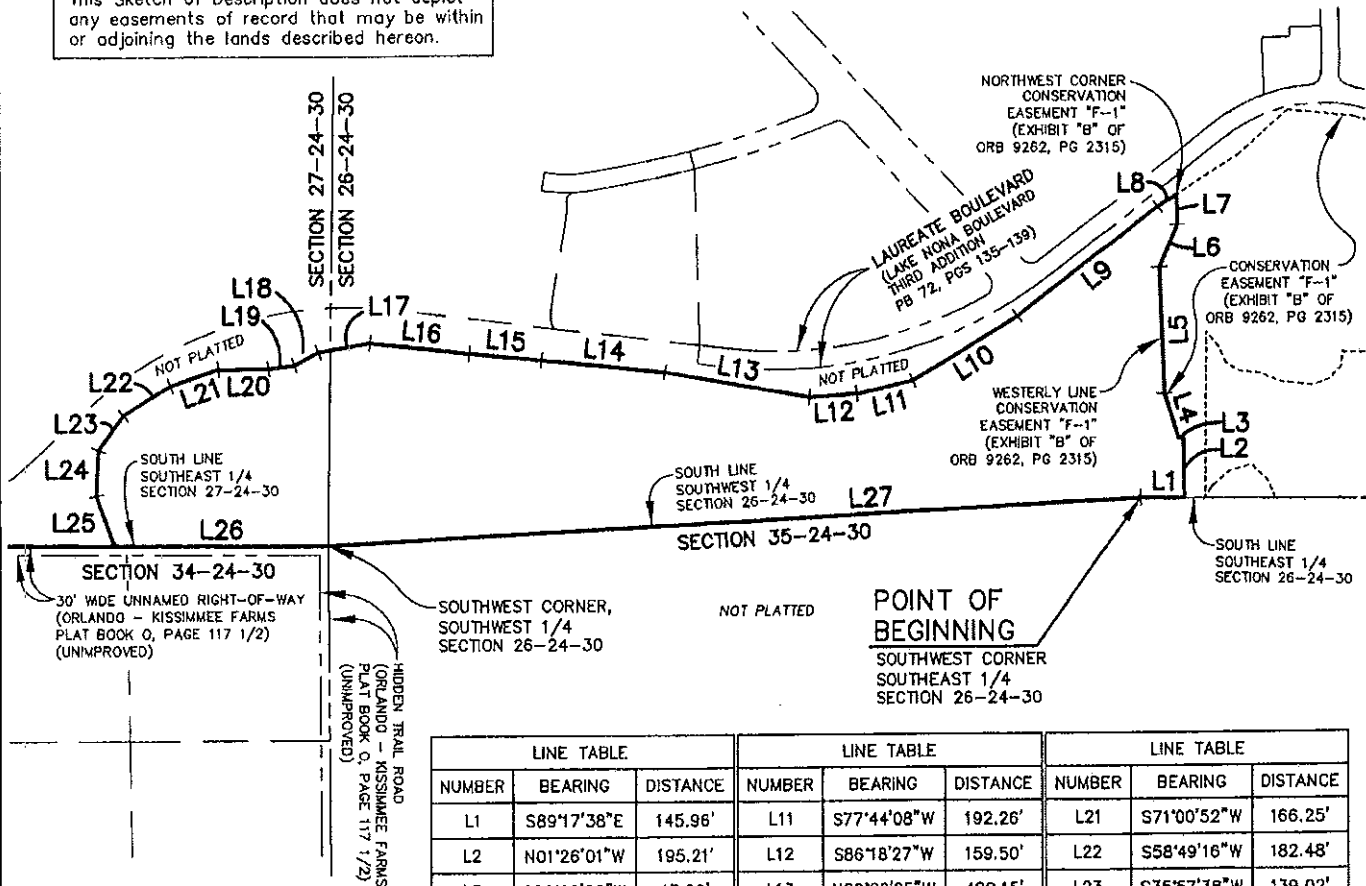
BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

SKETCH OF DESCRIPTION

This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described herein.

600' 0 600'
Scale: 1" = 600'



LEGEND

- L1 LINE NUMBER (SEE TABLE)
- C1 CURVE NUMBER (SEE TABLE)
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- NT NON-TANGENT
- R/W RIGHT-OF-WAY
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG(S) PAGE(S)

SECTION 26-24-30 SECTION, TOWNSHIP, RANGE

SEE SHEET 2 FOR NOTES AND LEGAL DESCRIPTION

LINE TABLE			LINE TABLE			LINE TABLE		
NUMBER	BEARING	DISTANCE	NUMBER	BEARING	DISTANCE	NUMBER	BEARING	DISTANCE
L1	S89°17'38"E	145.96'	L11	S77°44'08"W	192.26'	L21	S71°00'52"W	166.25'
L2	N01°26'01"W	195.21'	L12	S86°18'27"W	159.50'	L22	S58°49'16"W	182.48'
L3	S89°00'26"W	15.99'	L13	N80°02'25"W	482.15'	L23	S35°57'38"W	139.02'
L4	N17°18'59"W	153.68'	L14	N84°06'48"W	406.49'	L24	S02°32'11"W	149.10'
L5	N02°06'03"W	412.45'	L15	N85°03'30"W	245.29'	L25	S19°37'33"E	173.93'
L6	N23°06'35"E	151.30'	L16	N83°27'52"W	335.33'	L26	S89°36'24"E	710.47'
L7	N01°26'01"W	98.06'	L17	S79°59'55"W	172.65'	L27	N86°57'30"E	2691.32'
L8	S57°54'58"W	74.64'	L18	S62°15'22"W	90.24'			
L9	S52°24'26"W	582.43'	L19	S82°45'52"W	86.46'			
L10	S58°44'09"W	401.34'	L20	S89°52'22"W	168.71'			

PREPARED FOR:

Lake Nona Land Company, LLC

LAKE NONA SOUTH - WETLAND 34
GROWTH MANAGEMENT PLAN - AMENDMENT PARCEL

DATE	BY	DESCRIPTION
		REVISIONS



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. LB68

DONALD W. MCINTOSH ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. LB68

Scott Grossman May 09, 2014
Florida Registered Surveyor and Mapper
Certificate No. 5048
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DRAWN BY: PH
DATE: 5/2014

CHECKED BY: SG
DATE: 5/2014

JOB NO.
29180.007

SCALE
1"=600'

SHEET 1
OF 2

SKETCH OF DESCRIPTION

DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

NOTES:

- This is not a survey.
- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Bearings based on the South line of the Southeast 1/4 of Section 26, Township 24 South, Range 30 East, as being S89°17'38"E (an assumed meridian)
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.
- No title opinion or abstract of matters affecting title or boundary to the subject property or those of adjoining land owners have been provided. It is possible there are deeds of record, unrecorded deeds or other instruments which could affect the boundaries or use of the subject property.
- This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

PREPARED FOR:

Lake Nona Land Company, LLC

LAKE NONA SOUTH - WETLAND 34
GROWTH MANAGEMENT PLAN - AMENDMENT PARCEL



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>29180.007</u>	SCALE <u>N/A</u>	SHEET <u>2</u> OF <u>2</u>
DATE: <u>5/2014</u>	DATE: <u>5/2014</u>			

LAKE NONA SOUTH PARCEL
CDD TRANSFER PARCEL
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENEWAY IMPROVEMENT DISTRICT

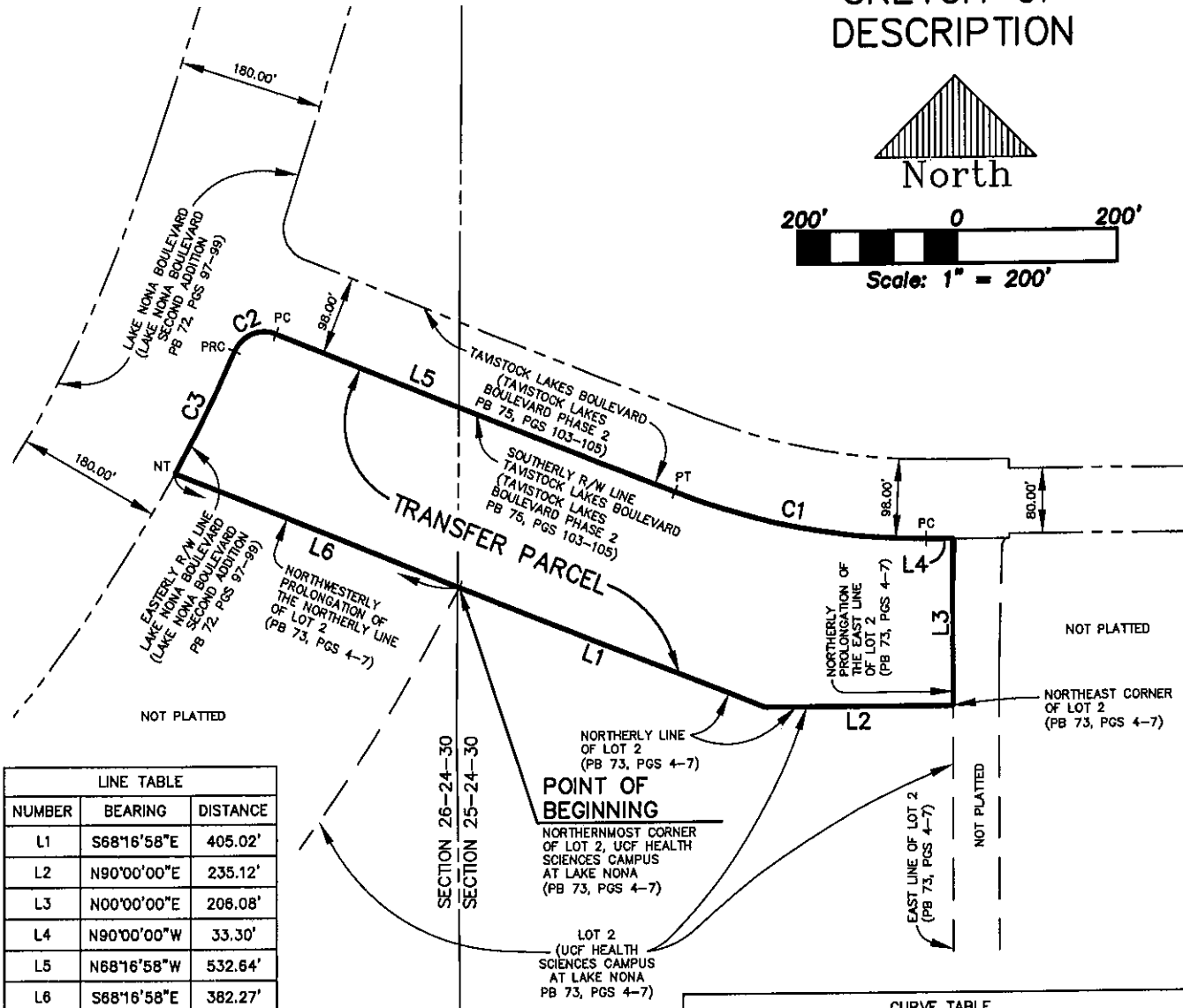
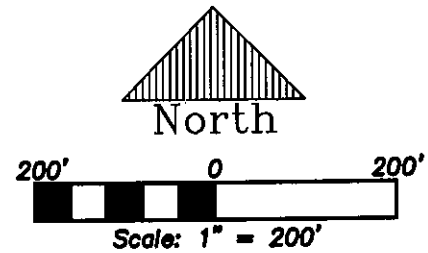
DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

SKETCH OF DESCRIPTION



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S68°16'58"E	405.02'
L2	N90°00'00"E	235.12'
L3	N00°00'00"E	208.08'
L4	N90°00'00"W	33.30'
L5	N68°16'58"W	532.64'
L6	S68°16'58"E	382.27'

This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described herein.

CURVE TABLE					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	846.00'	21°43'02"	320.67'	318.75'	N79°08'29"W
C2	40.00'	88°02'28"	61.46'	55.59'	S67°41'48"W
C3	1976.87'	4°52'08"	188.00'	187.94'	S26°06'39"W

SEE SHEET 1 FOR SKETCH

SEE SHEET 2 FOR NOTES, LEGEND AND LEGAL DESCRIPTION

PREPARED FOR:

LAKE NONA LAND COMPANY, LLC

LAKE NONA SOUTH

BOGGY CREEK IMPROVEMENT DISTRICT TO GREENWAY IMPROVEMENT DISTRICT

DATE	BY	DESCRIPTION
REVISIONS		



DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS

2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. LB68

DONALD W. McINTOSH ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. LB68

Scott Grossman March 16, 2016
Florida Registered Surveyor and Mapper
Certificate No. 5048
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DRAWN BY: PH

CHECKED BY: SG

JOB NO.

SCALE

SHEET 1

DATE: 3/2016

DATE: 3/2016

16028.001

1"=200'

OF 2

SKETCH OF DESCRIPTION

DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

NOTES:

- This is not a survey.
- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Bearings based on the Northerly line of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, Plat Book 73, Pages 4-7, Public Records of Orange County, Florida, being S68°16'58"E, per plat.
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.
- No title opinion or abstract of matters affecting title or boundary to the subject property or those of adjoining land owners have been provided. It is possible there are deeds of record, unrecorded deeds or other instruments which could affect the boundaries or use of the subject property.
- This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

LEGEND

L1 LINE NUMBER (SEE TABLE)
C1 CURVE NUMBER (SEE TABLE)
R/W RIGHT-OF-WAY
PB PLAT BOOK
PG(S) PAGE(S)
PC POINT OF CURVATURE
PT POINT OF TANGENCY
NT NON-TANGENT
PRC POINT OF REVERSE CURVATURE

SEE SHEET 1 FOR SKETCH

PREPARED FOR:

LAKE NONA LAND COMPANY, LLC

LAKE NONA SOUTH
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENWAY IMPROVEMENT DISTRICT



DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS

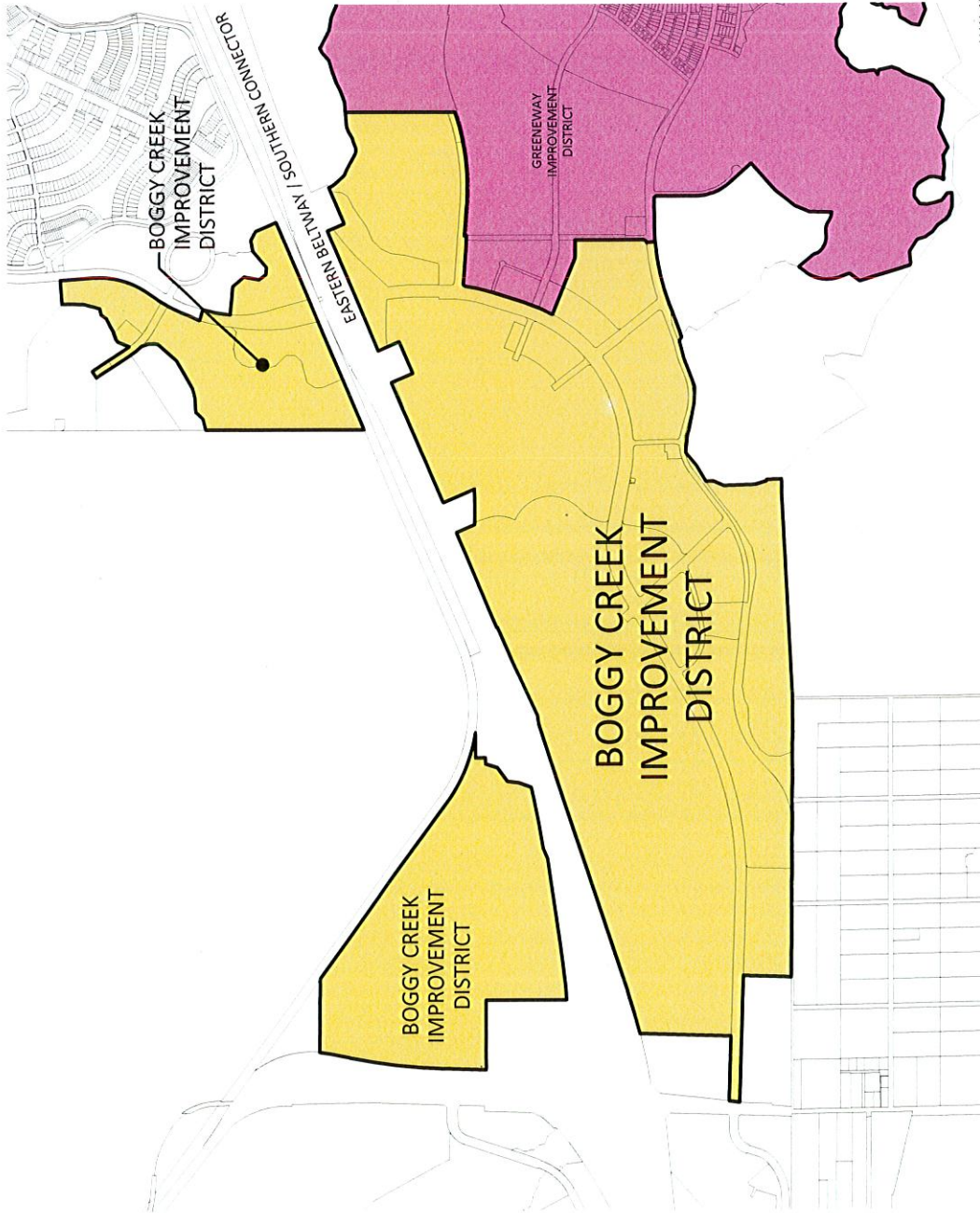
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>16028.001</u>	SCALE <u>N/A</u>	SHEET <u>2</u>
DATE: <u>3/2016</u>	DATE: <u>3/2016</u>			OF <u>2</u>

EXHIBIT 4

BOGGY CREEK IMPROVEMENT DISTRICT

2016 REVISION



MAY 17, 2016



DONALD W. MCINTOSH ASSOCIATES, INC.
ENGINEERS
PLANNERS
SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. LB68



[illegible]

The map shows the Boggy Creek Improvement District, which is a shaded area. It is located near Boggy Creek and Boggy Creek Road. A north arrow is in the top left corner. The map also shows the Boggy Creek Improvement District's location relative to the North and South, and its proximity to Boggy Creek and Boggy Creek Road. The map includes labels for Boggy Creek, Boggy Creek Road, and Boggy Creek Improvement District. A north arrow is present in the top left corner.



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Page 4

of Sections 25, 26, 27 and 28 of the 27th Session, 2d. Sess. Chap. County, March 1887.

THE STATE OF NEW YORK, ss: I, JAMES H. HARRIS, Clerk of the County of Oswego, do hereby certify that the following is a true and correct copy of the original of the same, as the same appears from the records of the County of Oswego, in the year 1887.

IN SENATE,

January 17, 1888.

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE,

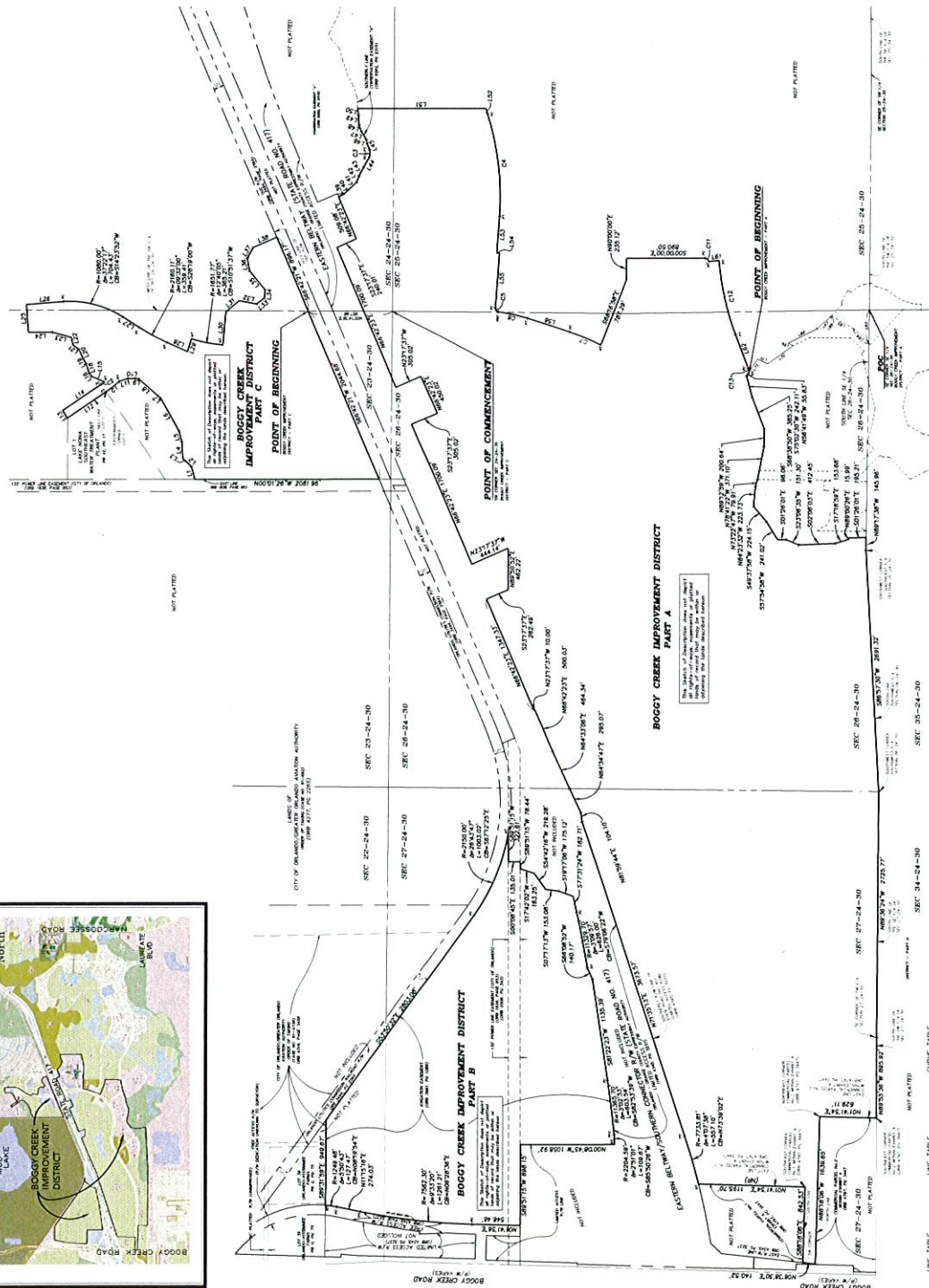
IN ANSWER TO A RESOLUTION PASSED BY THE SENATE, MAY 1, 1887.

ALBANY:

WEED, PARSONS AND COMPANY, PRINTERS.

1888.

2

[illegible][illegible]

Diets	Crude protein (%)	Crude fat (%)	Crude fiber (%)	Cellulose (%)	Cellulose:crude fiber ratio
Control	16.0	10.0	1.0	0.0	0.0
Cellulose	16.0	10.0	1.0	1.0	1.0
Cellulose + Cellulase	16.0	10.0	1.0	1.0	1.0
Cellulose + Cellulase + Cellulase	16.0	10.0	1.0	1.0	1.0
Cellulose + Cellulase + Cellulase + Cellulase	16.0	10.0	1.0	1.0	1.0

LINE	PROFILE	RELATION	DE ANIM	OST.FANCE
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98.0	98.0	98.0	98.0
99.0	99.0	99.0	99.0
100.0	100.0	100.0	100.0

SLAVE WOMEN'S NOBLES

- This is not a survey.
- Receipts based on the West line of the Southwest 1/4 of Section 24, Township 24 South, Range 30 East, Orange County, Florida, being N 37°13'30" E., on station marker
- Land and other herein were not detached for rights-of-way, easements, leases or other purposes of record by this firm.
- No title opinion or abstract of titles affecting title or boundary. In the sale of land, the seller warrants that he has no knowledge of any person or persons who are owners of legal, unperfected claims or other interests which could affect the business or use of the subject property.
- This Search of Description does not reflect or determine ownership

I hereby certify that this match, subject to the provisions of the Florida Statutes, is the approximate "Solemate of Professional Services and Supplies" in Chapter 105, Part 105, 105.477-0001, Florida Administrative Code, purchased by the following:

GLOBAL MONTEVAL ASSOCIATES, INC.
CORPORATE OFFICE OF MONTEVAL ASSOCIATES, INC.
10000 N.W. 22nd
Fort Lauderdale, Florida 33309
Telephone 305-555-5555

EXHIBIT 5

**Consent of Landowner to Addition of, and Exclusion From, Lands within
the Boggy Creek Improvement District, a Community Development District**

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

The undersigned understands and acknowledges that the Boggy Creek Improvement District, ("Petitioner" or "District") intends to submit a petition to amend its boundaries in accordance with the provisions of Chapter 190, *Florida Statutes*. The District intends to amend its boundaries to add the lands described in the **Exhibit A** (the "Expansion Parcel") and to exclude the lands described in **Exhibit B** (the "Contraction Parcel").

As a landowner, as defined by Chapter 190, *Florida Statutes*, of the Expansion Parcel and Contraction Parcel, the undersigned understands and acknowledges that pursuant to the provisions of section 190.046, *Florida Statutes*, the Petitioner is required to include the written consent of one hundred percent (100%) of the owners of the lands to be added to or removed from the District.

The undersigned hereby consents to the addition of the Expansion Parcel within the District and further consents to the exclusion of the Contraction Parcel from the District. The undersigned further agrees to execute any documentation necessary or convenient to evidence this consent during the application process for the amendment of the boundaries of the District.

The undersigned acknowledges that the consent will remain in full force and effect until the District is amended or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, the same consent in substantially this form.

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

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Executed this 18th day of May, 2016.

LAKE NONA LAND COMPANY, LLC

Witnessed:

Dorothy Torres
Print Name: DOROTHY TORRES

Gailyn P. Anderson
Print Name: Gailyn Anderson

By: [Signature] MR
Name: James L. Zboril
Title: President

STATE OF Florida
COUNTY OF Orange

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared James L. Zboril, President of Lake Nona Land Company, LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Orange and State of Florida this 18th day of May, 2016.



[Signature]
Notary Public

Personally known: ✓

Produced Identification: _____

Type of Identification: _____

Exhibit A: Legal Description of Expansion Parcel
Exhibit B: Legal Description of Contraction Parcel

EXHIBIT A

LAKE NONA SOUTH WETLAND 34 GROWTH MANAGEMENT PLAN AMENDMENT PARCEL

DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT B

LAKE NONA SOUTH PARCEL
CDD TRANSFER PARCEL
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENEWAY IMPROVEMENT
DISTRICT

DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 6

RESOLUTION NO. 2016-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT DIRECTING THE CHAIRMAN AND ALL DISTRICT STAFF TO FILE A PETITION WITH THE CITY OF ORLANDO, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Boggy Creek Improvement District ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* (the "Act"), by the City of Orlando, Florida ("City") by passage of an ordinance bearing document number 011126701, as amended by ordinances bearing document numbers 030224703, 0602131003, and 0805191002, each effectively amending the boundaries of the District (collectively, the "Ordinance"); and

WHEREAS, pursuant to the Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roads, roadway, drainage collection and water management systems, bridges, water supply and distribution systems, wastewater and reuse systems, recreational facilities, street-lighting systems, and open space and conservation areas; and

WHEREAS, the District presently consists of 1085 acres, more or less, as more fully described in the Ordinance; and

WHEREAS, the primary landowner within the District, Lake Nona Land Company, LLC, a Florida limited liability company ("Developer"), and its affiliates are presently developing real property within and adjacent to the District; and

WHEREAS, the Developer has approached the District and requested the District petition to amend its boundaries to contract the property described in the attached **Exhibit A** and add the property set forth in **Exhibit B**, in an effort to facilitate development of the overall lands as a functionally interrelated community and to promote compact and economical development of lands; and

WHEREAS, the proposed amendment to the District's boundaries would result in a net addition of 41.034 acres, more or less, and is within the amendment size restrictions contained within Section 190.046(1), *Florida Statutes*; and

WHEREAS, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District is amenable to separate special district government; and

WHEREAS, the Board has determined that the proposed amendment would increase the developable/assessable acreage of the District and would therefore spread costs and expenses associated with the construction, acquisition, and maintenance of planned infrastructure improvements and services, thereby reducing the cost to future individual property owners; and

WHEREAS, in order to seek a boundary amendment pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District Staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District Staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, *Florida Statutes*, which processes include the preparation of a petition to the City of Orlando, the holding of a local hearing in accordance with Section 190.046(1), *Florida Statutes*, and such other actions as are necessary in furtherance of the boundary amendment process.

**NOW, THEREFORE, BE IT RESOLVED BY THE
BOARD OF SUPERVISORS OF THE BOGGY
CREEK IMPROVEMENT DISTRICT:**

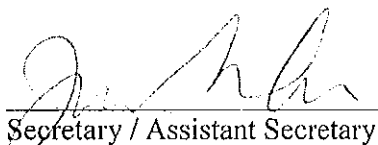
SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

SECTION 2. The Board hereby directs the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of a petition and related materials with the City of Orlando to seek the amendment of the District's boundaries to contract the property described in the attached **Exhibit A** and add the property set forth in **Exhibit B**, pursuant to Chapter 190, *Florida Statutes*, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes*, for the amendment of the District's boundaries.

SECTION 3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 21st day of March, 2016.

ATTEST:


Secretary / Assistant Secretary

**BOGGY CREEK
IMPROVEMENT DISTRICT**

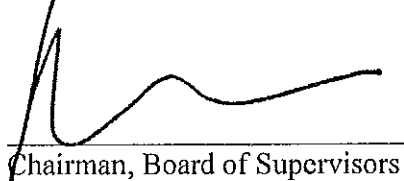

Chairman, Board of Supervisors

Exhibit A

Contraction Parcel

**LAKE NONA SOUTH PARCEL
CDD TRANSFER PARCEL
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENEWAY IMPROVEMENT
DISTRICT**

DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

Exhibit B

Additional Parcel

LAKE NONA SOUTH WETLAND 34 GROWTH MANAGEMENT PLAN AMENDMENT PARCEL


DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:


BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 7



City of Orlando
Future Land Use Map
Economic Development Department
City Planning Division



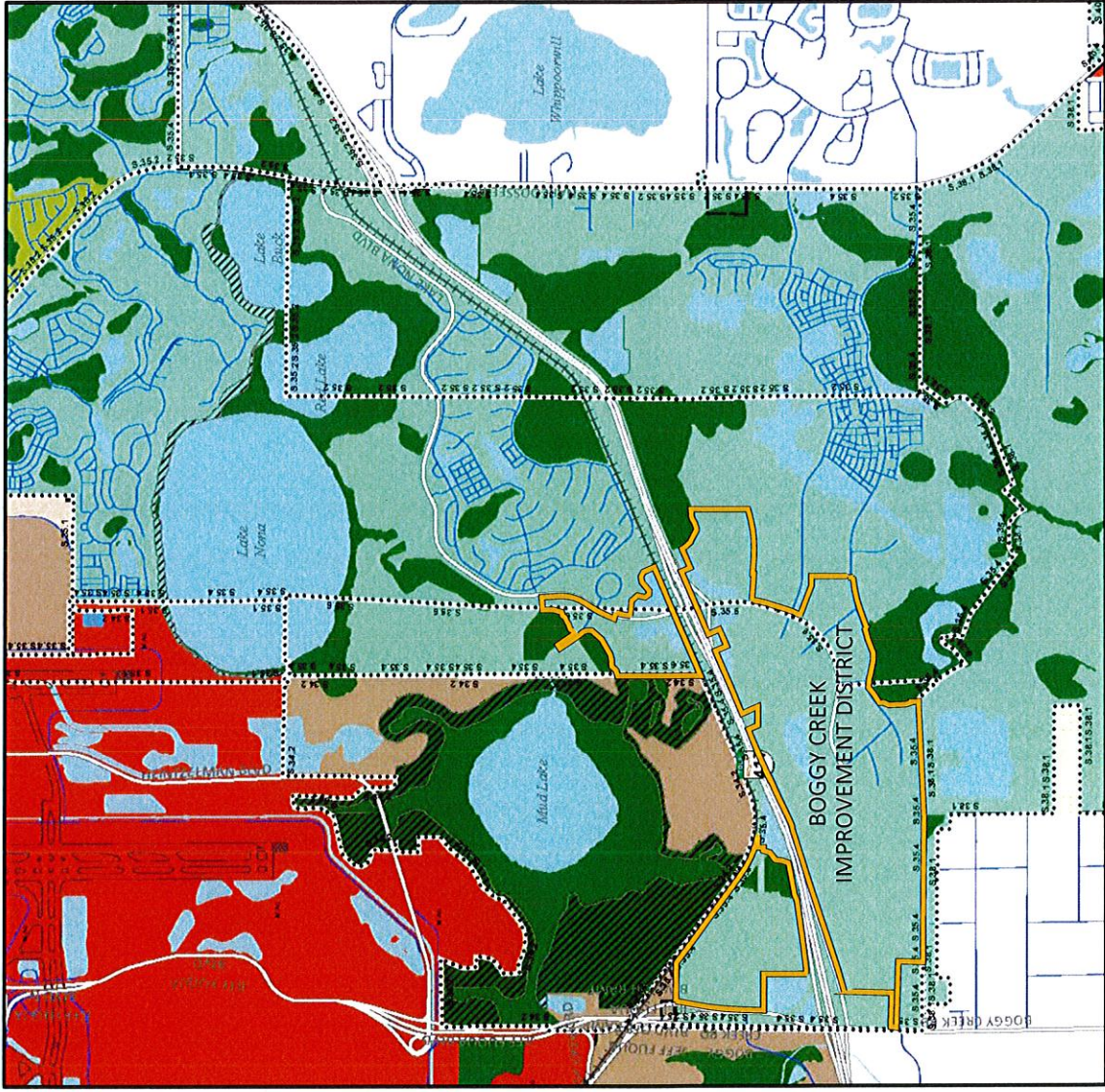
Updated Through 15-IESR

This map is not the Official Future Land Use Map and has been prepared for general information. It is not intended to be used for legal purposes. The City of Orlando Economic Development Department City Planning Division does not design or engineer any facility, building, or structure, and does not warrant or guarantee the accuracy or completeness of the information provided. The City of Orlando does not assume any liability for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of this map. For more information, please contact the City of Orlando Economic Development Department City Planning Division.

Future Land Use Map LEGEND

	Residential Low Intensity Max. 40 DU/acre and/or 0.3 FAR Min. None		Mixed Use Corridor Medium Intensity Max. 200 DU/acre and/or 0.3 FAR Min. 15 DU/acre
	Residential Medium Intensity Max. 30 DU/acre and/or 0.30 FAR Min. 12 DU/acre		Mixed Use Corridor High Intensity Max. 200 DU/acre and/or 1.0 FAR Min. 30 DU/acre and/or 0.4 FAR
	Residential High Intensity Max. 20 DU/acre and/or 0.35 FAR Min. 10 DU/acre		Neighborhood Activity Center Max. 30 DU/acre and/or 0.3 FAR Min. 15 DU/acre
	Mixed Use/Neighborhood Development Max. 12 DU/acre and/or 0.4 FAR Min. None		Community Activity Center Max. 40 DU/acre and/or 0.7 FAR Min. 20 DU/acre and/or 0.25 FAR
	Office Low Intensity Max. 40 DU/acre and/or 0.4 FAR Min. None		Urban Activity Center Max. 200 DU/acre and/or 1.0 FAR Min. 30 DU/acre and/or 0.3 FAR
	Office Medium Intensity Max. 40 DU/acre and/or 0.7 FAR Min. 12 DU/acre and/or 0.3 FAR		Metropolitan Activity Center Max. 200 DU/acre and/or 3.0 FAR Min. 30 DU/acre and/or 0.75 FAR
	Office High Intensity Max. 40 DU/acre and/or 1.0 FAR Min. 20 DU/acre and/or 0.4 FAR		Downtown Activity Center Max. 200 DU/acre and/or 1.0 FAR Min. 20 DU/acre and/or 0.25 FAR
	Industrial Max. 40 DU/acre and/or 0.7 FAR Min. 12 DU/acre (V)		Urban Reserve Max. 10 DU/acre and/or 0.05 FAR Min. None
	Airport Support District Med. Intensity See Use 4 and Associated Airport Support District High Intensity		Traditional Wildlife Habitat Overlay Resource Protection Overlay
	Airport Support District High Intensity See Use 4 and Associated Airport Support District Med. Intensity		Resource Protection Overlay Growth Management Plan Subarea Policy (See Future Land Use Element)
	Urban Village See Use 4 and Associated Airport Support District High Intensity		Jurisdiction Boundary Growth Management Plan Subarea Policy (See Future Land Use Element)
	Public/Recreational & Institutional See Use 4 and Associated Airport Support District High Intensity		Notes/Definitions FAR: Floor Area Ratio DU: Dwelling Units GMP: Growth Management Plan Subarea Policy and Growth Management Plan Amendment will be required for official designation of the Future Land Use Element.
	Lake Conservation Max. 1 DU/acre, 0.05 FAR Min. None		
	Conservation Max. 1 DU/acre, 0.05 FAR Min. None		

PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC.
BASED ON INFORMATION FROM THE CITY OF ORLANDO WEBSITE.



BOGGY CREEK IMPROVEMENT DISTRICT
2016 REVISION

EXHIBIT 8



**DONALD W. MCINTOSH
ASSOCIATES, INC.**

May 26, 2016

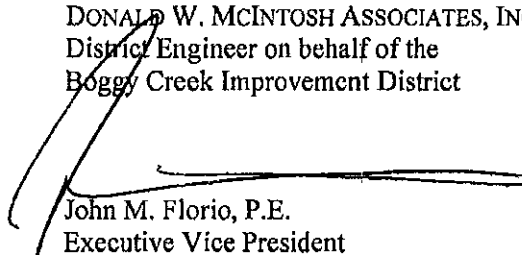
Re: Boggy Creek Improvement District
2016 Proposed Boundary Amendment

To Whom It May Concern:

We are the District Engineer for the Boggy Creek Improvement District. Based on the boundary amendments described and proposed in the Petition to Amend the Boundaries of the Boggy Creek Improvement District (2016), the District will not require additional or revised infrastructure from that currently existing or included in the approved *Amended and Restated Engineer's Report for Capital Improvements for Infrastructure* dated March 18, 2013 (the "Report"). Therefore, no additional costs to the District are anticipated in connection with the approval of the proposed boundary amendments. Enclosed herein, please find Table 1 included within the Report that identifies the components of the District's Capital Improvement Plan and the estimated cost of the provision of the same.

If you have any questions, please let me know.

Very truly yours,
DONALD W. MCINTOSH ASSOCIATES, INC.
District Engineer on behalf of the
Boggy Creek Improvement District


John M. Florio, P.E.
Executive Vice President

JMF/lt

Enclosure

c: Richard Levey, Chairman w/enclosure
Joe MacLaren – Fishkind & Associates w/enclosure
Tucker Mackie – Hopping, Green & Sams w/enclosure

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-644-8318

407-644-4068

F:\Proj2003\23218\ENGadmin\Cleo1268.docx

<http://www.dwrna.com>

TABLE 1

ENGINEER'S OPINION OF PROBABLE COST
BOGGY CREEK IMPROVEMENT DISTRICT
SUPPLEMENTAL ENGINEER'S REPORT SUMMARY

March 18, 2013

Component	Series 2010 Spent to Date⁽¹⁾	Anticipated Improvements Funded by 2013 Bonds	Proposed Future Improvements	Total Project
Roadway/Stormwater/ Landscape ^(2,3,4)	\$30,600,000.00	\$11,020,000.00	\$17,865,000.00	\$59,485,000.00
Utilities	\$3,780,000.00	\$1,175,000.00	\$3,330,000.00	\$8,285,000.00
Conduit/Duct Bank System/Lighting	\$3,400,000.00	\$ 810,000.00	\$2,440,000.00	\$6,650,000.00
Contingency & Soft Costs	<u>\$1,720,000.00</u>	<u>\$3,495,000.00</u>	<u>\$7,165,000.00</u>	<u>\$12,380,000.00</u>
Total:⁽⁵⁾	\$39,500,000.00	\$16,500,000.00	\$30,800,000.00	\$86,800,000.00

Notes:

(1) "Series 2010 Spent to Date" numbers are Requisitions approved as of March 1, 2013 and are rounded.

(2) Roadway/Stormwater/Landscape components include acquisition of some right-of-ways and/or pond tracts, subject to an MAI appraisal and Board approval.

(3) A series of interconnected multi-purpose trails / recreation areas are included as part of the overall project's landscape / hardscape and irrigation plans. The District intends to own and maintain all such improvements.

(4) "Stormwater" portion of projects includes roadway collection and transmission systems and master system outfalls.

(5) Improvements identified in the Capital Improvement Plan may be financed with proceeds of any series of Bonds or other available capital, subject to Board approval.

EXHIBIT 9



**STATEMENT OF ESTIMATED
REGULATORY COSTS
ACCOMPANYING THE
PETITION TO AMEND THE
BOUNDARIES OF THE BOGGY
CREEK IMPROVEMENT
DISTRICT**

March 31, 2016

Prepared by:

**Fishkind & Associates, Inc.
12051 Corporate Blvd.
Orlando, Florida 32817**

STATEMENT OF ESTIMATED REGULATORY COSTS

Boggy Creek Improvement District

March 31, 2016

1.0 Introduction

1.1 Purpose and Scope

This statement of estimated regulatory costs (SERC) supports the petition to amend the boundaries of the Boggy Creek Improvement District (the "District"). The proposed boundary amendments will exclude 4.639 acres of land from the District's current boundaries ("Contraction Parcel") and add 45.673 acres of land ("Expansion Parcel"). The Expansion Parcel is not currently located within the boundaries of any Florida Special District. The Contraction Parcel will be annexed into the boundaries of the Greenway Improvement District contemporaneously with its contraction from the District. More details on the regulatory costs related to the Contraction Parcel can be found in the Statement of Estimated Regulatory Costs Accompanying the Petition to Amend the Boundaries of the Greenway Improvement District, dated March 31, 2016. The District proposes to provide infrastructure and community services to the lands within its boundaries as described more fully below.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. as follows (emphasis added):

"That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant."

1.2 Overview of the District

Boggy Creek is one of three Improvement Districts located within a master-planned community known as the Lake Nona Planned Development (the

"Development") (additional districts include the Greenway Improvement District and the Myrtle Creek Improvement District). The Development was initiated by Lake Nona Property Holdings, LLC (the "Developer"). The District is predominantly located in that part of the Development known as "Lake Nona South", which is generally located to the south of State Road 417 east of Boggy Creek Road, west of Narcoossee Road, and north of the Osceola County line in the City of Orlando, Orange County, Florida.

The District was established to fund and/or acquire public infrastructure facilities and services serving the approximately 1,085 acres of property currently located within the District. The land within the District is planned to be developed into a mixed-use community including multi-family residences, retail and office space, one or more hotels, and other land uses. The District plans to provide localized infrastructure improvements and services to serve the land in the District and any offsite mitigation required by the Development Order. The District will fund the majority of its community Infrastructure by issuing bonds from time to time secured by, among other things, proceeds of non-ad valorem special assessments levied on land within the District. The District would also provide community infrastructure, services, and facilities, along with their operations and maintenance, to the property to be annexed into the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (2015) defines the elements a statement of estimated regulatory costs must contain:

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

- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.
- (e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 An economic analysis showing whether the amendment of the District's boundaries directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs

Section 120.541(2)(a), F.S., requires an economic analysis showing whether the proposed amendment to the District's boundaries will directly

The District will have the ability to assess its property owners to pay for the installation, operation, and maintenance of its infrastructure improvements. However, such costs will not be in addition to, or unique to the District. The infrastructure improvements to be funded by the District would be required to support development, regardless of the District's existence. Improvement districts such as the proposed District can fund their infrastructure improvements with long-term bond financing that typically carries more favorable terms than other sources of funding. Thus, the costs related to the installation of the public infrastructure serving the planned new development will not be increased due to the existence of the District.

As noted above, the land to be annexed into the District is approximately 45.673 acres. This parcel will likely be the only land substantially affected by the proposed boundary amendment. Approval of the proposed amendment would place this parcel's landowners under the jurisdiction of the proposed District and subject them to District assessments.

4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues.

4.1 Impact on State and Local Revenues

State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the amendment of the District's boundaries. The City of Orlando (the "City") is the government having jurisdiction over the proposed boundary amendment, pursuant to Section 190.005(2), F.S. The State will incur no costs in reviewing the petition to amend the District's boundaries and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the District's boundary amendment will be minimal, if any. The required annual reports the District must file with the State are outlined in the attached Appendix. However, as the District currently exists, the District must already file all of these reports. Thus, there will be no additional reporting or monitoring costs on the part of the State related to the District's boundary amendment. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.412, F.S, the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

Orange County

The costs to Orange County (the "County") due to the amendment of the District's boundaries will be modest, if any. The City of Orlando (the "City") is the government having jurisdiction over the proposed boundary amendment, pursuant to Section 190.005(2), F.S. Thus, the County will incur no costs in reviewing the petition to amend the District's boundaries and the County will not be required to hold any public hearings on the matter.

City of Orlando

The City staff will process, analyze, and conduct public hearing(s) on the petition to amend the District's boundaries. These activities will absorb the

time of the City staff and City Commissioners. However, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Fifth, the petitioner may be required by the City to pay a filing fee to compensate the City for any advertising expense occurred and for the time City staff spends analyzing the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to amend the District's boundaries.

The annual costs to the City, related to the continued existence of the District, are also minimal and within the control of the City. The District will be an independent unit of local government. The only annual costs incurred by the City on behalf of the District will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City. However, as noted above, the District already exists and no new reporting activity will be required as a result of the District's boundary amendment.

4.2 Impact on State and Local Revenue

Adoption of the proposed ordinance will have no negative impact on State or local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the County, or the City. By State law, the debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance amending the District's boundaries.

The District's Board of Supervisors ("Board") has adopted a capital improvement program ("CIP"), which outlines the public infrastructure needed to serve development within the District. A summary of the components and costs of the District's CIP is found in Table 1, below.

Table 1. CIP Components & Estimated Costs

<u>Category</u>	<u>Est. Cost</u>
Roadways, Stormwater, & Landscaping	\$59,485,000
Utilities	\$8,285,000
Conduit, Duct Bank System, & Lighting	\$6,650,000
Contingency & Soft Costs	<u>\$12,380,000</u>
Total	<u>\$86,800,000</u>

The District has previously issued its Series 2013 Special Assessment Revenue Bonds ("Series 2013 Bonds"). The Series 2013 Bonds were issued to both: a) refinance the District's previous Series 2010 Special Assessment Revenue Bonds, and b) to raise new funds for the continued implementation of the District's CIP. Table 2 provides a summary of the District's Series 2013 Bonds.

**Table 2. Boggy Creek Improvement District
Series 2013 Bonds Details**

<u>Bond Fund</u>	<u>Series 2010 Tender Amount</u>	<u>New Money Issuance Amount</u>	<u>Series 2013 Bonds Total</u>
Original Issue Discount	\$755,290	\$312,832	\$1,068,122
Construction Fund	\$0	\$14,963,985	\$14,963,985
Debt Service Reserve	\$2,891,213	\$1,102,013	\$3,993,226
Underwriter's Discount	\$493,189	\$204,273	\$697,461
Costs of Issuance	\$131,883	\$56,897	\$188,780
Accrued Interest	\$1,227,353	\$0	\$1,227,353
Net Cost of Series 2010 Redemption	<u>\$34,676,074</u>	<u>\$0</u>	<u>\$34,676,074</u>
Par	<u>\$40,175,000</u>	<u>\$16,640,000</u>	<u>\$56,815,000</u>

To secure the repayment of the Series 2013 Bonds, the District has levied special assessments on all properties within the boundaries of the existing District. These Series 2013 Bonds assessments will likely be re-levied and extended to cover the new parcel to be annexed into the District. Thus, the District assessments for the development planned for the Expansion Parcel will likely be similar to the existing assessments, outlined in Table 3 below.

Table 3. Series 2013 Bonds Assessments

<u>Category</u>	<u>Series 2013 Bonds Principal Debt/ Unit</u>	<u>Series 2013 Bonds Net Annual Assessment/ Unit</u>	<u>Series 2013 Bonds Gross Annual Assessment/Unit*</u>
<u>Residential</u>	<u>per Unit</u>	<u>per Unit</u>	<u>per Unit</u>
Multi-Family Units	\$8,882	\$623.87	\$653.27
<u>Hotel</u>	<u>per Room</u>	<u>per Room</u>	<u>per Room</u>
Hotel (Rooms)	\$11,103	\$779.84	\$816.58
<u>Commercial/Medical</u>	<u>per Sq.Ft.</u>	<u>per Sq.Ft.</u>	<u>per Sq.Ft.</u>
Retail (Sq.Ft.)	\$18.50	\$1.30	\$1.36
Office (Sq.Ft.)	\$14.80	\$1.04	\$1.09
Flex (Office/Warehouse) (Sq.Ft.)	\$9.25	\$0.65	\$0.68
Medical Office (Sq.Ft.)	\$18.50	\$1.30	\$1.36
Hospital (Sq.Ft.)	\$18.50	\$1.30	\$1.36
Medical Research/Campus (Sq.Ft.)	\$12.34	\$0.87	\$0.91

*Includes a 0.5% allowance for the fees of the Orange County Property Appraiser and Tax Collector, together with a 4.0% allowance for the statutory early payment discount, for a total 4.5% gross-up.

Landowners within the District, including the owners of the Expansion Parcel, will be required to pay non-ad valorem assessments levied by the District to secure the repayment of the District's bond debt. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Tables 2 and 3 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed.

Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer provided infrastructure and facilities. Along these same lines, District imposed assessments for operations and maintenance cost are similar to what would be charged in any event by a property owner's association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the cost and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, the decision of new purchasers to acquire property within the District is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal services taxing unit (MSTU), a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

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

There will be no adverse impact on small businesses because of the amendment to the District's boundaries. If anything, the impact will be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

As noted above, there will be no adverse impact on the City due to the amendment of the District's boundaries. The District will provide infrastructure facilities and services to the Expansion Parcel. These facilities and services will help make this property developable. Development of the property within the District will increase the value of this

property and, consequently, increase the property taxes that accrue to the City. These increased property taxes (along with other direct and indirect revenues accruing to the City as a result of the development of the land within the District) will offset any new staff, facilities, or equipment the City adds to provide services to the property owners within the District.

7.0 Any additional useful information.

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

Finally, it is useful to reflect upon the question of whether the District is the best alternative to provide community facilities and services to the lands to be annexed into the District. As an alternative to the District, the County could approve a dependent special district for the area, such as an MSBU or a special taxing district under Chapter 170 of the Florida Statutes. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the proposed District.

However, unlike the District, the alternatives would require the County to continue to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. With a District, residents and renters within the District would have a focused unit of government under their direct control. The District can then be more responsive to resident needs without disrupting other County responsibilities.

Another alternative to the District would be for the Developer to provide the infrastructure and to use a property owners association (POA) for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA a District can impose and collect its assessments along with other property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government. Therefore, unlike the POA the District must abide by all governmental rules and regulations.

Fishkind & Associates, Inc. ("Fishkind") certifies that this SERC meets the requirements for a SERC as set out in Section 120.541, F.S.

Fishkind has drafted more than 100 SERCs. Below is a listing of some of the Districts for which we have prepared SERCs.

- New Port Tampa Bay Improvement District in Tampa
- Highlands Community Development District in Hillsborough County
- Lakewood Ranch Stewardship District in Manatee County
- Babcock Ranch Community Independent Special District in Charlotte County
- Urban Orlando Improvement District in Orlando
- Palazzo Del Lago Improvement District in Orange County
- Winter Garden Village at Fowler Groves Improvement District in Winter Garden
- Midtown Orlando Improvement District in Orange County
- The Tradition "Family" of Improvement Districts in Port St. Lucie

APPENDIX

LIST OF District REPORTING REQUIREMENTS

REPORT	FLORIDA STATUTE SECTION	DATE
Annual Financial Audit	218.39	9 months after end of fiscal year
Annual Financial Report (AFR)	218.32	Within 45 days after delivery of audit
Financial Disclosure Form 1	112.3145	By July 1
Public Depositor	280.17	By November 30
Proposed Budget	190.008	By June 15
Adopted Budget	190.008	By October 1
Public Facilities Report	189.415	Initial report within 1 year of creation, updates every 7 years
Public Meetings Schedule	189.417	Beginning of fiscal year
Notice of Bond Issuance	218.38	Within 120 days after delivery
Registered Agent	189.416	30 days after first Board Meeting
Notice of Establishment	190.0485	30 days after formation
Creation Documents	189.418	30 days after adoption
Notice of Public Finance	190.009	After financing