

**BEFORE THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA**

**IN RE: PETITION (A) TO CONTRACT THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 PURSUANT TO SECTION 190.046(1), FLORIDA STATUTES, AND (B) TO ESTABLISH TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO SECTION 190.005, FLORIDA STATUTES**

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**PETITION**

**Mattamy Palm Beach LLC**, a Delaware limited liability company ("**Petitioner**"), is owner of the lands lying within the external boundaries of the **Tradition Community Development District No. 8** ("**District No. 8**"), a community development district ("**CDD**") established pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended ("**Act**"), and other applicable law by Ordinance No. 06-100 enacted by the City of Port St. Lucie, Florida ("**City**"), on September 25, 2006. The Petitioner, joined by the Board of Supervisors ("**Board**") of District No. 8, hereby petitions the City Council of the City ("**City Council**"):

(a) **To contract the external boundaries of District No. 8** in accordance with Section 190.046(1) of the Act, and

(b) **To establish a new Tradition Community Development District No. 11** ("**District No. 11**") in accordance with Section 190.005 of the Act from the lands to be excluded from District No. 8,

all in the manner described below. Except as otherwise defined herein, all capitalized terms used in this Petition shall have the meanings set forth in the 2008 Interlocal Agreement or the New CIP Interlocal Agreement (both defined below).

In support of this Petition, the Petitioner, joined by the Board of District No. 8, attests as follows:

**Background**

1. **Tradition Districts.** The lands within District No. 8, together the lands within the adjacent **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1** ("**District No. 1**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2** ("**District No. 2**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3** ("**District No. 3**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 4** ("**District No. 4**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 5** ("**District No. 5**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 6** ("**District No. 6**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7** ("**District No. 7**"), **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9** ("**District No. 9**"), and

**TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10 (“District No. 10”** and, together with District Nos. 1 through 9, the **“Tradition Districts”**), comprise the entirety of the mixed use developments of regional impact known as **“Tradition”** (District Nos. 1 through 6 and a portion of District No. 7) and **“Western Grove”** (a portion of District No. 7 and all of District Nos. 8 through 10).

2. 2003 Benefit Area; New CIP Area. The **“2003 Benefit Area”** currently consists of all of the District Lands within the boundaries of District Nos. 1 through 6 and a portion of the District Lands within the boundaries of District No. 7 (District Nos. 1 through 7, the **“2003 Project Districts”**). The **“New CIP Area”** currently consists of that portion of the District Lands within the boundaries of District No. 7 that is not within the 2003 Benefit Area, and all of the District Lands within the boundaries of District Nos. 8 through 10 (District Nos. 7 through 10, the **“New CIP Districts”**).

3. Interlocal Agreements. To facilitate the financing, construction, acquisition, operation, and maintenance of certain components of public infrastructure (**“Public Infrastructure”**) for developments of regional impact governing the lands located within the 2003 Project Districts (the Tradition DRI) and the New CIP Districts (the Western Grove DRI), and to better assure compliance with those development orders as they relate to such infrastructure:

(a) All of District Nos. 1 through 10 have entered into that certain Amended and Restated District Development Interlocal Agreement dated as of April 8, 2008 (**“2008 Interlocal Agreement”**).

(b) With respect to infrastructure serving the New CIP Area, the New CIP Districts have supplemented the 2008 Interlocal Agreement by entering into or joining that certain District Development Interlocal Agreement dated as of March 10, 2021 (**“New CIP Interlocal Agreement”** and, together with the 2008 Interlocal Agreement, the **“Interlocal Agreements”**).

(c) As important here, the Interlocal Agreements generally provide for coordinated financing of Public Infrastructure, and centralized administration, budgeting, and governance of maintenance and other operations, throughout the Western Grove project and across all of the New CIP Districts. Public Infrastructure serving the New CIP Area, in turn, is described in the Master Engineer's Report dated March 11, 2008 (**“Master Engineer’s Report”**), as amended and supplemented. The actual improvements comprising, and the estimated costs for, Public Infrastructure serving the New CIP Area may vary from those identified and set forth in the Master Engineer’s Report, but any change would be the result of development amendments or modifications to Western Grove, all subject to approval by the City, and not the result of contracting the boundaries of District No. 8 or establishing a new District No. 11 as proposed in this Petition.

4. Current External Boundaries of District No. 8; Proposed Boundaries. The current external boundaries of District No. 8 contain a total of approximately 546.7 acres of real property that comprises a portion of Western Grove and the New CIP Area. All of these lands are located entirely within the jurisdictional boundaries of the City. The current external boundaries of

District No. 8, together with the boundaries of the other Tradition Districts, are depicted on the map annexed as Exhibit A-1 to this Petition. The proposed external boundaries of District No. 8 and new District No. 11 following the changes as requested in this Petition are depicted on the map annexed as Exhibit A-2 to this Petition.

### **Summary of Petition**

5. **Petition.** The Petitioner, joined by the Board of District No. 8, requests that the City Council:

(a) **Contract the external boundaries of District No. 8** so that following the requested contraction District No. 8 would contain a total of approximately 525.7 acres; and

(b) **Establish a new District No. 11** from the lands removed by the contraction of District No. 8 so that following the requested establishment the new District No. 11 would contain a total of approximately 21.0 acres.

The total area within the external boundaries of both District No. 8 and District No. 11 following the changes proposed in this Petition will remain approximately 546.7 acres.

### **Information Required for the Petition to Contract the External Boundaries of District No. 8**

6. **Contraction Within Statutory Limits.** Consistent with the limitations set forth in Section 190.046(1)(e)2 of the Act, the acreage of the contraction that is the subject of this Petition does not exceed a cumulative net total greater than 50 percent of the acres initially located within the external boundaries of District No. 8 and does not exceed 1,000 acres.

7. **Proposed Metes and Bounds Description of District No. 8.** As required by Sections 190.005(1)(a)1 and 190.046(1)(a) of the Act, annexed as Exhibit B-1 is a metes and bounds description of the external boundaries of District No. 8 after the proposed contraction.

8. **No Excluded Property.** In response to Sections 190.005(1)(a)1 and 190.046(1)(a) of the Act, no real property within the current and modified external boundaries of District No. 8 as proposed in this Petition will be excluded from the New Districts; the entirety of the real property being removed from District No. 8 will be included within the external boundaries of the proposed new District No. 11.

9. **Consent of Affected Landowner.** As required by Sections 190.005(1)(a)2 and 190.046(1)(g) of the Act, annexed as Exhibit C is the written consent of the owner of 100 percent of the property affected by the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 as requested in this Petition. As provided in Section 190.046(1)(g) of the Act, the joinder in this Petition by the Board of District No. 8 constitutes consent of the other landowners within District No. 8.

Special assessments levied by the New CIP Districts to fund the capital cost and operation and maintenance expense of Public Infrastructure serving the New CIP Area (the

Western Grove development) are allocated on a benefit basis that in turn is determined by the uses of the assessed parcels. These costs are divided among benefitted parcels in proportion to the benefit received by each as a result of the Public Infrastructure, without regard to the District in which an assessed parcel is located. Changing a parcel from one District to another as proposed in this Petition will not change the special assessments on that parcel, and therefore will have no financial impact on the parcel landowner.

10. No Change to Timetable for Construction of Services. In response to Section 190.046(1)(a) of the Act, the timetable for construction of services to be provided by the Districts to all of the lands currently within the external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, and the estimated cost of constructing those proposed services, will not change as a result of the proposed contraction and establishment. The requested boundary modifications will result in no change to the total land area within the external boundaries of District No. 8 and District No. 11, no change to the total area within the external boundaries of the New CIP Districts, no change to the total area to be served by proposed services to the New CIP Area, no change to any component of the Public Infrastructure serving the New CIP Area, and therefore no change to the estimated cost of or timetable for such services. Changes in the construction timetable and estimated cost of services may occur as a consequence of development amendments or modifications, all subject to separate approval by the City, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

11. No Change to Future Uses. In response to Section 190.046(1)(a) of the Act, the designations of the future general distribution, location, and extent of public and private uses of land proposed by the future land use plan element of the effective local government comprehensive plan for all of the lands currently within the external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, will not change as a result of the proposed contraction and establishment. Changes in future uses may occur as a consequence of development amendments or modifications, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

12. Statement of Estimated Regulatory Costs. As required by Sections 190.005(1)(a)8 and 190.046(1)(a) of the Act, annexed as Exhibit D is a statement of estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.

13. Authorizing Resolution of District No. 8 Board. Annexed as Exhibit E is a resolution of the Board of District No. 8 authorizing (a) contraction of the external boundaries of District No. 8 as requested in this Petition, (b) establishment of a new District No. 11 as requested in this Petition, (c) joinder in this Petition, (d) submission of this Petition to the City, (e) joinder by new District No. 11 in the Interlocal Agreements and in the trust indentures relating to bonds issued to finance Public Infrastructure serving the 2003 Benefit Area and the New CIP Area (collectively, the “**Indentures**”), and (f) execution of an Assignment and Assumption Agreement (defined below).

14. Statutory Requirements for Proposed Contraction Met. Consistent with the requirements set forth in Section 190.005(1)(e)2-6 of the Act, following the proposed contraction of the external boundaries of District No. 8:

(a) Contraction of the external boundaries of District No. 8 as requested in this Petition will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's comprehensive plan;

(b) The area of land within the revised external boundaries of District No. 8 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(c) The New CIP Districts are the best alternative available for delivering the community development facilities and services to the properties that are currently and following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by those Districts;

(d) The community development facilities and services of District No. 8 and a new District No. 11 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(e) Each of the areas that is currently and following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by one of the Districts is amenable to separate special-purpose government.

15. Proposed Form of Ordinance Approving Contraction of External Boundaries of District No. 8. Annexed as Exhibit F-1 is a proposed form of City ordinance approving the requested boundary contraction and amending City Ordinance No. 06-100 to reflect the new external boundaries of District No. 8 in the manner set forth in this Petition.

#### **Information Required for the Petition to Establish a New District No. 11**

16. Proposed Metes and Bounds Description of New District No. 11. As required by Section 190.005(1)(a)1 of the Act, annexed as Exhibit B-2 is a metes and bounds description of the external boundaries of the proposed new District No. 11.

17. Consent of Affected Landowners. As required by Section 190.005(1)(a)2 of the Act, annexed as Exhibit C is the written consent of the owner of 100 percent of the properties affected by the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 as requested in this Petition. As provided in Section 190.046(1)(g) of the Act, the joinder in this Petition by the Board of District No. 8 constitutes consent of the other landowners within District No. 8.

18. Initial Board of Supervisors of District No. 11. As required by Section 190.005(1)(a)3, the following persons shall be the initial members of the board of supervisors of the proposed new District No. 11, each of whom is a resident of the State of Florida and a citizen

of the United States, and each of whom shall serve in that office until replaced by elected members as provided in Section 190.006 of the Act:

- (a) Tara Toto
- (b) Frank Covelli
- (c) Steven Dassa
- (d) Anissa Cruz
- (e) Tyler Gaffney

19. Proposed Name of New District. As required by Section 190.005(1)(a)4 of the Act, the proposed name of the new District is Tradition Community Development District No. 11.

20. Proposed External Boundaries of District No. 8 and District No. 11. As required by Section 190.005(1)(a)5 of the Act, annexed as Exhibit A-2 is a map depicting the proposed external boundaries of District No. 8 and District No. 11 following the changes as requested in this Petition and showing current major trunk water mains and sewer interceptors and outfalls.

21. No Change to Timetable for Construction of Services. In response to Section 190.046(1)(a) of the Act, the timetable for construction of services to be provided by the Districts to all of the lands within the current external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, and the estimated cost of constructing those proposed services, will not change as a result of the proposed contraction and establishment. The requested boundary modifications will result in no change to the total land area within the external boundaries of District No. 8 and District No. 11, no change to the total area within the external boundaries of the New CIP Districts, no change to the total area to be served by proposed services to the New CIP Area, no change to any component of the Public Infrastructure serving the New CIP Area, and therefore no change to the estimated cost of or timetable for such services. Changes in the construction timetable and estimated cost of services may occur as a consequence of development amendments or modifications, all subject to separate approval by the City, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

22. No Change to Future Uses. In response to Section 190.046(1)(a) of the Act, the designations of the future general distribution, location, and extent of public and private uses of land proposed by the future land use plan element of the effective local government comprehensive plan for all of the lands currently within the external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, will not change as a result of the proposed contraction and establishment. Changes in future uses may occur as a consequence of development amendments or modifications, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

23. Statement of Estimated Regulatory Costs. As required by Sections 190.005(1)(a)8 of the Act, annexed as Exhibit D is a statement of estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.

24. Authorizing Resolution of District No. 8 Board. Annexed as Exhibit E is a resolution of the Board of District No. 8 authorizing (a) contraction of the external boundaries of District No. 8 as requested in this Petition, (b) establishment of a new District No. 11 as requested in this Petition, (c) joinder in this Petition, (d) submission of this Petition to the City, (e) joinder by new District No. 11 in the Interlocal Agreements and in the Indentures, and (f) execution of an Assignment and Assumption Agreement.

25. Statutory Requirements for Establishment of New District No. 11 Met. Consistent with the requirements set forth in Section 190.005(1)(e)2-6 of the Act, following the proposed establishment of a new District No. 11:

(a) The new District No. 11 will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's comprehensive plan;

(b) The properties comprising the new District No. 11 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(c) The New CIP Districts are the best alternative available for delivering the community development facilities and services to the properties that are currently and following the expansions and contractions of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by those Districts;

(d) The community development facilities and services of District No. 8 and District No. 11 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(e) Each of the areas that is currently and following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by one of the Districts is amenable to separate special-purpose government.

26. Special Powers Requested Consistent with City Ordinance No. 06-100. City Ordinance No. 06-100 incorporates the consent of the City to the exercise by District No. 8 of certain special powers in the manner permitted by the Act, as follows:

(a) Pursuant to Section 190.012(2)(a) of the Act, the City consented to the exercise of the powers set forth in Section 190.012(2) (a), (b), (c), and (d) of the Act, thereby enabling District No. 8 to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; (2) fire

prevention and control, including water mains and plugs, fire stations, fire trucks and other vehicles and equipment; (3) school buildings and related structures, which may be leased, sold or donated to the school district, for use in its educational system, when authorized by the district school board; and (4) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion detection systems, and patrol cars, when authorized by proper governmental agencies; except that District No. 8 may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within District No. 8's boundaries. Notwithstanding anything to the contrary set forth in the establishing ordinance, District No. 8 shall not operate or maintain any water and sewer facilities within its boundaries and all of such facilities shall be dedicated to and/or owned by the City.

(b) The City further consented to the exercise by District No. 8 of the right and power of eminent domain, pursuant to Chapter 73, Florida Statutes and Chapter 74, Florida Statutes, over any property outside the boundaries of District No. 8 and within the City (except municipal, county, state and federal property) for the uses and purposes of District No. 8 relating solely to water, sewer, District No. 8 roads, and water management, specifically including, without limitation, the power of eminent domain for the taking of easements for the drainage of the land of one person over and through the land of another; provided, however, that District No. 8 shall exercise the eminent domain power only for uses and purposes contemplated by, consistent with or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 8.

(c) The foregoing powers are in addition, and supplemental, to the powers which District No. 8 is entitled to exercise pursuant to the Act.

(d) As permitted by the Act, the City approved District No. 8's exercise, outside of its boundaries, of the powers granted in the Act and in the establishing ordinance, subject to the terms of the establishing ordinance, for uses and purposes contemplated by, consistent with or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 8.

The Petitioner, joined by the Board of District No. 8, respectfully requests that the ordinance establishing a new District No. 11 incorporate like consents of the City to the exercise by the new District No. 11 of identical special powers in the manner permitted by the Act. By affording such consent, the City would preserve throughout the Tradition and Western Grove projects the continuity of identical powers currently held by District No. 8 and each of the 2003 Project Districts and the other New CIP Districts.

27. Proposed Form of Ordinance Establishing New District No. 11. Annexed as Exhibit F-2 is a proposed form of City ordinance establishing a new District No. 11 in the manner set forth in this Petition.



## Conforming Actions by District No. 8 and District No. 11

28. Joinder of District No. 11 in Interlocal Agreements and the Indentures. Upon establishment, the new District No. 11 shall execute a written Joinder and thereby become a party to the Interlocal Agreements and the Indentures, assuring that District No. 11 will continue participating in the coordinated financing of Public Infrastructure, and centralized administration, budgeting, and governance of maintenance and other operations, throughout the Tradition and Western Grove projects and across all of the Districts.

29. Assignment and Assumption of Non-Ad Valorem Assessments. Upon approval of the matters requested in this Petition, District No. 8 and District No. 11 shall execute and deliver an assignment and assumption agreement (“**Assignment and Assumption Agreement**”) by which:

(a) District No. 8 (as the “**Assigning District**”) shall assign to District No. 11 (as the “**Assuming District**”) the Assigning District’s right to collect all non-ad valorem special assessments previously levied by the Assigning District upon property that, as a result of the contraction of the external boundaries of District No. 8, and the establishment of a new District No. 11, will be located within the external boundaries of the Assuming District; and

(b) The Assuming District shall assume from the Assigning District the Assigning District’s right to collect all non-ad valorem special assessments previously levied by the Assigning District upon property that, as a result of the contraction of the external boundaries of District No. 8, and the establishment of a new District No. 11, will be located within the external boundaries of the Assuming District.

### Certification of Petition

Consistent with the requirement set forth in Section 190.005(1)(e)1 of the Act, the Petitioner, joined by the Board of District No. 8, certifies that all statements contained within this Petition are true and correct.

\* \* \*

**WHEREFORE**, the Petitioner, joined by the Board of Supervisors of District No. 8, hereby respectfully requests that the City Council:

A. Direct City staff to notice public hearings, in the same manner as the City Council notices other proposed City ordinances and ordinance amendments, to consider whether to grant the Petition.

B. Following the public hearings, grant the petition and enact ordinances pursuant to applicable law:

(i) Amending City Ordinance No. 06-100 to reflect the new external boundaries of District No. 8 in the manner proposed in Exhibit F-1, and

(ii) Establishing a new District No. 11 in the manner proposed in Exhibit F-2.

*[Signatures on following pages]*

RESPECTFULLY SUBMITTED this 12 day of October, 2022.

WITNESSES:

MATTAMY PALM BEACH LLC  
A Delaware limited liability company

[Signature]  
Print Name: B. Frank Sakuma JR.

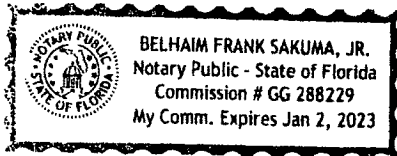
By: [Signature]  
Print Name: Tony Polumbo  
Title: Vice President

[Signature]  
Print Name: Garrett Alan Barnes Jr.

STATE OF FLORIDA  
COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 12 day of October, 2022, by Tony Polumbo as Vice President of, MATTAMY PALM BEACH LLC, a Delaware limited liability company, and who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]



[Signature]  
Notary Public-State of Florida  
Print Name: Belhaim Frank Sakuma, JR.  
My Comm'n Exp.: 1/2/2023

RESPECTFULLY SUBMITTED this 12 day of October, 2022.

TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8

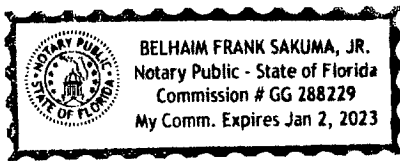
By: [Signature]  
Print Name: Frank Cavelli  
Title: Chairman

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by means of  physical presence or  online notarization by Frank Cavelli, the Chairman of the Board of Supervisors of Tradition Community Development District No. 8. He/she is  personally known to me or  has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 12 day of October, 2022.

[Notary Seal]



[Signature]  
Notary Public—State of Florida

Belhaim Frank Sakuma, Jr.  
Typed, printed, or stamped name of Notary Public  
My Commission Expires: 1/2/2023

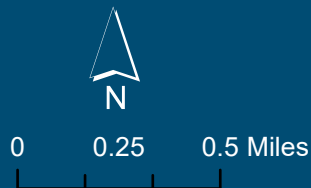
\* \* \*

**EXHIBIT A-1**

**MAP DEPICTING THE CURRENT EXTERNAL BOUNDARIES OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8  
TOGETHER WITH THOSE OF THE OTHER TRADITION DISTRICTS**



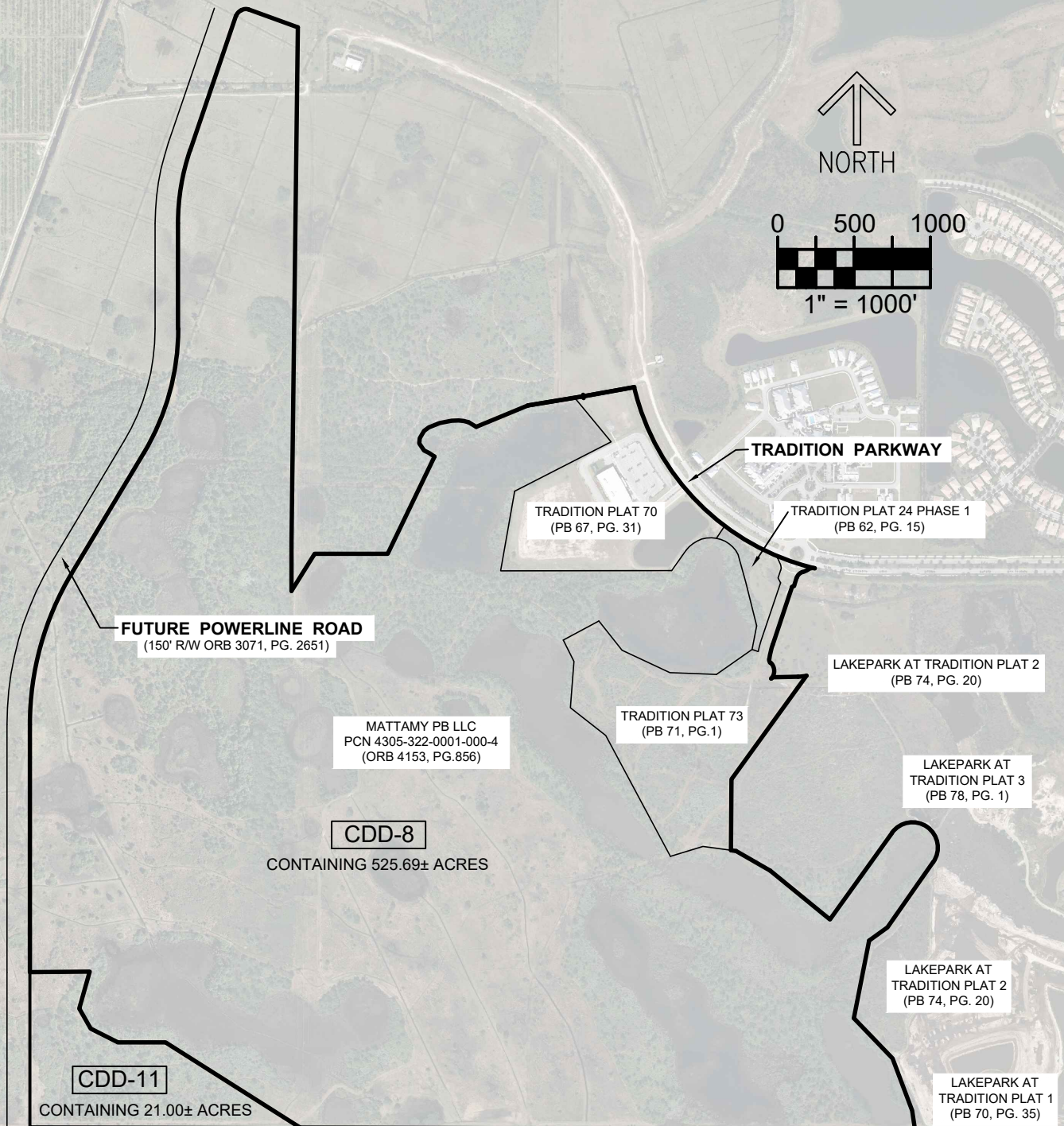
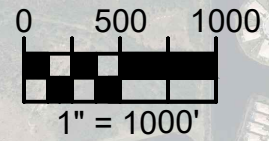
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# TRADITION CDD NO. 1 DISTRICT BOUNDARIES

**EXHIBIT A-2**

**MAP DEPICTING THE PROPOSED EXTERNAL BOUNDARIES OF TRADITION  
COMMUNITY DEVELOPMENT DISTRICT NO. 8 AND TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 11 FOLLOWING CONTRACTION OF THE  
EXTERNAL BOUNDARIES OF DISTRICT NO. 8 AND ESTABLISHMENT OF  
DISTRICT NO. 11**



NORTH RIGHT-OF-WAY LINE OF E/W # 1 AND  
NORTH LINE OF RIVERLAND / KENNEDY III LLC PARCEL



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING – LAND SURVEYING  
7900 GLADES ROAD – SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

DAVID P. LINDLEY  
REGISTERED LAND  
SURVEYOR NO. 5005  
STATE OF FLORIDA  
LB# 3591

DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8

WESTERN GROVE AT TRADITION  
OVERALL CDD NO. 8 & 11  
PARCEL MAP



**EXHIBIT B-1**

**PROPOSED METES AND BOUNDS DESCRIPTION OF TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8 AFTER THE PROPOSED CONTRACTION OF  
EXTERNAL BOUNDARIES**

DESCRIPTION:(CDD NO.8)

EXHIBIT "A"

A PARCEL OF LAND LYING IN SECTIONS 7, 8, 17 AND 18, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING ALL OF TRADITION PLAT NO. 24, PHASE 1, AS RECORDED IN PLAT BOOK 62, PAGE 15, TRADITION PLAT NO. 70, AS RECORDED IN PLAT BOOK 67, PAGE 31, TRADITION PLAT NO. 73-VETERANS NURSING HOME, AS RECORDED IN PLAT BOOK 71, PAGE 1 AND PARCEL PER PROPERTY CONTROL NUMBER (PCN) 4305-322-0001-000-4, AS RECORDED IN OFFICIAL RECORDS BOOK 4153, PAGE 856, ALL OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE SOUTHWEST CORNER OF LAKEPARK AT TRADITION - PLAT 1 AS RECORDED IN PLAT BOOK 70, PAGE 35, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 89°50'39" WEST AS A BASIS OF BEARING ALONG NORTH RIGHT-OF-WAY LINE OF E/W # 1 (A 150' WIDE PUBLIC RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2972, PAGE 829, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, AND THE NORTH LINE OF RIVERLAND / KENNEDY III LLC PARCEL AS SHOWN IN OFFICIAL RECORDS BOOK 3727, PAGE 861, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, A DISTANCE OF 4027.15 FEET; THENCE NORTH 57°38'10" WEST, A DISTANCE 1042.53 FEET; THENCE SOUTH 89°59'49" WEST, A DISTANCE 311.47 FEET; THENCE NORTH 63°02'12" WEST, A DISTANCE 200.44 FEET; THENCE NORTH 29°27'50" WEST, A DISTANCE 150.74 FEET; THENCE NORTH 15°45'52" EAST, A DISTANCE 250.56 FEET; THENCE SOUTH 89°33'18" WEST, A DISTANCE 392.33 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF POWERLINE ROAD (A 150' WIDE PUBLIC RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3071, PAGE 2651, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES AND DISTANCES; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 1622.13 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1925.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 30°53'55", AN ARC DISTANCE OF 1038.12 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE NORTH 30°53'55" EAST ALONG SAID LINE, A DISTANCE OF 920.59 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1580.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 30°54'06", AN ARC DISTANCE OF 852.15 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE NORTH 00°00'00" EAST ALONG SAID LINE, A DISTANCE OF 692.24 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1480.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 18°50'26", AN ARC DISTANCE OF 486.67 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE NORTH 18°50'26" EAST ALONG SAID LINE, A DISTANCE OF 931.06 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 58.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 44°58'21", AN ARC DISTANCE OF 45.53 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 130.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 03°03'35", AN ARC DISTANCE OF 6.94 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 58.00 FEET; THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 49°08'12", AN ARC DISTANCE OF 49.74 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH 70°06'36" EAST ALONG SAID LINE, A DISTANCE OF 341.35 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THAT 200.00 FOOT WIDE FLORIDA POWER & LIGHT COMPANY EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 767, PAGE 2676, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 00°41'50" WEST ALONG SAID WEST LINE, A DISTANCE OF 3375.40 FEET; THENCE SOUTH 00°08'18" WEST ALONG SAID WEST LINE, A DISTANCE OF 316.64 FEET; THENCE NORTH 31°45'23" EAST DEPARTING SAID WEST LINE, A DISTANCE OF 287.45 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 479.11 FEET; THENCE NORTH 25°42'03" EAST, A DISTANCE OF 706.40 FEET; THENCE NORTH 55°58'12" WEST, A DISTANCE OF 41.35 FEET; THENCE NORTH 64°04'09" WEST, A DISTANCE OF 36.99 FEET;

(CONTINUED ON SHEET 2 OF 8)

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER XX, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 8



CAULFIELD & WHEELER, INC.  
 CIVIL ENGINEERING – LAND SURVEYING  
 7900 GLADES ROAD – SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452

DAVID P. LINDLEY  
 REGISTERED LAND  
 SURVEYOR NO. 5005  
 STATE OF FLORIDA  
 LB# 3591


DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8

WESTERN GROVE AT TRADITION  
 CDD NO. 8  
 SKETCH OF DESCRIPTION

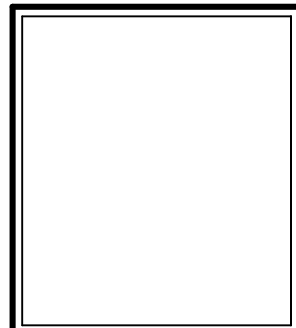
THENCE NORTH 34°18'02" WEST, A DISTANCE OF 57.12 FEET; THENCE NORTH 04°58'20" EAST, A DISTANCE OF 32.40 FEET; THENCE NORTH 29°38'11" EAST, A DISTANCE OF 56.90 FEET; THENCE NORTH 55°08'19" EAST, A DISTANCE OF 39.86 FEET; THENCE NORTH 67°58'26" EAST, A DISTANCE OF 76.12 FEET; THENCE NORTH 79°45'14" EAST, A DISTANCE OF 78.71 FEET; THENCE NORTH 86°56'06" EAST, A DISTANCE OF 47.36 FEET; THENCE SOUTH 83°49'59" EAST, A DISTANCE OF 32.61 FEET; THENCE SOUTH 76°45'58" EAST, A DISTANCE OF 32.93 FEET; THENCE SOUTH 58°01'15" EAST, A DISTANCE OF 59.29 FEET; THENCE NORTH 67°14'57" EAST, A DISTANCE OF 365.82 FEET; THENCE NORTH 80°50'26" EAST, A DISTANCE OF 368.43 FEET; THENCE NORTH 79°48'16" EAST, A DISTANCE OF 337.97 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1595.00 FEET (THE RADIUS POINT OF SAID CURVE BEARS NORTH 76°45'33" EAST FROM THIS POINT), SAID CURVE ALSO BEING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF PROPOSED TRADITION PARKWAY; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID PROPOSED SOUTHWESTERLY RIGHT-OF-WAY LINE, THRU A CENTRAL ANGLE OF 63°20'24", AN ARC DISTANCE OF 1763.26 FEET TO A POINT ON THE WESTERLY LINE OF LAKEPARK AT TRADITION - PLAT 2, AS RECORDED IN PLAT BOOK 74, PAGE 20, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID POINT ALSO BEING A CUSP WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 58.00 FEET; THENCE ALONG SAID WESTERLY LINE OF LAKEPARK AT TRADITION - PLAT 2 AND THE WESTERLY LINE OF LAKEPARK AT TRADITION - PLAT 1 THE FOLLOWING TWENTY SIX (26) COURSES AND DISTANCES; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 46°37'27", AN ARC DISTANCE OF 47.20 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 130.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 16°41'10", AN ARC DISTANCE OF 37.86 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 58.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 54°56'15", AN ARC DISTANCE OF 55.61 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH 18°32'38" WEST ALONG SAID LINE, A DISTANCE OF 56.55 FEET; THENCE SOUTH 63°32'38" WEST, A DISTANCE OF 14.14 FEET; THENCE SOUTH 18°32'38" WEST, A DISTANCE OF 400.72 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 510.92 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 10°54'06", AN ARC DISTANCE OF 97.21 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 52°41'52", AN ARC DISTANCE OF 27.59 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 85°47'17", AN ARC DISTANCE OF 112.30 FEET TO A POINT OF CUSP WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 48°11'23", AN ARC DISTANCE OF 25.23 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE NORTH 88°55'20" EAST ALONG SAID LINE, A DISTANCE OF 154.21 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 280.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 11°32'34", AN ARC DISTANCE OF 56.41 FEET TO POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 1480.00 FEET (THE RADIUS POINT OF SAID CURVE HAVING A RADIUS OF 280.00 FEET BEARS NORTH 12°37'14" WEST FROM THIS POINT AND THE RADIUS POINT OF SAID CURVE HAVING A RADIUS OF 1480.00 FEET BEARS SOUTH 53°58'38" EAST FROM THIS POINT); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1480.00 FEET, THRU A CENTRAL ANGLE OF 00°06'46", AN ARC DISTANCE OF 2.91 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH 35°54'36" WEST ALONG SAID LINE, A DISTANCE OF 835.35 FEET; THENCE SOUTH 00°28'33" WEST A DISTANCE OF 465.16 FEET; THENCE SOUTH 81°51'17" EAST, A DISTANCE OF 34.28 FEET; THENCE SOUTH 60°18'28" EAST, A DISTANCE OF 256.66 FEET; THENCE SOUTH 50°43'10" EAST, A DISTANCE OF 506.72 FEET; THENCE NORTH 35°37'43" EAST, A DISTANCE OF 696.32 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 165.00 FEET; THENCE NORTHEASTERLY, EASTERLY, SOUTHEASTERLY SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THRU A CENTRAL ANGLE OF 179°19'38", AN ARC DISTANCE OF 516.43 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH 34°57'21" WEST ALONG SAID LINE, A DISTANCE OF 520.57 FEET; THENCE SOUTH 54°00'59" WEST, A DISTANCE OF 148.44 FEET; THENCE SOUTH 11°14'16" WEST, A DISTANCE OF 517.94 FEET; THENCE SOUTH 44°00'02" EAST, A DISTANCE OF 365.37 FEET; THENCE SOUTH 20°28'22" EAST, A DISTANCE OF 365.30 FEET; THENCE SOUTH 08°49'46" EAST, A DISTANCE OF 124.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 525.69 ACRES, MORE OR LESS.

**SHEET 2 OF 8**



**CAULFIELD & WHEELER, INC.**  
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 BOCA RATON, FLORIDA 33434  
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DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8

**WESTERN GROVE AT TRADITION  
 CDD NO. 8  
 SKETCH OF DESCRIPTION**

**NOTES:**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR ITS AUTHORIZED ELECTRONIC DIGITAL SIGNATURE AND SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH RIGHT OF WAY LINE OF E/W # 1 AND THE NORTH LINE OF RIVERLAND / KENNEDY III LLC HAVING AN ASSUMED BEARING OF NORTH 89°50'39" WEST AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

**LEGEND ABBREVIATIONS**

DESC – DESCRIPTION	PG. – PAGE
TYP – TYPICAL	P.B. – PLAT BOOK
O.R.B. – OFFICIAL RECORDS BOOK	P.O.B. – POINT OF BEGINNING
PG – PAGE	P.O.C. – POINT OF COMMENCEMENT
LLC – LIMITED LIABILITY COMPANY	UE – UTILITY EASEMENT
CO. – COMPANY	(M) – MEASURED
E/W – EAST WEST	NO.– NUMBER
ID – IDENTIFICATION	R/W – RIGHT-OF-WAY
L.B. – LICENSED BUSINESS	R – RADIUS
(R) – RADIAL	Δ – DELTA
N.R. – NOT RADIAL	L – ARC LENGTH

**SHEET 3 OF 8**

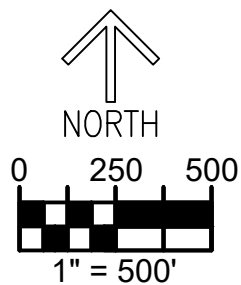
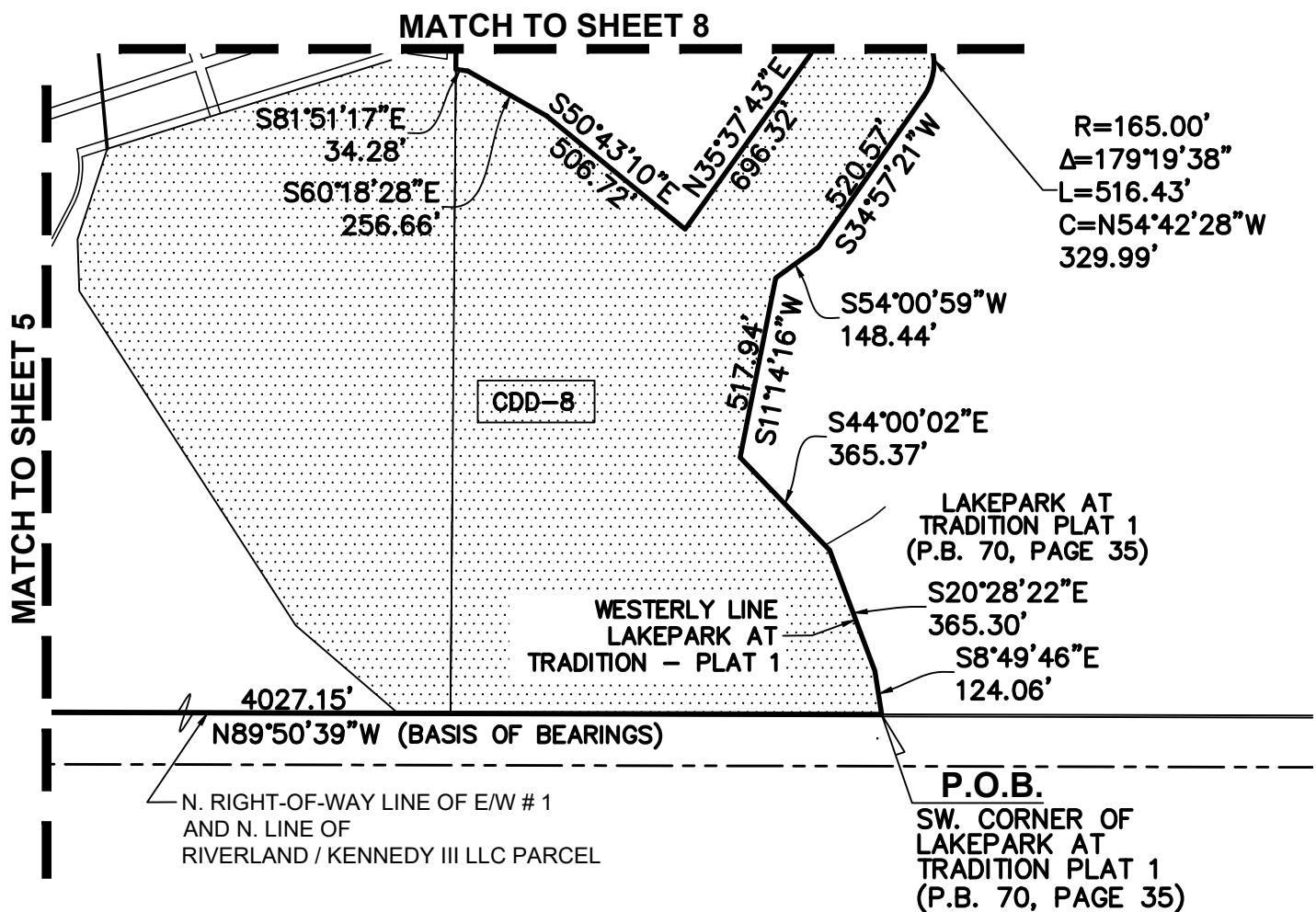


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**WESTERN GROVE AT TRADITION  
 CDD NO. 8  
 SKETCH OF DESCRIPTION**

DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8



**SHEET 4 OF 8**



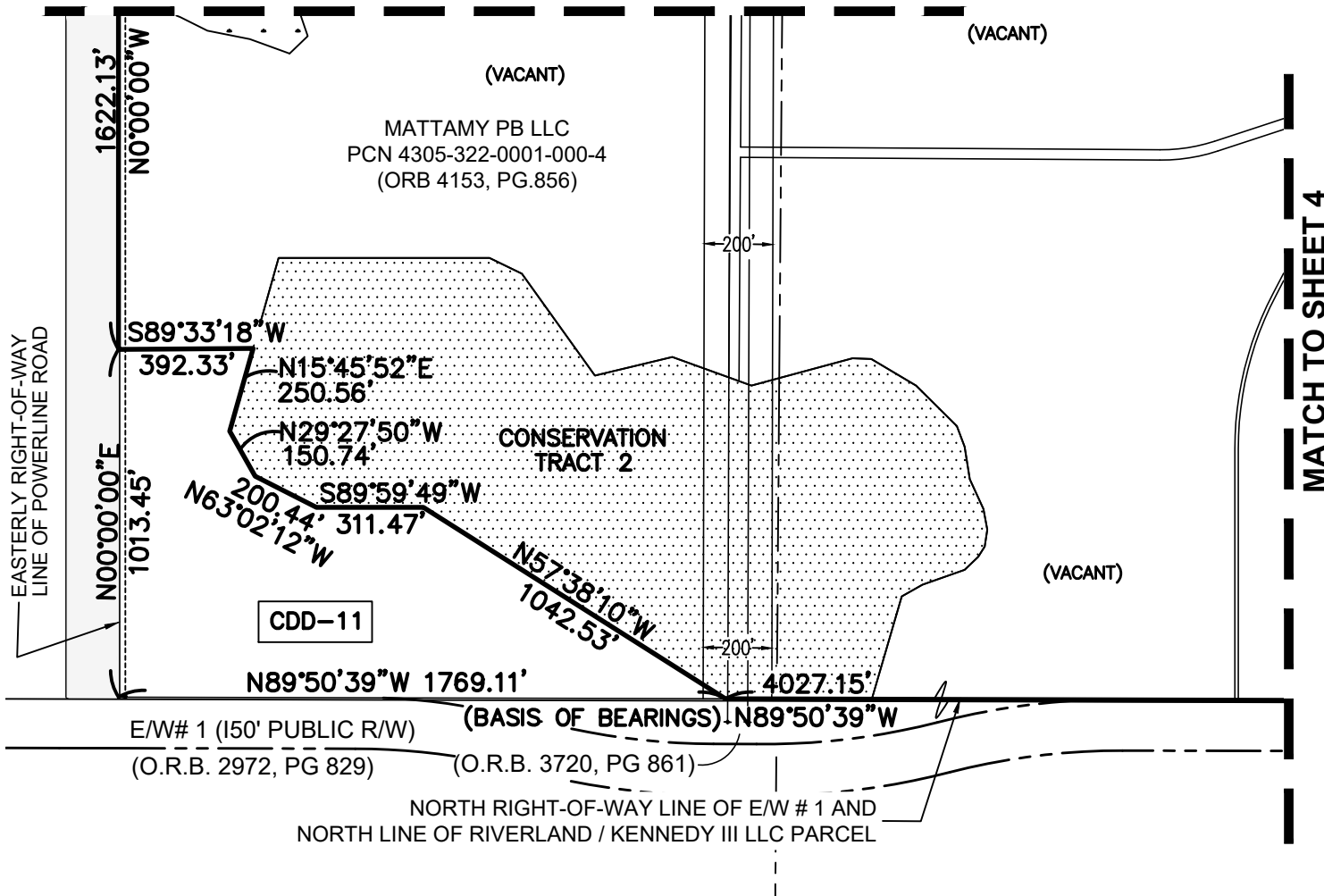
**CAULFIELD & WHEELER, INC.**

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**WESTERN GROVE AT TRADITION  
 CDD NO. 8  
 SKETCH OF DESCRIPTION**

DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8

MATCH TO SHEET 6



SHEET 5 OF 8



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND SURVEYING  
7900 GLADES ROAD - SUITE 100  
BOCA RATON, FLORIDA 33434  
PHONE (561)-392-1991 / FAX (561)-750-1452

DATE 9/25/2022

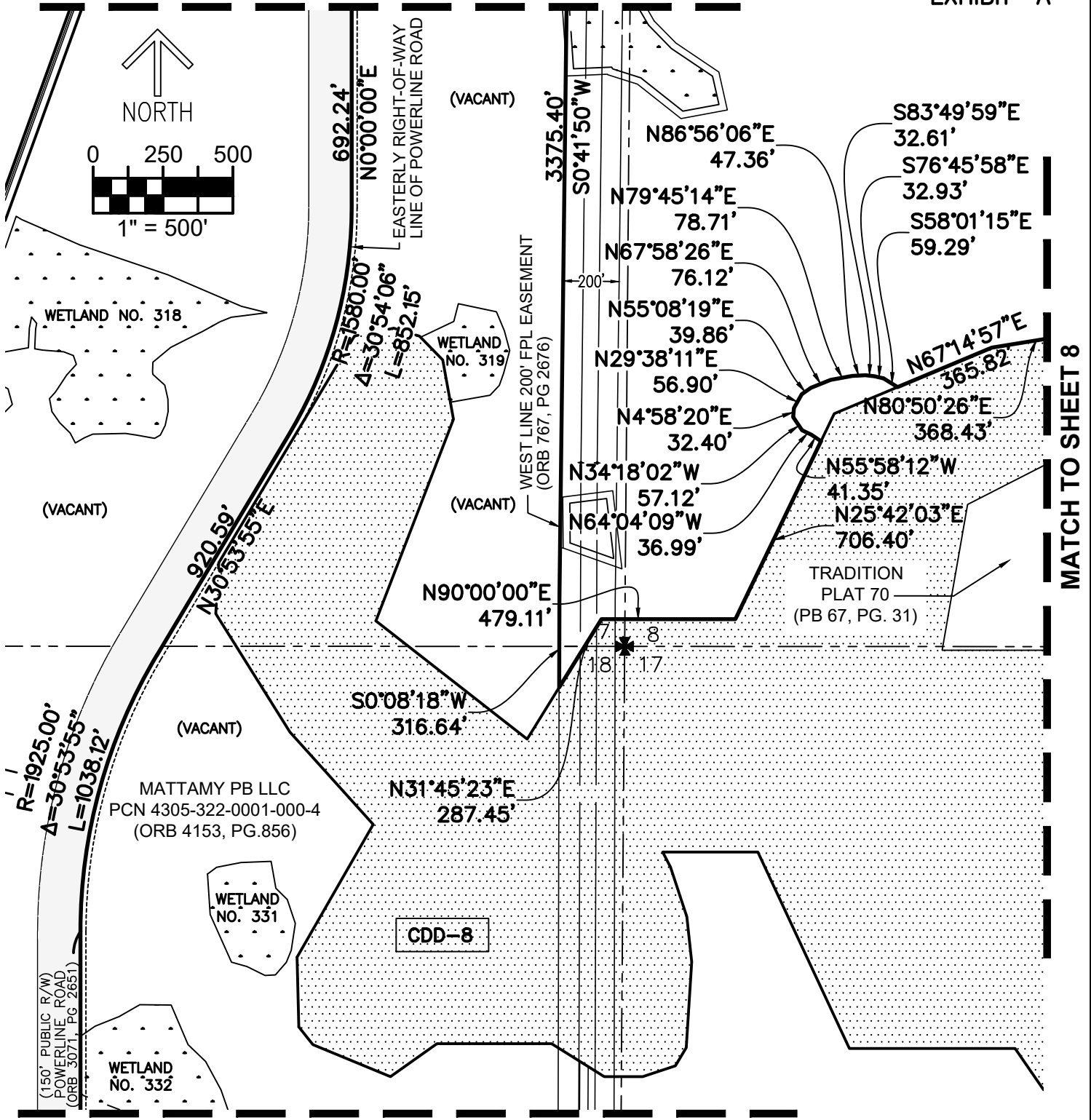
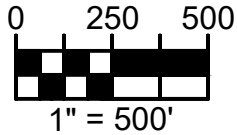
DRAWN BY R.A.B.


F.B./ PG. N/A

SCALE AS SHOWN

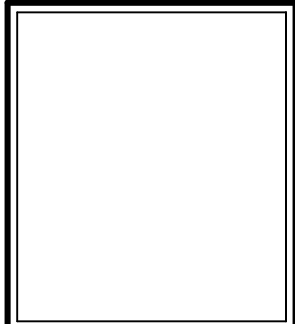
JOB NO. 8060-CDD8

**WESTERN GROVE AT TRADITION**  
**CDD NO. 8**  
**SKETCH OF DESCRIPTION**

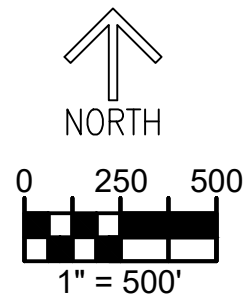
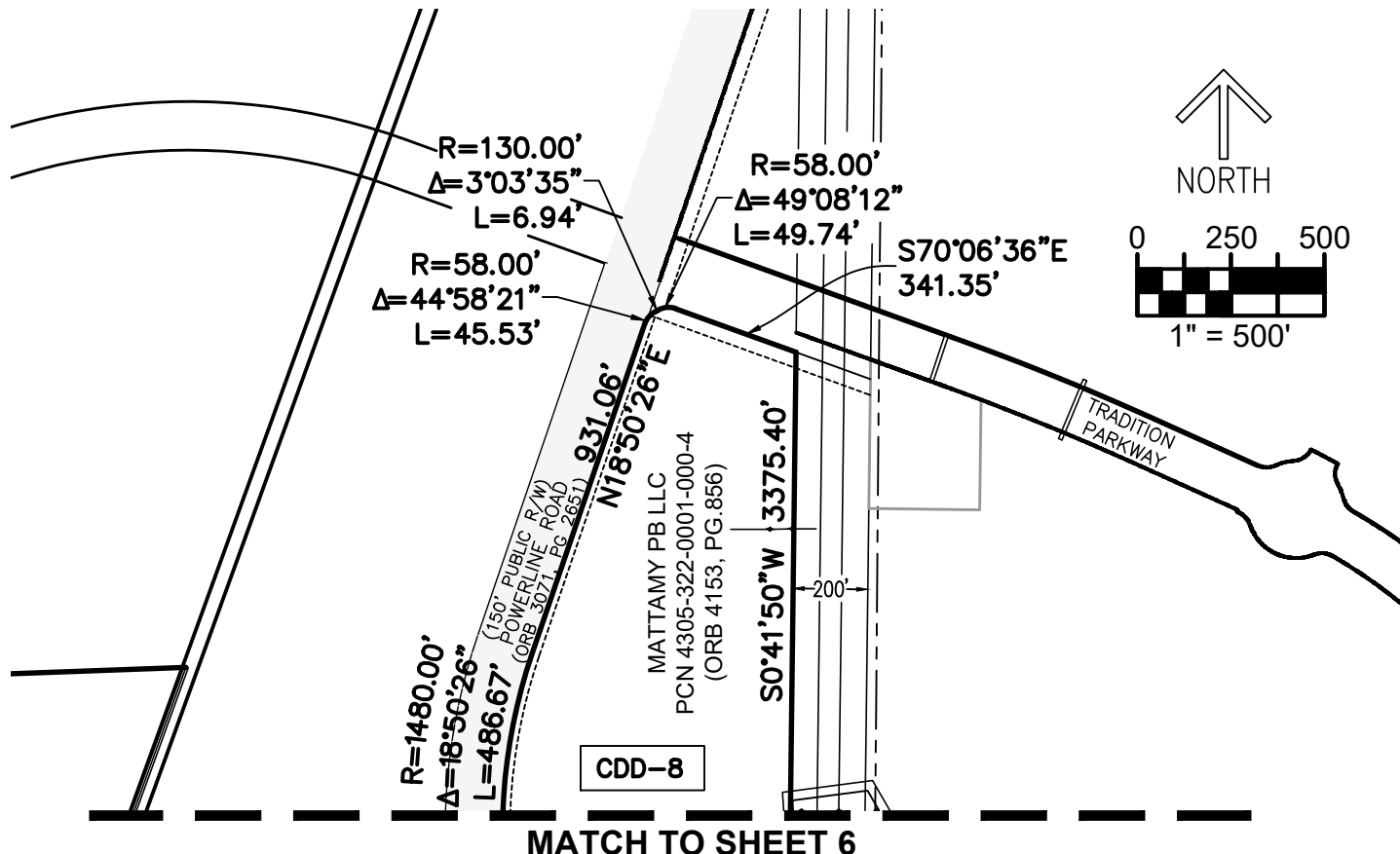


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**WESTERN GROVE AT TRADITION  
 CDD NO. 8  
 SKETCH OF DESCRIPTION**




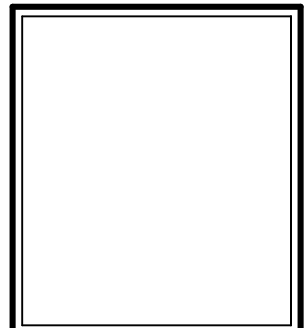
DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8



MATCH TO SHEET 6

SHEET 7 OF 8

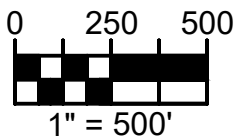
**CAULFIELD & WHEELER, INC.**  
  
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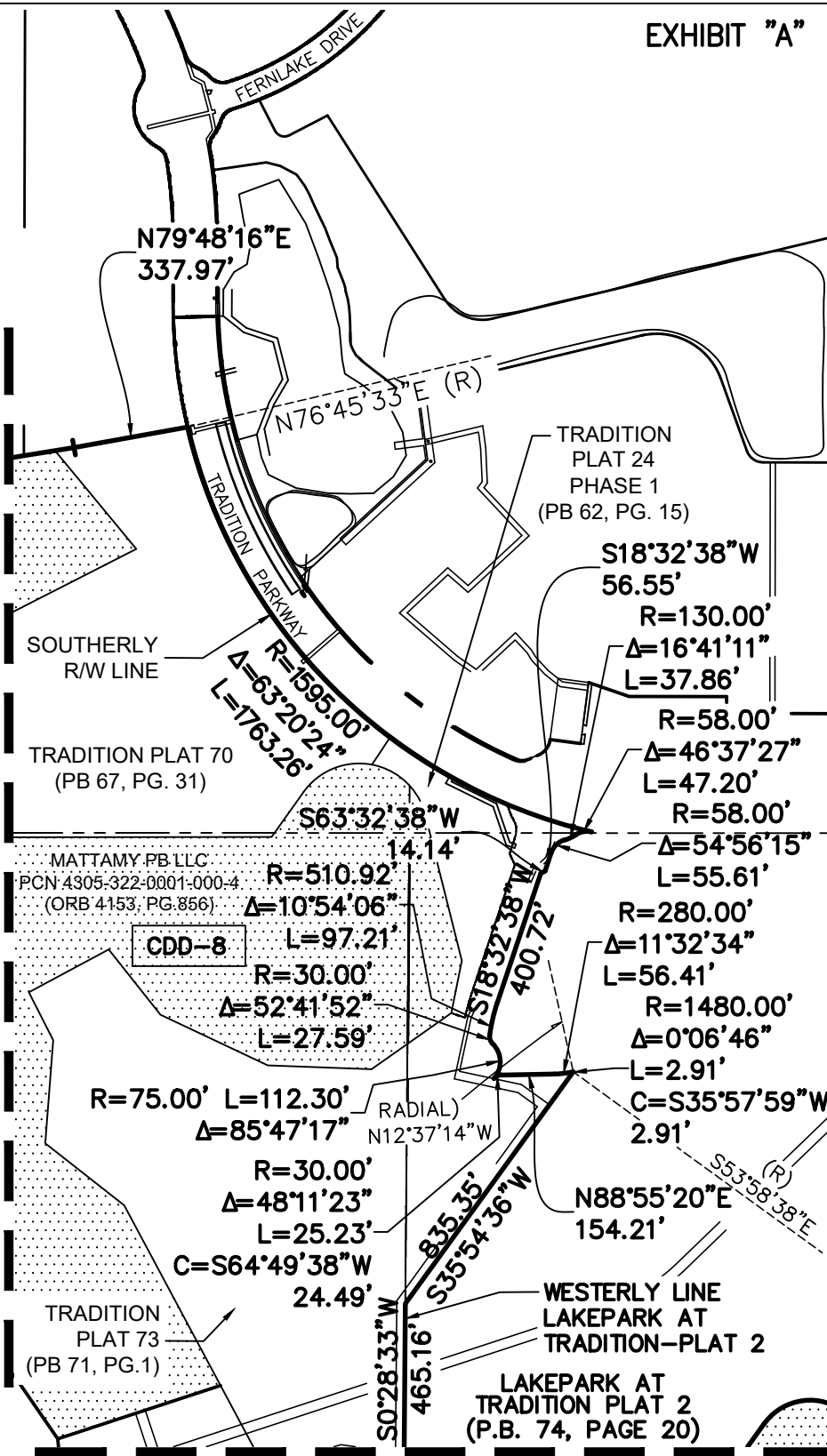
DATE	9/25/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD8

**WESTERN GROVE AT TRADITION**  
**CDD NO. 8**  
**SKETCH OF DESCRIPTION**





MATCH TO SHEET 6



MATCH TO SHEET 4

SHEET 8 OF 8

CAULFIELD & WHEELER, INC.



CIVIL ENGINEERING - LAND SURVEYING  
 7900 GLADES ROAD - SUITE 100  
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WESTERN GROVE AT TRADITION  
 CDD NO. 8  
 SKETCH OF DESCRIPTION

DATE 9/25/2022

DRAWN BY R.A.B.

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO. 8060-CDD8

**EXHIBIT B-2**

**PROPOSED METES AND BOUNDS DESCRIPTION OF NEW  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

DESCRIPTION:(CDD NO.11)

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING A PORTION OF MATTAMY OF PALM BEACH, LLC PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 4153, PAGE 856, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF POWERLINE ROAD (A 150' WIDE PUBLIC RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3071, PAGE 2651, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND THE NORTH RIGHT-OF-WAY LINE OF E/W#1 (A 150' WIDE PUBLIC RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2972, PAGE 829, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 00°00'00" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID POWERLINE ROAD, A DISTANCE OF 1013.45 FEET; THENCE NORTH 89°33'18" EAST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 392.33 FEET TO A POINT ON THE WEST LINE OF CONSERVATION TRACT 2, AS SHOWN IN OFFICIAL RECORDS BOOK 1485, PAGE 708, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 15°45'52" WEST ALONG SAID WEST LINE OF CONSERVATION TRACT 2, A DISTANCE OF 250.56 FEET; THENCE ALONG THE SOUTHWEST LINE OF SAID CONSERVATION TRACT 2 THE FOLLOWING FOUR (4) COURSES AND DISTANCES; THENCE SOUTH 29°27'50" EAST, A DISTANCE OF 150.74 FEET; THENCE SOUTH 63°02'12" EAST, A DISTANCE OF 200.44 FEET; THENCE NORTH 89°59'49" EAST, A DISTANCE OF 311.47 FEET; THENCE SOUTH 57°38'10" EAST, A DISTANCE OF 1,042.53 FEET TO THE NORTH LINE OF RIVERLAND / KENNEDY III LLC PARCEL AS SHOWN IN OFFICIAL RECORDS BOOK 3727, PAGE 861, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 89°50'39" WEST ALONG SAID NORTH LINE OF RIVERLAND / KENNEDY III LLC PARCEL AND SAID NORTH RIGHT-OF-WAY LINE OF E/W # 1, A DISTANCE OF 1769.11 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 21.00 ACRES MORE OR LESS.

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER XX, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

**SHEET 1 OF 4**



**CAULFIELD & WHEELER, INC.**  
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DAVID P. LINDLEY  
 REGISTERED LAND  
 SURVEYOR NO. 5005  
 STATE OF FLORIDA  
 LB# 3591

DATE	9/9/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD11

**WESTERN GROVE AT TRADITION  
 CDD NO. 11  
 SKETCH OF DESCRIPTION**

**NOTES:**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR ITS AUTHORIZED ELECTRONIC DIGITAL SIGNATURE AND SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 00°00'00" EAST, ALONG THE EAST RIGHT OF WAY LINE OF POWERLINE ROAD (OFFICIAL RECORDS BOOK 3071, PAGE 2651, PUBLIC RECORDS, ST. LUCIE COUNTY, FLORIDA) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

**LEGEND ABBREVIATIONS**

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L.B. – LICENSED BUSINESS	OE – OVERHEAD ELECTRIC
BST – BELL SOUTH TELEPHONE	

**SHEET 2 OF 4**



**CAULFIELD & WHEELER, INC.**

CIVIL ENGINEERING – LAND SURVEYING  
 7900 GLADES ROAD – SUITE 100  
 BOCA RATON, FLORIDA 33434

PHONE (561)-392-1991 / FAX (561)-750-1452

**WESTERN GROVE AT TRADITION  
 CDD NO. 11  
 SKETCH OF DESCRIPTION**

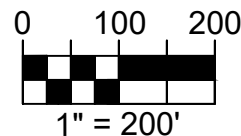
DATE 9/9/2022

DRAWN BY R.A.B.

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO.8060-CDD11



PROPERTY ACQUISITION THROUGH CERTIFICATE OF TITLE TO PSL ACQUISITIONS, LLC  
 NOW KNOWN AS TRADITION LAND CO. LLC RECORDED IN O.R.B. 3274, PG. 915  
 (CASE NO. 56-2010-CA-002197) (PARCEL 14-4)  
 PARCEL ID # 4305-322-0001-000-4

(NOT INCLUDED)  
**POWERLINE ROAD**  
 150' PUBLIC RIGHT-OF-WAY

150' R/W

N89°33'18"E  
 392.33'

EXHIBIT C  
 O.R.B. 3071,  
 PAGE 2651

20' UE  
 O.R.B. 2432,  
 PAGE 2034

S15°45'52"W  
 250.56'

CONSERVATION TRACT-2  
 O.R.B. 1485, PG. 708  
 O.R.B. 3274, PG. 915  
 38.16 ACRES

S29°27'50"E  
 150.74'

S63°02'12"E  
 200.44'

N89°59'49"E  
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**CDD NO. 11**  
 (21.00 ACRES)

UNPLATTED  
 MATTAMY P.B., LLC  
 (O.R.B. 4153, PAGE 856)  
 PARCEL ID#  
 4305-322-0001-000-4  
 (VACANT)

MATCH LINE

N89°50'39"W 1769.11'

**P.O.B.**  
 INTERSECTION OF  
 E. R/W LINE &  
 N. R/W LINE

N89°50'39"W 9090.71'(M)TOTAL  
 N. R/W LINE

150.00' WIDE PUBLIC RW E/W#1  
 O.R.B. 2972 PGS. 829-846

UNPLATTED  
 CITY OF PORT ST. LUCIE  
 PARCEL ID #  
 4316-431-0001-000-3  
 (ORB 3902, PG 456 AND  
 ORB 4035, PG 1381)

SPECIAL WARRANTY DEED TO  
 METROPOLITAN LIFE INSURANCE COMPANY  
 O.R.B. 477, PG. 560-566  
 OWNERS NAME: CITY OF PORT ST LUCIE  
 ADDRESS: 900 SE OGDEN LANE  
 PORT ST LUCIE, FL 34983

SHEET 3 OF 4

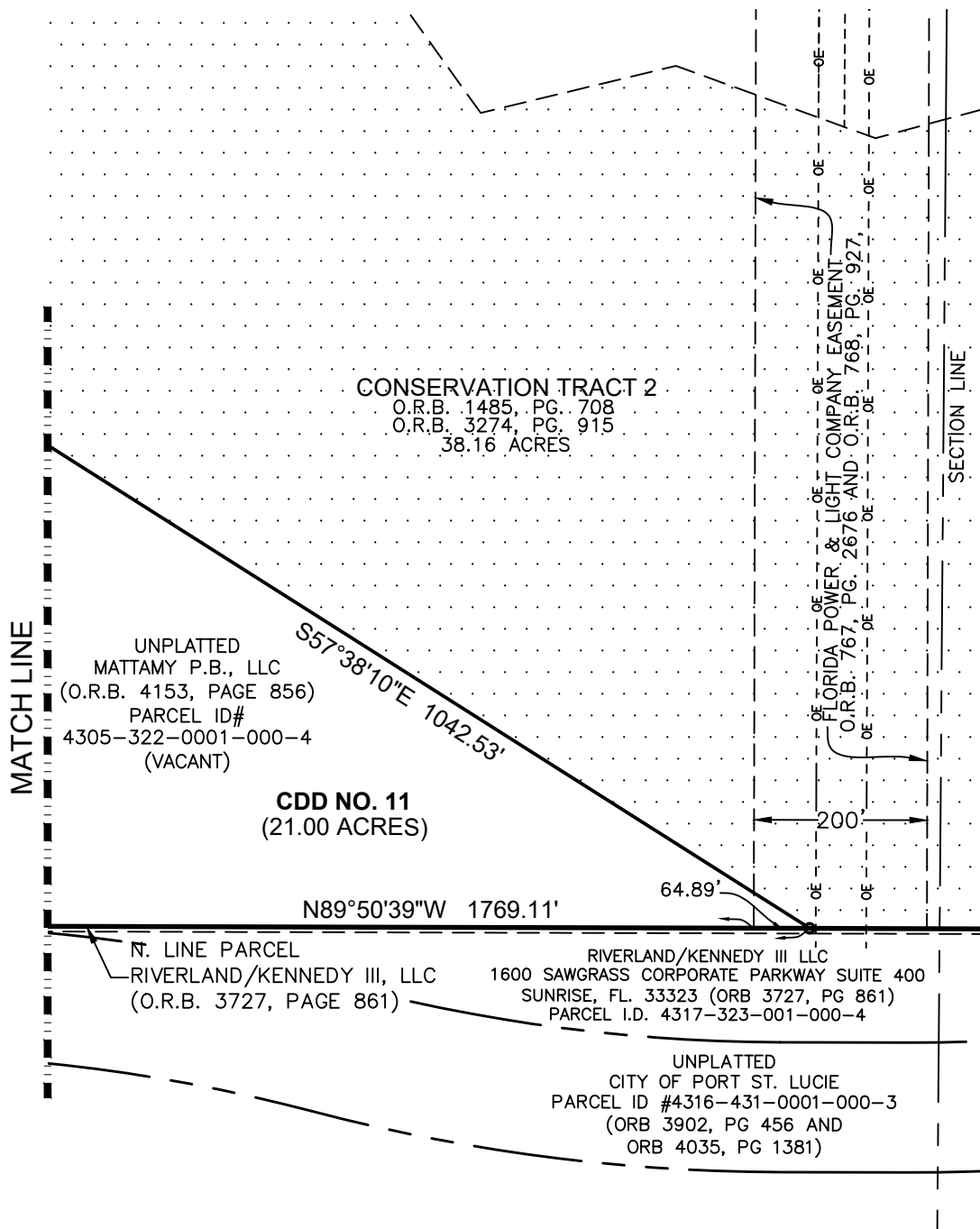
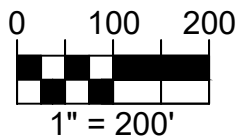


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WESTERN GROVE AT TRADITION  
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DATE	9/9/2022
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F.B./ PG.	N/A
SCALE	AS SHOWN
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F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD11

**EXHIBIT C**

**WRITTEN CONSENT OF THE LANDOWNER OF 100 PERCENT OF THE  
PROPERTIES AFFECTED BY THE PROPOSED CONTRACTION OF THE  
EXTERNAL BOUNDARIES OF TRADITION COMMUNITY DEVELOPMENT  
DISTRICT NO. 8 AND THE PROPOSED ESTABLISHMENT OF A NEW TRADITION  
COMMUNITY DEVELOPMENT DISTRICT NO. 11**

**WRITTEN CONSENT OF LANDOWNER OF PROPERTY AFFECTED BY PROPOSED CONTRACTION OF THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 AND ESTABLISHMENT OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

**MATTAMY PALM BEACH LLC**, a Delaware limited liability company (“Landowner”), hereby certifies that it is the owner of certain real property more particularly described in the attached Exhibit I (“Property”) that is currently located within the external boundaries of Tradition Community Development District No. 8 (“District No. 8”).

1. The Landowner understands, acknowledges, and agrees that:

(a) A Petition (“Petition”) to contract the external boundaries of District No. 8 and to establish a new Tradition Community Development District No. 11 (“District No. 11” and, together with the District No. 8, the “Districts”) will be submitted in accordance with the provisions of Chapter 190, Florida Statutes (together, such boundary changes the “Boundary Amendments”);

(b) The Boundary Amendments include all of the Property, and the Property may be removed from the external boundaries of District No. 8 and included within the external boundaries of a newly established District No. 11; and

(c) Pursuant to the provisions of Chapter 190, Florida Statutes, the Petitioner under the Petition is required to include the written consent of one hundred percent (100%) of the owners of the lands to be affected by the Boundary Amendments.

2. The Landowner hereby:

(a) Consents to the Boundary Amendments, including (i) the contraction of District No. 8 by removal of the Property from the external boundaries of District No. 8, and (ii) the establishment of a new District No. 11 by inclusion of the Property within the external boundaries of a new District No. 11;

(b) Agrees to execute any other or additional documentation as may be necessary or convenient to evidence this consent and joinder during the petition processes for the Boundary Amendments; and

(c) Represents and warrants that all actions have been taken and all consents obtained as necessary to duly authorize the execution of this consent and joinder.

*[Signature on following page]*



IN WITNESS WHEREOF, the undersigned has executed this Consent on behalf of the Landowner as of the date set forth below.

LANDOWNER:

MATTAMY PALM BEACH LLC

By: [Signature]  
Print Name: Tony Polumbo  
Title: Vice President  
Date: 10/12/2022

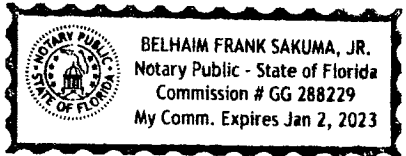
STATE OF Florida  
COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 12 day of October, 2022, by Tony Polumbo, the Vice President of Mattamy Palm Beach LLC (Landowner). He/she:

is personally known to me or

has produced \_\_\_\_\_ as identification.

[Notary Seal]



[Signature]  
Print Name: Belhaim Frank Sakuma Jr.  
Notary Public—State of Florida  
My Commission Expires: 1/2/2023

## **EXHIBIT I**

*[Legal description of Property of Landowner—Lands to be Removed from the External Boundaries of Tradition Community Development District No. 8 and Included Within the External Boundaries of Proposed Tradition Community Development District No. 11]*

DESCRIPTION:(CDD NO.11)

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, BEING A PORTION OF MATTAMY OF PALM BEACH, LLC PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 4153, PAGE 856, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF POWERLINE ROAD (A 150' WIDE PUBLIC RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3071, PAGE 2651, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND THE NORTH RIGHT-OF-WAY LINE OF E/W#1 (A 150' WIDE PUBLIC RIGHT-OF-WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2972, PAGE 829, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 00°00'00" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID POWERLINE ROAD, A DISTANCE OF 1013.45 FEET; THENCE NORTH 89°33'18" EAST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 392.33 FEET TO A POINT ON THE WEST LINE OF CONSERVATION TRACT 2, AS SHOWN IN OFFICIAL RECORDS BOOK 1485, PAGE 708, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE SOUTH 15°45'52" WEST ALONG SAID WEST LINE OF CONSERVATION TRACT 2, A DISTANCE OF 250.56 FEET; THENCE ALONG THE SOUTHWEST LINE OF SAID CONSERVATION TRACT 2 THE FOLLOWING FOUR (4) COURSES AND DISTANCES; THENCE SOUTH 29°27'50" EAST, A DISTANCE OF 150.74 FEET; THENCE SOUTH 63°02'12" EAST, A DISTANCE OF 200.44 FEET; THENCE NORTH 89°59'49" EAST, A DISTANCE OF 311.47 FEET; THENCE SOUTH 57°38'10" EAST, A DISTANCE OF 1,042.53 FEET TO THE NORTH LINE OF RIVERLAND / KENNEDY III LLC PARCEL AS SHOWN IN OFFICIAL RECORDS BOOK 3727, PAGE 861, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 89°50'39" WEST ALONG SAID NORTH LINE OF RIVERLAND / KENNEDY III LLC PARCEL AND SAID NORTH RIGHT-OF-WAY LINE OF E/W # 1, A DISTANCE OF 1769.11 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 21.00 ACRES MORE OR LESS.

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON SEPTEMBER XX, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

**SHEET 1 OF 4**



**CAULFIELD & WHEELER, INC.**  
 CIVIL ENGINEERING – LAND SURVEYING  
 7900 GLADES ROAD – SUITE 100  
 BOCA RATON, FLORIDA 33434  
 PHONE (561)-392-1991 / FAX (561)-750-1452

**David Lindley** Digitally signed by David Lindley  
 Date: 2022.10.11 12:15:22 -04'00'

---

DAVID P. LINDLEY  
 REGISTERED LAND  
 SURVEYOR NO. 5005  
 STATE OF FLORIDA  
 LB# 3591

DATE	9/9/2022
DRAWN BY	R.A.B.
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8060-CDD11

**WESTERN GROVE AT TRADITION  
 CDD NO. 11  
 SKETCH OF DESCRIPTION**

**NOTES:**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL OR ITS AUTHORIZED ELECTRONIC DIGITAL SIGNATURE AND SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 00°00'00" EAST, ALONG THE EAST RIGHT OF WAY LINE OF POWERLINE ROAD (OFFICIAL RECORDS BOOK 3071, PAGE 2651, PUBLIC RECORDS, ST. LUCIE COUNTY, FLORIDA) AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
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**SHEET 2 OF 4**



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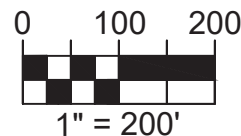
DATE 9/9/2022

DRAWN BY R.A.B.

F.B./ PG. N/A

SCALE AS SHOWN

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 MATTAMY P.B., LLC  
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 PARCEL ID#  
 4305-322-0001-000-4  
 (VACANT)

MATCH LINE

N89°50'39"W 1769.11'

**P.O.B.**  
 INTERSECTION OF  
 E. R/W LINE &  
 N. R/W LINE

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 N. R/W LINE

150.00' WIDE PUBLIC RW E/W#1  
 O.R.B. 2972 PGS. 829-846

UNPLATTED  
 CITY OF PORT ST. LUCIE  
 PARCEL ID #  
 4316-431-0001-000-3  
 (ORB 3902, PG 456 AND  
 ORB 4035, PG 1381)

SPECIAL WARRANTY DEED TO  
 METROPOLITAN LIFE INSURANCE COMPANY  
 O.R.B. 477, PG. 560-566  
 OWNERS NAME: CITY OF PORT ST LUCIE  
 ADDRESS: 900 SE OGDEN LANE  
 PORT ST LUCIE, FL 34983

SHEET 3 OF 4

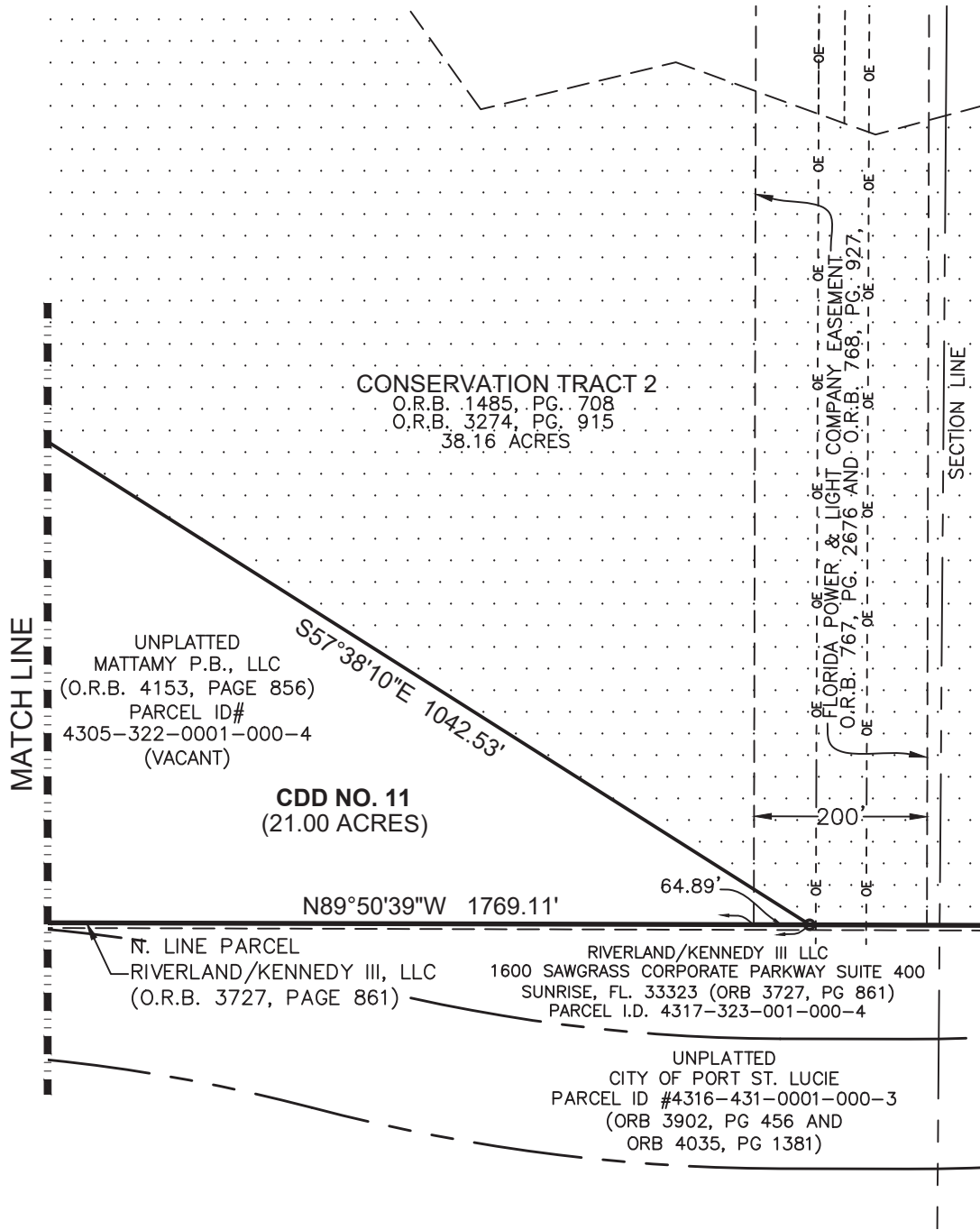
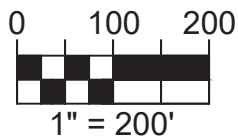


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SCALE	AS SHOWN
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SKETCH OF DESCRIPTION

DATE 9/9/2022

DRAWN BY R.A.B.

F.B./ PG. N/A

SCALE AS SHOWN

JOB NO.8060-CDD11

**EXHIBIT D**

**STATEMENT OF ESTIMATED REGULATORY COSTS OF THE PROPOSED  
CONTRACTION OF THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8 AND THE PROPOSED ESTABLISHMENT OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

# STATEMENT OF ESTIMATED REGULATORY COSTS

## 1.0 Introduction

### 1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition (“Petition”) to contract the boundary of **Tradition Community Development District No. 8** (the “Initial District”), and to establish **Tradition Community Development District No. 11** (the “New District” and, together with the Initial District, the “Districts”). The Initial District currently contains approximately 546 gross acres of land located within the City of Port St. Lucie, Florida (the “City”), and is within the single mixed-use development of regional impact known as “Western Grove.” The Initial District desires to contract its boundary, and to establish the New District, with the net result of the contraction, and establishment being no change in the total acreage within both of the Districts.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, as follows:

“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 Initial District

The Initial District was established to provide community infrastructure, services, and facilities along with their operations and maintenance to the properties within the Initial District.

The existing development plan within the Initial District will not change as a result of the contraction and establishment proposed in the Petition. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDDs provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as the Districts. The scope of this SERC is limited to evaluating the consequences of approving the proposal as set forth in the Petition to contract the boundaries the Initial District and to establish the New District.

### 1.3 Requirements for Statement of Estimated Regulatory Costs



Section 120.541(2), a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly: 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; 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 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<sup>1</sup>, 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 governmental entities, required to comply with the requirements of the rule. As used in this paragraph, “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, and the cost of monitoring and reporting.

(e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes. (The City is not defined as a small city for purposes of this requirement.)

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

(g) In the statement or revised statement, whichever applies, a description of any 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 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.**

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<sup>1</sup> For the purposes of this SERC, the term “agency” means the City and the term “rule” means the ordinances which the City is requested to enact in connection with the proposed contraction of the Initial District and the establishment of the New District.

It is unlikely that the contraction and establishment proposed in the Petition will meet any of the triggers in Section 120.541(2)(a). The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0.

**3.0 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.**

As noted above, the development plan for the Districts will not change as a result of the contraction and establishment proposed in the Petition. The total area within the Districts' boundaries is not changing and would continue to be under the jurisdiction of both of the Districts following such contraction and establishment.

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

**4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule**

**State Government Entities**

There will be only modest costs to various State governmental entities to implement and enforce the proposed contraction of the Initial District boundary and the establishment of the New District. The modest costs to various State entities to implement and enforce the proposed rules relate strictly to the receipt and processing of various reports that the Districts will be required to file with the State and its various entities, which the Initial District is currently filing. The costs to those State agencies that will receive and process the Districts' reports are not increasing, because the Initial District is currently filing the various reports. Additionally, pursuant to section 169.412, Florida Statutes, the Districts must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

**City of Port St. Lucie**

The land involved in the proposed contraction of the Initial District boundary, and that involved in the establishment of the New District, is all located within the City. The City and its staff may process and analyze the petition, conduct public hearings with respect to the Petition, and vote to enact ordinances contracting the Initial District boundary and establishing the New District. These activities will absorb some resources.

These costs to the City are modest for a number of reasons. First, review of the Petition does not include analysis of the Western Grove project itself. Second, the Petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, potential costs are offset by the filing fees set forth in Section 190.046(1)(d)2, Florida Statutes, for contraction of the Initial District, and in Section 190.005(1)(b)1, Florida Statutes, for establishment of the New District. Finally, local

governments routinely process similar petitions for land uses and zoning charges that are far more complex than the changes proposed in the Petition.

The annual costs to the City because of the changes proposed in the Petition. The Districts are independent units of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the Initial District is currently providing to the City.

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

Adoption of the proposed rules (enactment of the proposed ordinances) will have no negative impact on State and local revenues. The Districts are or will be independent units of local government. They are or will be established to provide community facilities and services to serve the Western Grove development and have their 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 Districts to construct infrastructure to serve Western Grove, or for any other reason, are not debts of the State of Florida or any unit of local government. In accordance with State law, debts of a CDD are strictly its own responsibility.

#### **5.0 A good faith estimate of the transactional costs are likely to be incurred by individuals and entities required to comply with the requirements of the ordinances.**

There will be no additional transactional cost to comply with the proposed ordinances.

Current and prospective future landowners in the Districts may be required to pay non-ad valorem assessments levied by the Districts to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the Districts may also impose a non-ad valorem assessment to fund the operations and maintenance of the Districts and their facilities and services. Such costs will not be imposed as a result of the changes proposed in the Petition because the Initial District may already levy non-ad valorem assessments upon all the lands affected by the requested boundary modifications.

Furthermore, the actions of new landowners to locate in the Districts are completely voluntary. So, ultimately, all owners and users of land within the Districts choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the Districts provide.

A CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed charges. CDDs are an alternative means to finance necessary community services. CDD financing is no more expensive, and often less expensive, than the alternatives of a municipal service benefit unit (MSBU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it should be noted that occupants of the lands to be included within the Districts will receive three major classes of benefits.

First, those property owners and businesses in the Districts will receive a higher level of public services and amenities sooner than would otherwise be the case.

Second, CDDs are a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the Districts. This satisfies the Florida growth management legislation, and assures that growth pays for itself without undue burden on other consumers.

Third, a CDD is the sole form of governance which allows the Districts' landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the Districts' services they receive, provided they meet the City's overall requirements.

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

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

There will be no impact on small businesses because of the changes proposed in the Petition. If anything, the impact may be positive. This is because the Districts must competitively bid their contracts. This affords small businesses the opportunity to bid on District work.

The City has an estimated population that is greater than 10,000 according to the 2010 U.S Census. Therefore, the City is not defined as a "small city" according to Section 120.52(18), Florida Statutes.

**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 Initial District Engineer and other professionals associated with the Initial District.

**8.0 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.**

There has been no good faith written proposal submitted to the Initial District as described in Section 120.541(1)(a), Florida Statutes.

*Prepared by:  
Special District Services, Inc.  
August 16, 2022*

**EXHIBIT E**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 AUTHORIZING (A) CONTRACTION OF THE EXTERNAL BOUNDARIES OF DISTRICT NO. 8, (B) ESTABLISHMENT OF A NEW TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11, (C) JOINDER IN THE PETITION, (D) SUBMISSION OF THE PETITION TO THE CITY OF PORT ST. LUCIE FOR APPROVAL, (E) JOINDER BY NEW DISTRICT NO. 11 IN THE INTERLOCAL AGREEMENTS AND INDENTURES, AND (F) EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT**

**RESOLUTION NO. 2022-08**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 AUTHORIZING CONTRACTION OF THE EXTERNAL BOUNDARIES OF DISTRICT NO. 8; AUTHORIZING THE ESTABLISHMENT OF A NEW TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11; AUTHORIZING JOINING IN THE SUBMISSION OF A PETITION SEEKING SUCH CONTRACTION AND ESTABLISHMENT; AUTHORIZING SUBMISSION OF THE PETITION TO THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA; AUTHORIZING JOINDER BY NEW DISTRICT NO. 11 IN INTERLOCAL AGREEMENTS AND INDENTURES; AUTHORIZING EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT RELATING TO PROPERTY THAT, AS A RESULT OF THE CONTRACTION AND ESTABLISHMENT, WILL BE RELOCATED FROM THE BOUNDARIES OF DISTRICT NO. 8 TO THE BOUNDARIES OF DISTRICT NO. 11; AUTHORIZING OFFICERS TO TAKE ACTIONS IN CONNECTION WITH THE PETITION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8:**

**SECTION 1. AUTHORITY FOR THIS RESOLUTION; DEFINITIONS.**

A. The Board of Supervisors (“Board”) of Tradition Community Development District No. 8 (“District No. 8”) is authorized to adopt this Resolution under the authority granted by the provisions of Chapter 190, Florida Statutes (“Act”), and other applicable law.

B. Except as otherwise defined herein, all capitalized terms used in this Resolution shall have the meanings set forth in (i) the Petition (a) to Contract the External Boundaries of Tradition Community Development District No. 8 Pursuant to Section 190.046(1), Florida Statutes, and (b) to Establish Tradition Community Development District No. 11 Pursuant to Section 190.005, Florida Statutes, a copy of which is attached as Exhibit I (“Petition”), or (ii) the 2008 Interlocal Agreement or the New CIP Interlocal Agreement (both defined below).

**SECTION 2. FINDINGS.**

A. District No. 8 was established by Ordinance No. 06-100 of the City of Port St. Lucie, Florida (“City”), enacted on September 25, 2006.

B. The lands within District No. 8, together the lands within the adjacent TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 (“District No. 1”), TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2 (“District No. 2”), TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3 (“District No. 3”), TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 4 (“District No. 4”), TRADITION

COMMUNITY DEVELOPMENT DISTRICT NO. 5 (“District No. 5”), TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 6 (“District No. 6”), TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7 (“District No. 7”), TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9 (“District No. 9”), and TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10 (“District No. 10”), comprise the entirety of the mixed use developments of regional impact known as “Tradition” (District Nos. 1 through 6 and a portion of District No. 7) and “Western Grove” (a portion of District No. 7 and all of District Nos. 8 through 10).

C. The “2003 Benefit Area” currently consists of all of the District Lands within the boundaries of District Nos. 1 through 6 and a portion of the District Lands within the boundaries of District No. 7 (District Nos. 1 through 7, the “2003 Project Districts”). The “New CIP Area” currently consists of that portion of the District Lands within the boundaries of District No. 7 that is not within the 2003 Benefit Area, and all of the District Lands within the boundaries of District Nos. 8 through 11 (District Nos. 7 through 11, the “New CIP Districts”).

D. To facilitate the financing, construction, acquisition, operation, and maintenance of certain components of public infrastructure (“Public Infrastructure”) for developments of regional impact governing the lands located within the 2003 Project Districts (the Tradition DRI) and the New CIP Districts (the Western Grove DRI), and to better assure compliance with those development orders as they relate to such infrastructure:

(i) All of District Nos. 1 through 10 have entered into that certain Amended and Restated District Development Interlocal Agreement dated as of April 8, 2008 (“2008 Interlocal Agreement”).

(ii) With respect to infrastructure serving the New CIP Area, the New CIP Districts have supplemented the 2008 Interlocal Agreement by entering into or joining that certain District Development Interlocal Agreement dated as of March 10, 2021 (“New CIP Interlocal Agreement” and, together with the 2008 Interlocal Agreement, the “Interlocal Agreements”).

(iii) The Interlocal Agreements generally provide for coordinated financing of Public Infrastructure, and centralized administration, budgeting, and governance of maintenance and other operations, throughout the 2003 Benefit Area (the Tradition Project) and the New CIP Area (the Western Grove project) and across all of the Districts.

E. The current external boundaries of District No. 8 contain a total of approximately 546.701 acres of real property that comprises a portion of Western Grove and the New CIP Area. All of these lands are located entirely within the jurisdictional boundaries of the City.

F. The owner of the lands lying within the external boundaries of District No. 8 has caused the preparation of a petition (“Petition”) requesting that the City Council of the City (“City Council”):



(a) Contract the external boundaries of District No. 8 in accordance with Section 190.046(1) of the Act; and

(b) Establish a new Tradition Community Development District No. 11 (“District No. 11”) in accordance with Section 190.005 of the Act from the lands to be excluded from District No. 8.

The total area within the external boundaries of both District No. 8 and District No. 11 following the changes proposed in the Petition will remain approximately 546.701 acres.

G. The owner of 100 percent of the properties affected by the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 as requested in the Petition has executed a written consent to such external boundary modifications and new district establishments.

H. It is in the best interests of District No. 8 and the current and future landowners and residents of District No. 8 that the external boundaries of District No. 8 be contracted, and a new District No. 11 established, in the manner set forth in the Petition.

I. Upon approval of the matters requested in the Petition, District No. 8 and District No. 11 shall execute and deliver an assignment and assumption agreement (“Assignment and Assumption Agreement”) by which:

(a) District No. 8 (as the “Assigning District”) shall assign to District No. 11 (as the “Assuming District”) the Assigning District’s right to collect all non-ad valorem special assessments previously levied by the Assigning District upon property that, as a result of the contraction of the external boundaries of District No. 8, and the establishment of a new District No. 11, will be located within the external boundaries of the Assuming District; and

(b) The Assuming District shall assume from the Assigning District the Assigning District’s right to collect all non-ad valorem special assessments previously levied by the Assigning District upon property that, as a result of the contraction of the external boundaries of District No. 8, and the establishment of a new District No. 11, will be located within the external boundaries of the Assuming District.

J. In furtherance of the foregoing, the Board should authorize (i) contracting the external boundaries of District No. 8 as requested in the Petition, (ii) establishing a new District No. 11 as requested in the Petition, (c) joining the Petition, (d) submitting the Petition to the City, (e) joinder by new District No. 11 in the Interlocal Agreements and in the trust indentures relating to bonds issued to finance Public Infrastructure serving the 2003 Benefit Area and the New CIP Area (collectively, the “Indentures”), and (f) executing an Assignment and Assumption Agreement.

**SECTION 3. AUTHORIZATION TO CONTRACT EXTERNAL BOUNDARIES OF DISTRICT NO. 8.** The Board hereby authorizes the contraction of the external boundaries of District No. 8 in the manner set forth in the Petition.

**SECTION 4. AUTHORIZATION TO ESTABLISH A NEW DISTRICT NO. 11.**

The Board hereby authorizes the establishment of a new District No. 11 in the manner set forth in the Petition.

**SECTION 5. AUTHORIZATION TO JOIN IN AND SUBMIT THE PETITION.**

The Board hereby authorizes joinder in the Petition and submission to the City for approval. The Chairman or Vice-Chairman of the Board or his or her respective designee is hereby authorized and directed to cause the Petition, and all documents and instruments required to be submitted with the Petition pursuant to the Act, to be executed in substantially the form attached as Exhibit I to this Resolution, with such changes, insertions, modifications, and deletions as may be approved by officers of the District executing the same, in consultation with the District Manager, District Counsel, and Bond Counsel. The Board hereby authorizes submission of the Petition to the City.

**SECTION 6. AUTHORIZATION FOR JOINDER.**

District No. 11 is authorized to present and each of the other Districts is hereby authorized to accept a Joinder in the Interlocal Agreements and the Indentures.

**SECTION 7. AUTHORIZATION TO EXECUTE ASSIGNMENT AND ASSUMPTION AGREEMENTS.**

The Board hereby approves the assumption from the Assigning District of such Assigning District's obligation (a) to collect assessments levied on property that is currently located within the boundaries of the Assigning District but, following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11, will be relocated to within the boundaries of the Assuming District, and (b) to remit such assessments consistent with obligations set forth in the Interlocal Agreements and the Indentures. Such assignment and assumption will be effective upon contraction of the boundaries of District No. 8 and the establishment of District No. 11, in the manner contemplated by this Resolution, provided, however, to effectuate and memorialize the foregoing, the Chairman or Vice-Chairman of each of the Assigning District and the Assuming District or his or her respective designee is hereby authorized and directed to prepare and execute an Assignment and Assumption Agreement, in such form and with such changes, insertions, modifications, and deletions as may be approved by the officer of the District executing such instrument, in consultation with the District Manager, District Counsel, and Bond Counsel.

**SECTION 8. AUTHORIZATION FOR ACTIONS.**

The Chairman, Vice-Chairman, and Secretary of the Board of District No. 8, the District's District Manager, District Counsel, Bond Counsel, and other authorized officers are authorized and directed to prepare, execute, and deliver all documents, instruments, and certificates and to take all actions and steps on behalf of District No. 8 that are necessary or desirable in connection with the Petition and its submission to the City Council for approval.

**SECTION 9. SEVERABILITY.**

Should any sentence, section, clause, part, or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part declared invalid.

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


**PASSED AND ADOPTED** at a meeting of the Board of Supervisors of District No. 8 held in open public session this 7<sup>th</sup> day of September, 2022.

**TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8**

Attest:



\_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_  
Print Name: FRANK CONELLI  
Chairman/Vice-Chairman  
Board of Supervisors

**EXHIBIT I**

**FORM OF PETITION**

BEFORE THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA

IN RE: PETITION (A) TO CONTRACT THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 PURSUANT TO SECTION 190.046(1), FLORIDA STATUTES, AND (B) TO ESTABLISH TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO SECTION 190.005, FLORIDA STATUTES

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PETITION

**Mattamy Palm Beach LLC**, a Delaware limited liability company (“**Petitioner**”), is owner of the lands lying within the external boundaries of the **Tradition Community Development District No. 8 (“District No. 8”)**, a community development district (“**CDD**”) established pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended (“**Act**”), and other applicable law by Ordinance No. 06-100 enacted by the City of Port St. Lucie, Florida (“**City**”), on September 25, 2006. The Petitioner, joined by the Board of Supervisors (“**Board**”) of District No. 8, hereby petitions the City Council of the City (“**City Council**”):

(a) **To contract the external boundaries of District No. 8** in accordance with Section 190.046(1) of the Act, and

(b) **To establish a new Tradition Community Development District No. 11 (“District No. 11”)** in accordance with Section 190.005 of the Act from the lands to be excluded from District No. 8,

all in the manner described below. Except as otherwise defined herein, all capitalized terms used in this Petition shall have the meanings set forth in the 2008 Interlocal Agreement or the New CIP Interlocal Agreement (both defined below).

In support of this Petition, the Petitioner, joined by the Board of District No. 8, attests as follows:

**Background**

1. **Tradition Districts.** The lands within District No. 8, together with the lands within the adjacent **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 1 (“District No. 1”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 2 (“District No. 2”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 3 (“District No. 3”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 4 (“District No. 4”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 5 (“District No. 5”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 6 (“District No. 6”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 7 (“District No. 7”)**, **TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 9 (“District No. 9”)**, and

**TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 10** (“**District No. 10**”), comprise the entirety of the mixed use developments of regional impact known as “**Tradition**” (District Nos. 1 through 6 and a portion of District No. 7) and “**Western Grove**” (a portion of District No. 7 and all of District Nos. 8 through 10).

2. 2003 Benefit Area; New CIP Area. The “**2003 Benefit Area**” currently consists of all of the District Lands within the boundaries of District Nos. 1 through 6 and a portion of the District Lands within the boundaries of District No. 7 (District Nos. 1 through 7, the “**2003 Project Districts**”). The “**New CIP Area**” currently consists of that portion of the District Lands within the boundaries of District No. 7 that is not within the 2003 Benefit Area, and all of the District Lands within the boundaries of District Nos. 8 through 10 (District Nos. 7 through 10, the “**New CIP Districts**”).

3. Interlocal Agreements. To facilitate the financing, construction, acquisition, operation, and maintenance of certain components of public infrastructure (“**Public Infrastructure**”) for developments of regional impact governing the lands located within the 2003 Project Districts (the Tradition DRI) and the New CIP Districts (the Western Grove DRI), and to better assure compliance with those development orders as they relate to such infrastructure:

(a) All of District Nos. 1 through 10 have entered into that certain Amended and Restated District Development Interlocal Agreement dated as of April 8, 2008 (“**2008 Interlocal Agreement**”).

(b) With respect to infrastructure serving the New CIP Area, the New CIP Districts have supplemented the 2008 Interlocal Agreement by entering into or joining that certain District Development Interlocal Agreement dated as of March 10, 2021 (“**New CIP Interlocal Agreement**” and, together with the 2008 Interlocal Agreement, the “**Interlocal Agreements**”).

(c) As important here, the Interlocal Agreements generally provide for coordinated financing of Public Infrastructure, and centralized administration, budgeting, and governance of maintenance and other operations, throughout the Western Grove project and across all of the New CIP Districts. Public Infrastructure serving the New CIP Area, in turn, is described in the Master Engineer's Report dated March 11, 2008 (“**Master Engineer's Report**”), as amended and supplemented. The actual improvements comprising, and the estimated costs for, Public Infrastructure serving the New CIP Area may vary from those identified and set forth in the Master Engineer's Report, but any change would be the result of development amendments or modifications to Western Grove, all subject to approval by the City, and not the result of contracting the boundaries of District No. 8 or establishing a new District No. 11 as proposed in this Petition.

4. Current External Boundaries of District No. 8; Proposed Boundaries. The current external boundaries of District No. 8 contain a total of approximately 546.701 acres of real property that comprises a portion of Western Grove and the New CIP Area. All of these lands are located entirely within the jurisdictional boundaries of the City. The current external boundaries of District No. 8 are depicted on map annexed as Exhibit A-1 to this Petition. The proposed

external boundaries of District No. 8 and new District No. 11 following the changes as requested in this Petition are depicted on the map annexed as Exhibit A-2 to this Petition.

### Summary of Petition

5. Petition. The Petitioner, joined by the Board of District No. 8, requests that the City Council:

(a) **Contract the external boundaries of District No. 8** so that following the requested contraction District No. 8 would contain a total of [~525.7] acres; and

(b) **Establish a new District No. 11** from the lands removed by the contraction of District No. 8 so that following the requested establishment the new District No. 11 would contain a total of [~21] acres.

The total area within the external boundaries of both District No. 8 and District No. 11 following the changes proposed in this Petition will remain approximately 546.701 acres.

### Information Required for the Petition to Contract the External Boundaries of District No. 8

6. Contraction Within Statutory Limits. Consistent with the limitations set forth in Section 190.046(1)(e)2 of the Act, the acreage of the contraction that is the subject of this Petition does not exceed a cumulative net total greater than 50 percent of the acres initially located within the external boundaries of District No. 8 and does not exceed 1,000 acres.

7. Proposed Metes and Bounds Description of District No. 8. As required by Sections 190.005(1)(a)1 and 190.046(1)(a) of the Act, annexed as Exhibit B-1 is a metes and bounds description of the external boundaries of District No. 8 after the proposed contraction.

8. No Excluded Property. In response to Sections 190.005(1)(a)1 and 190.046(1)(a) of the Act, no real property within the current and modified external boundaries of District No. 8 as proposed in this Petition will be excluded from the New Districts; the entirety of the real property being removed from District No. 8 will be included within the external boundaries of the proposed new District No. 11.

9. Consent of Affected Landowner. As required by Sections 190.005(1)(a)2 and 190.046(1)(g) of the Act, annexed as Exhibit C is the written consent of the owner of 100 percent of the property affected by the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 as requested in this Petition. As provided in Section 190.046(1)(g) of the Act, the joinder in this Petition by the Board of District No. 8 constitutes consent of the other landowners within District No. 8.

Special assessments levied by the New CIP Districts to fund the capital cost and operation and maintenance expense of Public Infrastructure serving the New CIP Area (the Western Grove development) are allocated on a benefit basis that in turn is determined by the uses of the assessed parcels. These costs are divided among benefitted parcels in proportion to the benefit received by each as a result of the Public Infrastructure, without regard to the District

in which an assessed parcel is located. Changing a parcel from one District to another as proposed in this Petition will not change the special assessments on that parcel, and therefore will have no financial impact on the parcel landowner.

10. No Change to Timetable for Construction of Services. In response to Section 190.046(1)(a) of the Act, the timetable for construction of services to be provided by the Districts to all of the lands currently within the external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, and the estimated cost of constructing those proposed services, will not change as a result of the proposed contraction and establishment. The requested boundary modifications will result in no change to the total land area within the external boundaries of District No. 8 and District No. 11, no change to the total area within the external boundaries of the New CIP Districts, no change to the total area to be served by proposed services to the New CIP Area, no change to any component of the Public Infrastructure serving the New CIP Area, and therefore no change to the estimated cost of or timetable for such services. Changes in the construction timetable and estimated cost of services may occur as a consequence of development amendments or modifications, all subject to separate approval by the City, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

11. No Change to Future Uses. In response to Section 190.046(1)(a) of the Act, the designations of the future general distribution, location, and extent of public and private uses of land proposed by the future land use plan element of the effective local government comprehensive plan for all of the lands currently within the external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, will not change as a result of the proposed contraction and establishment. Changes in future uses may occur as a consequence of development amendments or modifications, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

12. Statement of Estimated Regulatory Costs. As required by Sections 190.005(1)(a)8 and 190.046(1)(a) of the Act, annexed as Exhibit D is a statement of estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.

13. Authorizing Resolution of District No. 8 Board. Annexed as Exhibit E is a resolution of the Board of District No. 8 authorizing (a) contraction of the external boundaries of District No. 8 as requested in this Petition, (b) establishment of a new District No. 11 as requested in this Petition, (c) joinder in this Petition, (d) submission of this Petition to the City, (e) joinder by new District No. 11 in the Interlocal Agreements and in the trust indentures relating to bonds issued to finance Public Infrastructure serving the 2003 Benefit Area and the New CIP Area (collectively, the “**Indentures**”), and (f) execution of an Assignment and Assumption Agreement (defined below).

14. Statutory Requirements for Proposed Contraction Met. Consistent with the requirements set forth in Section 190.005(1)(e)2-6 of the Act, following the proposed contraction of the external boundaries of District No. 8:



(a) Contraction of the external boundaries of District No. 8 as requested in this Petition will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's comprehensive plan;

(b) The area of land within the revised external boundaries of District No. 8 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(c) The New CIP Districts are the best alternative available for delivering the community development facilities and services to the properties that are currently and following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by those Districts;

(d) The community development facilities and services of District No. 8 and a new District No. 11 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(e) Each of the areas that is currently and following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by one of the Districts is amenable to separate special-purpose government.

15. Proposed Form of Ordinance Approving Contraction of External Boundaries of District No. 8. Annexed as Exhibit F-1 is a proposed form of City ordinance approving the requested boundary contraction and amending City Ordinance No. 06-100 to reflect the new external boundaries of District No. 8 in the manner set forth in this Petition.

#### **Information Required for the Petition to Establish a New District No. 11**

16. Proposed Metes and Bounds Description of New District No. 11. As required by Section 190.005(1)(a)1 of the Act, annexed as Exhibit B-2 is a metes and bounds description of the external boundaries of the proposed new District No. 11.

17. Consent of Affected Landowners. As required by Section 190.005(1)(a)2 of the Act, annexed as Exhibit C is the written consent of the owner of 100 percent of the properties affected by the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 as requested in this Petition. As provided in Section 190.046(1)(g) of the Act, the joinder in this Petition by the Board of District No. 8 constitutes consent of the other landowners within District No. 8.

18. Initial Board of Supervisors of District No. 11. As required by Section 190.005(1)(a)3, the following persons shall be the initial members of the board of supervisors of the proposed new District No. 11, each of whom is a resident of the State of Florida and a citizen of the United States, and each of whom shall serve in that office until replaced by elected members as provided in Section 190.006 of the Act:

(a) Tara Toto

- (b) Frank Covelli
- (c) Steven Dassa
- (d) Anissa Cruz
- (e) Tyler Gaffney

19. Proposed Name of New District. As required by Section 190.005(1)(a)4 of the Act, the proposed name of the new District is Tradition Community Development District No. 11.

20. Proposed External Boundaries of District No. 8 and District No. 11. As required by Section 190.005(1)(a)5 of the Act, annexed as Exhibit A-2 is a map depicting the proposed external boundaries of District No. 8 and District No. 11 following the changes as requested in this Petition and showing current major trunk water mains and sewer interceptors and outfalls.

21. No Change to Timetable for Construction of Services. In response to Section 190.046(1)(a) of the Act, the timetable for construction of services to be provided by the Districts to all of the lands within the current external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, and the estimated cost of constructing those proposed services, will not change as a result of the proposed contraction and establishment. The requested boundary modifications will result in no change to the total land area within the external boundaries of District No. 8 and District No. 11, no change to the total area within the external boundaries of the New CIP Districts, no change to the total area to be served by proposed services to the New CIP Area, no change to any component of the Public Infrastructure serving the New CIP Area, and therefore no change to the estimated cost of or timetable for such services. Changes in the construction timetable and estimated cost of services may occur as a consequence of development amendments or modifications, all subject to separate approval by the City, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

22. No Change to Future Uses. In response to Section 190.046(1)(a) of the Act, the designations of the future general distribution, location, and extent of public and private uses of land proposed by the future land use plan element of the effective local government comprehensive plan for all of the lands currently within the external boundaries of District No. 8, including all properties affected by the boundary contraction of District No. 8 and the establishment of a new District No. 11 as requested in this Petition, will not change as a result of the proposed contraction and establishment. Changes in future uses may occur as a consequence of development amendments or modifications, but such changes would not result from the external boundary contraction of District No. 8 or the establishment of a new District No. 11 as proposed in this Petition.

23. Statement of Estimated Regulatory Costs. As required by Sections 190.005(1)(a)8 of the Act, annexed as Exhibit D is a statement of estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.

24. Authorizing Resolution of District Boards. Annexed as Exhibit E is a resolution of the Board of District No. 8 authorizing (a) contraction of the external boundaries of District No. 8 as requested in this Petition, (b) establishment of a new District No. 11 as requested in this Petition, (c) joinder in this Petition, (d) submission of this Petition to the City, (e) joinder by new District No. 11 in the Interlocal Agreements and in the Indentures, and (f) execution of an Assignment and Assumption Agreement.

25. Statutory Requirements for Establishment of New District No. 11 Met. Consistent with the requirements set forth in Section 190.005(1)(e)2-6 of the Act, following the proposed establishment of a new District No. 11:

(a) The new District No. 11 will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's comprehensive plan;

(b) The properties comprising the new District No. 11 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(c) The New CIP Districts are the best alternative available for delivering the community development facilities and services to the properties that are currently and following the expansions and contractions of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by those Districts;

(d) The community development facilities and services of District No. 8 and District No. 11 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(e) Each of the areas that is currently and following the contraction of the external boundaries of District No. 8 and the establishment of a new District No. 11 will continue to be served by one of the Districts is amenable to separate special-purpose government.

26. Special Powers Requested Consistent with City Ordinance No. 06-100. City Ordinance No. 06-100 incorporates the consent of the City to the exercise by District No. 8 of certain special powers in the manner permitted by the Act, as follows:

(a) Pursuant to Section 190.012(2)(a) of the Act, the City consented to the exercise of the powers set forth in Section 190.012(2) (a), (b), (c), and (d) of the Act, thereby enabling District No. 8 to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; (2) fire prevention and control, including water mains and plugs, fire stations, fire trucks and other vehicles and equipment; (3) school buildings and related structures, which may be leased, sold or donated to the school district, for use in its educational system, when authorized by the district school board; and (4) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion detection systems, and patrol cars,

when authorized by proper governmental agencies; except that District No. 8 may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within District No. 8's boundaries. Notwithstanding anything to the contrary set forth in the establishing ordinance, District No. 8 shall not operate or maintain any water and sewer facilities within its boundaries and all of such facilities shall be dedicated to and/or owned by the City.

(b) The City further consented to the exercise by District No. 8 of the right and power of eminent domain, pursuant to Chapter 73, Florida Statutes and Chapter 74, Florida Statutes, over any property outside the boundaries of District No. 8 and within the City (except municipal, county, state and federal property) for the uses and purposes of District No. 8 relating solely to water, sewer, District No. 8 roads, and water management, specifically including, without limitation, the power of eminent domain for the taking of easements for the drainage of the land of one person over and through the land of another; provided, however, that District No. 8 shall exercise the eminent domain power only for uses and purposes contemplated by, consistent with or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 8.

(c) The foregoing powers are in addition, and supplemental, to the powers which District No. 8 is entitled to exercise pursuant to the Act.

(d) As permitted by the Act, the City approved District No. 8's exercise, outside of its boundaries, of the powers granted in the Act and in the establishing ordinance, subject to the terms of the establishing ordinance, for uses and purposes contemplated by, consistent with or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 8.

The Petitioner, joined by the Board of District No. 8, respectfully requests that the ordinance establishing a new District No. 11 incorporate like consents of the City to the exercise by the new District No. 11 of identical special powers in the manner permitted by the Act. By affording such consent, the City would preserve throughout the Tradition and Western Grove projects the continuity of identical powers currently held by District No. 8 and each of the 2003 Project Districts and the other New CIP Districts.

27. Proposed Form of Ordinance Establishing New District No. 11. Annexed as Exhibit F-2 is a proposed form of City ordinance establishing a new District No. 11 in the manner set forth in this Petition.

#### **Conforming Actions by District No. 8 and District No. 11**

28. Joinder of District No. 11 in Interlocal Agreements and the Indentures. Upon establishment, the new District No. 11 shall execute a written Joinder and thereby become a party to the Interlocal Agreements and the Indentures, assuring that District No. 11 will continue participating in the coordinated financing of Public Infrastructure, and centralized administration,

budgeting, and governance of maintenance and other operations, throughout the Tradition and Western Grove projects and across all of the Districts.

29. Assignment and Assumption of Non-Ad Valorem Assessments. Upon approval of the matters requested in this Petition, District No. 8 and District No. 11 shall execute and deliver an assignment and assumption agreement (“**Assignment and Assumption Agreement**”) by which:

(a) District No. 8 (as the “**Assigning District**”) shall assign to District No. 11 (as the “**Assuming District**”) the Assigning District’s right to collect all non-ad valorem special assessments previously levied by the Assigning District upon property that, as a result of the contraction of the external boundaries of District No. 8, and the establishment of a new District No. 11, will be located within the external boundaries of the Assuming District; and

(b) The Assuming District shall assume from the Assigning District the Assigning District’s right to collect all non-ad valorem special assessments previously levied by the Assigning District upon property that, as a result of the contraction of the external boundaries of District No. 8, and the establishment of a new District No. 11, will be located within the external boundaries of the Assuming District.

#### **Certification of Petition**

Consistent with the requirement set forth in Section 190.005(1)(e)1 of the Act, the Petitioner, joined by the Board of District No. 8, certifies that all statements contained within this Petition are true and correct.

\* \* \*

**WHEREFORE**, the Petitioner, joined by the Board of Supervisors of District No. 8, hereby respectfully requests that the City Council:

A. Direct City staff to notice public hearings, in the same manner as the City Council notices other proposed City ordinances and ordinance amendments, to consider whether to grant the Petition.

B. Following the public hearings, grant the petition and enact ordinances pursuant to applicable law:

(i) Amending City Ordinance No. 06-100 to reflect the new external boundaries of District No. 8 in the manner proposed in Exhibit F-1, and

(ii) Establishing a new District No. 11 in the manner proposed in Exhibit F-2.

*[Signatures on following pages]*

RESPECTFULLY SUBMITTED this \_\_\_ day of \_\_\_\_\_, 2022.

WITNESSES:

**MATTAMY PALM BEACH LLC**  
A Delaware limited liability company

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this \_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_ as \_\_\_\_\_ of, MATTAMY PALM BEACH LLC, a Delaware limited liability company, and who is  personally known to me or  has produced \_\_\_\_\_ as identification.

[Notary Seal]

\_\_\_\_\_  
Notary Public-State of Florida  
Print Name: \_\_\_\_\_  
My Comm'n Exp.: \_\_\_\_\_

**RESPECTFULLY SUBMITTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by means of  physical presence or  online notarization by \_\_\_\_\_, the \_\_\_\_\_ of the Board of Supervisors of Tradition Community Development District No. 8. He/she is  personally known to me or  has produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2022.

[Notary Seal]

\_\_\_\_\_  
Notary Public—State of Florida

\_\_\_\_\_  
Typed, printed, or stamped name of Notary Public  
My Commission Expires: \_\_\_\_\_

\* \* \*

**EXHIBIT A-1**

**MAP DEPICTING THE CURRENT EXTERNAL BOUNDARIES OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8**



EXHIBIT A-2

MAP DEPICTING THE PROPOSED EXTERNAL BOUNDARIES OF TRADITION  
COMMUNITY DEVELOPMENT DISTRICT NO. 8 AND TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 11 FOLLOWING CONTRACTION OF THE  
EXTERNAL BOUNDARIES OF DISTRICT NO. 8 AND ESTABLISHMENT OF  
DISTRICT NO. 11

**EXHIBIT B-1**

**PROPOSED METES AND BOUNDS DESCRIPTION OF TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8 AFTER THE PROPOSED CONTRACTION OF  
EXTERNAL BOUNDARIES**

**EXHIBIT B-2**

**PROPOSED METES AND BOUNDS DESCRIPTION OF NEW  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

EXHIBIT C

WRITTEN CONSENT OF THE LANDOWNER OF 100 PERCENT OF THE  
PROPERTIES AFFECTED BY THE PROPOSED CONTRACTION OF THE  
EXTERNAL BOUNDARIES OF TRADITION COMMUNITY DEVELOPMENT  
DISTRICT NO. 8 AND THE PROPOSED ESTABLISHMENT OF A NEW TRADITION  
COMMUNITY DEVELOPMENT DISTRICT NO. 11

**EXHIBIT D**

**STATEMENT OF ESTIMATED REGULATORY COSTS OF THE PROPOSED  
CONTRACTION OF THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8 AND THE PROPOSED ESTABLISHMENT OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

# STATEMENT OF ESTIMATED REGULATORY COSTS

## 1.0 Introduction

### 1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition (“Petition”) to contract the boundary of **Tradition Community Development District No. 8** (the “Initial District”), and to establish **Tradition Community Development District No. 11** (the “New District” and, together with the Initial District, the “Districts”). The Initial District currently contains approximately 546 gross acres of land located within the City of Port St. Lucie, Florida (the “City”), and is within the single mixed-use development of regional impact known as “Western Grove.” The Initial District desires to contract its boundary, and to establish the New District, with the net result of the contraction, and establishment being no change in the total acreage within both of the Districts.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, as follows:

“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 Initial District

The Initial District was established to provide community infrastructure, services, and facilities along with their operations and maintenance to the properties within the Initial District.

The existing development plan within the Initial District will not change as a result of the contraction and establishment proposed in the Petition. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDDs provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as the Districts. The scope of this SERC is limited to evaluating the consequences of approving the proposal as set forth in the Petition to contract the boundaries the Initial District and to establish the New District.

### 1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly: 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; 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 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<sup>1</sup>, 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 governmental entities, required to comply with the requirements of the rule. As used in this paragraph, “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, and the cost of monitoring and reporting.

(e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes. (The City is not defined as a small city for purposes of this requirement.)

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

(g) In the statement or revised statement, whichever applies, a description of any 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 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.**

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<sup>1</sup> For the purposes of this SERC, the term “agency” means the City and the term “rule” means the ordinances which the City is requested to enact in connection with the proposed contraction of the Initial District and the establishment of the New District.

It is unlikely that the contraction and establishment proposed in the Petition will meet any of the triggers in Section 120.541(2)(a). The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0.

**3.0 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.**

As noted above, the development plan for the Districts will not change as a result of the contraction and establishment proposed in the Petition. The total area within the Districts' boundaries is not changing and would continue to be under the jurisdiction of both of the Districts following such contraction and establishment.

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

**4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule**

**State Government Entities**

There will be only modest costs to various State governmental entities to implement and enforce the proposed contraction of the Initial District boundary and the establishment of the New District. The modest costs to various State entities to implement and enforce the proposed rules relate strictly to the receipt and processing of various reports that the Districts will be required to file with the State and its various entities, which the Initial District is currently filing. The costs to those State agencies that will receive and process the Districts' reports are not increasing, because the Initial District is currently filing the various reports. Additionally, pursuant to section 169.412, Florida Statutes, the Districts must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

**City of Port St. Lucie**

The land involved in the proposed contraction of the Initial District boundary, and that involved in the establishment of the New District, is all located within the City. The City and its staff may process and analyze the petition, conduct public hearings with respect to the Petition, and vote to enact ordinances contracting the Initial District boundary and establishing the New District. These activities will absorb some resources.

These costs to the City are modest for a number of reasons. First, review of the Petition does not include analysis of the Western Grove project itself. Second, the Petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, potential costs are offset by the filing fees set forth in Section 190.046(1)(d)2, Florida Statutes, for contraction of the Initial District, and in Section 190.005(1)(b)1, Florida Statutes, for establishment of the New District. Finally, local



governments routinely process similar petitions for land uses and zoning charges that are far more complex than the changes proposed in the Petition.

The annual costs to the City because of the changes proposed in the Petition. The Districts are independent units of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the Initial District is currently providing to the City.

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

Adoption of the proposed rules (enactment of the proposed ordinances) will have no negative impact on State and local revenues. The Districts are or will be independent units of local government. They are or will be established to provide community facilities and services to serve the Western Grove development and have their 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 Districts to construct infrastructure to serve Western Grove, or for any other reason, are not debts of the State of Florida or any unit of local government. In accordance with State law, debts of a CDD are strictly its own responsibility.

#### **5.0 A good faith estimate of the transactional costs are likely to be incurred by individuals and entities required to comply with the requirements of the ordinances.**

There will be no additional transactional cost to comply with the proposed ordinances.

Current and prospective future landowners in the Districts may be required to pay non-ad valorem assessments levied by the Districts to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the Districts may also impose a non-ad valorem assessment to fund the operations and maintenance of the Districts and their facilities and services. Such costs will not be imposed as a result of the changes proposed in the Petition because the Initial District may already levy non-ad valorem assessments upon all the lands affected by the requested boundary modifications.

Furthermore, the actions of new landowners to locate in the Districts are completely voluntary. So, ultimately, all owners and users of land within the Districts choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the Districts provide.

A CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed charges. CDDs are an alternative means to finance necessary community services. CDD financing is no more expensive, and often less expensive, than the alternatives of a municipal service benefit unit (MSBU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it should be noted that occupants of the lands to be included within the Districts will receive three major classes of benefits.

First, those property owners and businesses in the Districts will receive a higher level of public services and amenities sooner than would otherwise be the case.

Second, CDDs are a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the Districts. This satisfies the Florida growth management legislation, and assures that growth pays for itself without undue burden on other consumers.

Third, a CDD is the sole form of governance which allows the Districts' landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the Districts' services they receive, provided they meet the City's overall requirements.

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

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

There will be no impact on small businesses because of the changes proposed in the Petition. If anything, the impact may be positive. This is because the Districts must competitively bid their contracts. This affords small businesses the opportunity to bid on District work.

The City has an estimated population that is greater than 10,000 according to the 2010 U.S Census. Therefore, the City is not defined as a "small city" according to Section 120.52(18), Florida Statutes.

**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 Initial District Engineer and other professionals associated with the Initial District.

**8.0 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.**

There has been no good faith written proposal submitted to the Initial District as described in Section 120.541(1)(a), Florida Statutes.

*Prepared by:  
Special District Services, Inc.  
August 16, 2022*

EXHIBIT E

RESOLUTION OF THE BOARD OF SUPERVISORS OF TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 AUTHORIZING (A) CONTRACTION OF THE EXTERNAL BOUNDARIES OF DISTRICT NO. 8, (B) ESTABLISHMENT OF A NEW TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11, (C) JOINDER IN THE PETITION, (D) SUBMISSION OF THE PETITION TO THE CITY OF PORT ST. LUCIE FOR APPROVAL, (E) JOINDER BY NEW DISTRICT NO. 11 IN THE INTERLOCAL AGREEMENTS AND INDENTURES, AND (F) EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT

**EXHIBIT F-1**

**PROPOSED FORM OF CITY ORDINANCE APPROVING THE REQUESTED  
CONTRACTION OF THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8 AND AMENDING CITY ORDINANCE NO. 06-100  
TO REFLECT THE NEW EXTERNAL BOUNDARIES**

ORDINANCE NO. 22-\_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING ORDINANCE NO. 06-100 ENACTED ON SEPTEMBER 25, 2006, ESTABLISHING TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 IN ORDER TO CONTRACT THE EXTERNAL BOUNDARIES OF THE DISTRICT; MAKING CERTAIN FINDINGS; DESCRIBING THE REVISED EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE**

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2, of the Florida Constitution; Chapter 166, Florida Statutes, as amended; Section 190.046(1), Florida Statutes; Section 1.01 of the Charter of the City of Port St. Lucie, Florida (“City”); and other applicable provisions of law.

Section 2. Findings. It is hereby ascertained, determined, and declared by the City Council of the City (“City Council”) as follows:

a. On September 25, 2006, the City Council enacted Ordinance No. 06-100 (“Ordinance”) establishing Tradition Community Development District No. 8 (“District No. 8”) as a community development district pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (“Act”), and other applicable law, including establishing its external boundaries, among other matters.

b. The external boundaries of District No. 8 currently contain approximately 546.701 acres of real property located entirely within the jurisdictional boundaries of the City.

c. Pursuant to Section 190.046(1) of the Act, Mattamy Palm Beach LLC, a Delaware limited liability company (“Petitioners”), joined by the Board of Supervisors of District No. 8, have filed a Petition with the City that, as important here, requests that the City (1) contract the external boundaries of District No. 8 so that thereafter a total of approximately \_\_\_\_\_ acres of real property will be located within such external boundaries, and (2) amend the Ordinance to reflect the revised external boundaries of District No. 8 as described in the attached Exhibit “A2.”

d. All lands within District No. 8 as currently configured and as proposed for contraction in the Petition are located entirely within the jurisdictional boundaries of the City.

e. The Petition contains the information required by Sections 190.005 and 190.046 of the Act to contract the external boundaries of District No. 8.

f. The City Council has conducted a public hearing on the Petition in accordance with the requirements of Section 190.046(1)(b) and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, among other matters, and hereby finds that:

(1) All statements contained in the Petition are true and correct;

(2) The proposed contraction of the external boundaries of District No. 8 as set forth in the Petition will not result in a cumulative net total addition that is either (A) greater than 50 percent of the acres initially located within the boundaries of District No. 8, or (B) in excess of 1,000 acres;

(3) No real property within the revised external boundaries of District No. 8 as proposed in the Petition will be excluded from District No. 8;

(4) The contraction of the external boundaries of District No. 8 as proposed in the Petition will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's Comprehensive Plan;

(5) Following the proposed contraction of the external boundaries of District No. 8, the property comprising District No. 8 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(6) District No. 8 is the best alternative available for delivering community development services and facilities to the area that, following the contraction proposed in the Petition, will be served by District No. 8;

(7) The community development services and facilities of District No. 8 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by District No. 8 is amenable to separate special-district government.

g. The City Council now desires to grant the request of District No. 8 by (1) contracting the external boundaries of District No. 8 in the manner set forth in the Petition and (2) amending the Ordinance in the manner set forth in this Ordinance.

Section 3. Grant of Petition; Amendment of Ordinance to Establish New Boundaries of District No. 8. The City hereby grants the request of District No. 8 as set forth in the Petition

and the Ordinance is hereby amended to contact the external boundaries of District No. 8 by deleting Exhibit "A" in its entirety and replacing it with Exhibit "A2" attached to this Ordinance.

Section 4. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any portion of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Filing with the Department of State. The Clerk be and is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

Section 7. Effective Date. This Ordinance shall become effective ten (10) days after its final adoption.

PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this \_\_\_ day of \_\_\_\_\_, 2022.

**CITY COUNCIL  
CITY OF PORT ST. LUCIE, FLORIDA**

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

\_\_\_\_\_  
Shannon Martin, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney



**EXHIBIT "A2"**

**REVISED EXTERNAL BOUNDARIES OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8**

**EXHIBIT F-2**

**PROPOSED FORM OF CITY ORDINANCE ESTABLISHING A NEW  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

ORDINANCE NO. 22-\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ESTABLISHING TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11; MAKING CERTAIN FINDINGS REGARDING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING FIVE PERSONS DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR CERTAIN SPECIAL POWERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE**

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2, of the Florida Constitution; Chapter 166, Florida Statutes, as amended; Chapter 190, Florida Statutes, as amended (“Act”), and in particular Section 190.005 of the Act; Section 1.01 of the Charter of the City of Port St. Lucie, Florida (“City”); and other applicable provisions of law.

Section 2. Findings. It is hereby ascertained, determined, and declared by the City Council of the City (“City Council”) as follows:

a. Pursuant to Section 190.005 of the Act, Mattamy Palm Beach LLC, a Delaware limited liability company (“Petitioner”), joined by the Board of Supervisors of Tradition Community Development District No. 8 (“District No. 8”), has filed a Petition with the City that, as important here, requests that the City establish Tradition Community Development District No. 11 (“District No. 11”) as a community development district within the meaning of the Act and other applicable law to provide infrastructure and related facilities and improvements (“Infrastructure”) to serve the property described in the attached Exhibit A (“Property”).

b. The Petition contains the information required by Section 190.005 of the Act to establish District No. 11.

c. The City Council has conducted a public hearing on the Petition and the requested establishment of District No. 11 in accordance with the requirements of the Act and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, among other matters, and hereby finds that:

(1) All statements contained in the Petition are true and correct;

(2) The creation of District No. 11 is not inconsistent with any applicable element or portion of the State of Florida’s comprehensive plan or of the City’s Comprehensive Plan;

(3) The area of land within the proposed District No. 11 is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;

(4) District No. 11 is the best alternative available for delivering community development services and facilities to the area that will be served by District No. 11;

(5) The community development services and facilities of the proposed District No. 11 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities;

(6) The area that will be served by the proposed District No. 11 is amenable to separate special-district government;

(7) District No. 8 has previously levied special assessments on benefitted land within the area to be included in the District No. 11 to pay for or to finance or refinance certain Infrastructure that has been and will be constructed or acquired by or on behalf of the Districts and other community development districts that become parties to the Interlocal Agreements (defined below), and to pay for costs of operation and maintenance of such Infrastructure, and the obligation to collect such special assessments shall be assigned to and assumed by District No. 11;

(8) Consistent with the provisions of Section 190.002, Florida Statutes, all applicable planning and permitting laws, rules, regulations and policies control the development of the land to be serviced by District No. 11;

(9) The City Council finds that District No. 11 shall have the general powers described in section 190.011, Florida Statutes, and the special powers described below in Section 6 of this Ordinance;

(10) The exercise by District No. 11 of any powers other than the powers set forth in Section 6 of this Ordinance, shall require consent by the City Council by ordinance or resolution; and

(11) Notwithstanding anything to the contrary in this Ordinance, nothing herein shall operate to impair or otherwise adversely impact existing and future indebtedness incurred by or on behalf of District No. 8, District No. 11, and any other community development district that becomes a party to that certain Amended and Restated District Development Interlocal Agreement dated as of April 8, 2008, as supplemented by that certain District Development Interlocal Agreement dated as of March 10, 2021, both as amended through the date of this Ordinance and as may be hereafter amended in accordance with their respective terms (together, the "Interlocal Agreements"), or the rights of the holders of such

indebtedness, it being acknowledged that following its establishment District No. 11 will become a party to the Interlocal Agreements, as such instruments exist on the date of this Ordinance.

d. The City Council now desires to grant the request of the Petitioner and District No. 8 and establish District No. 11 in the manner set forth in the Petition and as more fully set forth herein.

Section 3. Grant of Petition; Establishment of District No. 11. The City hereby grants the request of the Petitioner and District No. 8 as set forth in the Petition and establishes Tradition Community Development District No. 11 as a community development district within the meaning of the Act and as an independent special district within the meaning of Chapter 189, Florida Statutes, and a political subdivision of the State of Florida.

Section 4. External Boundaries. The external boundaries of District No. 11 shall be as set forth on Exhibit A to this Ordinance.

Section 5. Initial Members of Board of Supervisors. The five persons to be the initial members of the Board of Supervisors of District No. 11, each of whom is designated in the Petition and is a resident of the State of Florida and a citizen of the United States, are as follows:

- A. Tara Toto
- B. Frank Covelli
- C. Steven Dassa
- D. Anissa Cruz
- E. Tyler Gaffney

Section 6. Consent to Exercise of Special Powers.

a. Pursuant to Section 190.012(2)(a) of the Act, the City hereby consents to the exercise of the powers set forth in Section 190.012(2) (a), (b), (c), and (d) of the Act, thereby enabling District No. 11 to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses; (2) fire prevention and control, including water mains and plugs, fire stations, fire trucks, and other vehicles and equipment; (3) school buildings and related structures, which may be leased, sold, or donated to the school district, for use in its educational system, when authorized by the district school board; and (4) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion detection systems, and patrol cars, when authorized by proper governmental agencies; except that District No. 11 may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within District No. 11

boundaries. Said powers shall be discharged in accordance with Chapter 190, Florida Statutes. District No. 11's exercise of special powers pursuant to section 190.012(2)(d), Florida Statutes, may not impede the public's access to public roadways. District No. 11 shall not impose special assessments of any kind whatsoever on real property to be dedicated to or owned by the City for public Infrastructure purposes. Notwithstanding anything to the contrary set forth herein, District No. 11 shall not operate or maintain any water and sewer facilities within its boundaries and all of such facilities shall be dedicated to and/or owned by the City.

b. The City further consents to the exercise by District No. 11 of the right and power of eminent domain, pursuant to Chapter 73, Florida Statutes, and Chapter 74, Florida Statutes, over any property outside the boundaries of District No. 11 and within the City (except municipal, county, state, and federal property) for the uses and purposes of District No. 11 relating solely to water, sewer, District No. 11 roads, and water management, specifically including, without limitation, the power of eminent domain for the taking of easements for the drainage of the land of one person over and through the land of another; provided, however, that District No. 11 shall exercise the eminent domain power only for uses and purposes contemplated by, consistent with, or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 11.

c. The foregoing powers shall be in addition, and supplemental, to the powers which the proposed District No. 11 is entitled to exercise pursuant to the Act.

d. As permitted by the Act, the City hereby approves District No. 11's exercise, outside of its boundaries, of the powers granted in the Act and herein, subject to the terms hereof, for uses and purposes contemplated by, consistent with, or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 11.

Section 7. Notice of Special Assessments. District No. 11 is solely responsible for the implementation of assessments upon benefitted property within its boundaries. The Petitioner, its successors and assignees shall provide notice of said special assessments to all prospective purchasers of said property. The Petitioner, its successors and assignees shall provide full disclosure of the public financing and maintenance improvements undertaken by District No. 11. This disclosure shall include a statement in bold print that special assessments imposed by District No. 11 will appear in the tax bill for each property within District No. 11. This disclosure shall meet the requirements of section 190.048, Florida Statutes, as amended from time to time, and shall be included in every contract for purchase and sale of property within District No. 11. District No. 11 shall record a notice of establishment in the Public Records in accordance with Section 190.0485, Florida Statutes, before any bond sale, and shall record a notice of assessments (lien of record) in the Public Records after each bond sale.

Section 8. Conditions. This Ordinance shall be subject to the following conditions:

a. The property within District No. 11 shall be subject to all applicable City ordinances, including but not limited to site plan approval and all permitting and review requirements and processes;

b. All development within District No. 11 shall be subject to City inspections and requirements; and

c. The construction by or on behalf of District No. 11 of all public Infrastructure relating to ponds, landscaping, hardscaping and walls, sanitary sewer, stormwater management (including ponds and retention and transmission facilities), roads and paving, sidewalks, and water supply distribution shall be in accordance with applicable City standards; stormwater management facilities will be constructed consistent with the design criteria set forth within all applicable South Florida Water Management District surface water management permits.

Section 9. Authority. District No. 11 shall have all of the authority and power contained within Chapter 190, Florida Statutes, to the extent set forth in this Ordinance.

Section 10. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 11. Severability. The provisions of this Ordinance are intended to be severable. If any portion of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 12. Filing with the Department of State. The Clerk be and is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

Section 13. Effective Date. This Ordinance shall become effective immediately upon final adoption.

\* \* \*

PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this \_\_\_ day of \_\_\_\_\_, 2022.

**CITY COUNCIL  
CITY OF PORT ST. LUCIE, FLORIDA**

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

\_\_\_\_\_  
Shannon Martin, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney



**EXHIBIT A**

**EXTERNAL BOUNDARIES OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

**EXHIBIT F-1**

**PROPOSED FORM OF CITY ORDINANCE APPROVING THE REQUESTED  
CONTRACTION OF THE EXTERNAL BOUNDARIES OF TRADITION COMMUNITY  
DEVELOPMENT DISTRICT NO. 8 AND AMENDING CITY ORDINANCE NO. 06-100  
TO REFLECT THE NEW EXTERNAL BOUNDARIES**

ORDINANCE NO. 22-\_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING ORDINANCE NO. 06-100 ENACTED ON SEPTEMBER 25, 2006, ESTABLISHING TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8 IN ORDER TO CONTRACT THE EXTERNAL BOUNDARIES OF THE DISTRICT; MAKING CERTAIN FINDINGS; DESCRIBING THE REVISED EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE**

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2, of the Florida Constitution; Chapter 166, Florida Statutes, as amended; Section 190.046(1), Florida Statutes; Section 1.01 of the Charter of the City of Port St. Lucie, Florida (“City”); and other applicable provisions of law.

Section 2. Findings. It is hereby ascertained, determined, and declared by the City Council of the City (“City Council”) as follows:

a. On September 25, 2006, the City Council enacted Ordinance No. 06-100 (“Ordinance”) establishing Tradition Community Development District No. 8 (“District No. 8”) as a community development district pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (“Act”), and other applicable law, including establishing its external boundaries, among other matters.

b. The external boundaries of District No. 8 currently contain approximately 546.701 acres of real property located entirely within the jurisdictional boundaries of the City.

c. Pursuant to Section 190.046(1) of the Act, Mattamy Palm Beach LLC, a Delaware limited liability company (“Petitioners”), joined by the Board of Supervisors of District No. 8, have filed a Petition with the City that, as important here, requests that the City (1) contract the external boundaries of District No. 8 so that thereafter a total of approximately 525.7 acres of real property will be located within such external boundaries, and (2) amend the Ordinance to reflect the revised external boundaries of District No. 8 as described in the attached Exhibit “A2.”

d. All lands within District No. 8 as currently configured and as proposed for contraction in the Petition are located entirely within the jurisdictional boundaries of the City.

e. The Petition contains the information required by Sections 190.005 and 190.046 of the Act to contract the external boundaries of District No. 8.

f. The City Council has conducted a public hearing on the Petition in accordance with the requirements of Section 190.046(1)(b) and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, among other matters, and hereby finds that:

(1) All statements contained in the Petition are true and correct;

(2) The proposed contraction of the external boundaries of District No. 8 as set forth in the Petition will not result in a cumulative net total addition that is either (A) greater than 50 percent of the acres initially located within the boundaries of District No. 8, or (B) in excess of 1,000 acres;

(3) No real property within the revised external boundaries of District No. 8 as proposed in the Petition will be excluded from District No. 8;

(4) The contraction of the external boundaries of District No. 8 as proposed in the Petition will not be inconsistent with any applicable element or portion of the State of Florida's comprehensive plan or of the City's Comprehensive Plan;

(5) Following the proposed contraction of the external boundaries of District No. 8, the property comprising District No. 8 will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community;

(6) District No. 8 is the best alternative available for delivering community development services and facilities to the area that, following the contraction proposed in the Petition, will be served by District No. 8;

(7) The community development services and facilities of District No. 8 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by District No. 8 is amenable to separate special-district government.

g. The City Council now desires to grant the request of District No. 8 by (1) contracting the external boundaries of District No. 8 in the manner set forth in the Petition and (2) amending the Ordinance in the manner set forth in this Ordinance.

Section 3. Grant of Petition; Amendment of Ordinance to Establish New Boundaries of District No. 8. The City hereby grants the request of District No. 8 as set forth in the Petition

and the Ordinance is hereby amended to contact the external boundaries of District No. 8 by deleting Exhibit “A” in its entirety and replacing it with Exhibit “A2” attached to this Ordinance.

Section 4. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 5. Severability. The provisions of this Ordinance are intended to be severable. If any portion of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 6. Filing with the Department of State. The Clerk be and is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

Section 7. Effective Date. This Ordinance shall become effective immediately upon final adoption.

PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this \_\_\_ day of \_\_\_\_\_, 2022.

**CITY COUNCIL  
CITY OF PORT ST. LUCIE, FLORIDA**

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

\_\_\_\_\_  
Shannon Martin, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney

**EXHIBIT "A2"**

**REVISED EXTERNAL BOUNDARIES OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 8**

**EXHIBIT F-2**

**PROPOSED FORM OF CITY ORDINANCE ESTABLISHING A NEW  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**

ORDINANCE NO. 22-\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ESTABLISHING TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11; MAKING CERTAIN FINDINGS REGARDING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING FIVE PERSONS DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR CERTAIN SPECIAL POWERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE**

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2, of the Florida Constitution; Chapter 166, Florida Statutes, as amended; Chapter 190, Florida Statutes, as amended (“Act”), and in particular Section 190.005 of the Act; Section 1.01 of the Charter of the City of Port St. Lucie, Florida (“City”); and other applicable provisions of law.

Section 2. Findings. It is hereby ascertained, determined, and declared by the City Council of the City (“City Council”) as follows:

a. Pursuant to Section 190.005 of the Act, Mattamy Palm Beach LLC, a Delaware limited liability company (“Petitioner”), joined by the Board of Supervisors of Tradition Community Development District No. 8 (“District No. 8”), has filed a Petition with the City that, as important here, requests that the City establish Tradition Community Development District No. 11 (“District No. 11”) as a community development district within the meaning of the Act and other applicable law to provide infrastructure and related facilities and improvements (“Infrastructure”) to serve the property described in the attached Exhibit A (“Property”).

b. The Petition contains the information required by Section 190.005 of the Act to establish District No. 11.

c. The City Council has conducted a public hearing on the Petition and the requested establishment of District No. 11 in accordance with the requirements of the Act and has considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the Act, among other matters, and hereby finds that:

(1) All statements contained in the Petition are true and correct;

(2) The creation of District No. 11 is not inconsistent with any applicable element or portion of the State of Florida’s comprehensive plan or of the City’s Comprehensive Plan;



(3) The area of land within the proposed District No. 11 is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community;

(4) District No. 11 is the best alternative available for delivering community development services and facilities to the area that will be served by District No. 11;

(5) The community development services and facilities of the proposed District No. 11 will not be incompatible with the capacity and uses of existing local and regional community development services and facilities;

(6) The area that will be served by the proposed District No. 11 is amenable to separate special-district government;

(7) District No. 8 has previously levied special assessments on benefitted land within the area to be included in the District No. 11 to pay for or to finance or refinance certain Infrastructure that has been and will be constructed or acquired by or on behalf of the Districts and other community development districts that become parties to the Interlocal Agreements (defined below), and to pay for costs of operation and maintenance of such Infrastructure, and the obligation to collect such special assessments shall be assigned to and assumed by District No. 11;

(8) Consistent with the provisions of Section 190.002, Florida Statutes, all applicable planning and permitting laws, rules, regulations and policies control the development of the land to be serviced by District No. 11;

(9) The City Council finds that District No. 11 shall have the general powers described in section 190.011, Florida Statutes, and the special powers described below in Section 6 of this Ordinance;

(10) The exercise by District No. 11 of any powers other than the powers set forth in Section 6 of this Ordinance, shall require consent by the City Council by ordinance or resolution; and

(11) Notwithstanding anything to the contrary in this Ordinance, nothing herein shall operate to impair or otherwise adversely impact existing and future indebtedness incurred by or on behalf of District No. 8, District No. 11, and any other community development district that becomes a party to that certain Amended and Restated District Development Interlocal Agreement dated as of April 8, 2008, as supplemented by that certain District Development Interlocal Agreement dated as of March 10, 2021, both as amended through the date of this Ordinance and as may be hereafter amended in accordance with their respective terms (together, the “Interlocal Agreements”), or the rights of the holders of such

indebtedness, it being acknowledged that following its establishment District No. 11 will become a party to the Interlocal Agreements, as such instruments exist on the date of this Ordinance.

d. The City Council now desires to grant the request of the Petitioner and District No. 8 and establish District No. 11 in the manner set forth in the Petition and as more fully set forth herein.

Section 3. Grant of Petition; Establishment of District No. 11. The City hereby grants the request of the Petitioner and District No. 8 as set forth in the Petition and establishes Tradition Community Development District No. 11 as a community development district within the meaning of the Act and as an independent special district within the meaning of Chapter 189, Florida Statutes, and a political subdivision of the State of Florida.

Section 4. External Boundaries. The external boundaries of District No. 11 shall be as set forth on Exhibit A to this Ordinance.

Section 5. Initial Members of Board of Supervisors. The five persons to be the initial members of the Board of Supervisors of District No. 11, each of whom is designated in the Petition and is a resident of the State of Florida and a citizen of the United States, are as follows:

- A. Tara Toto
- B. Frank Covelli
- C. Steven Dassa
- D. Anissa Cruz
- E. Tyler Gaffney

Section 6. Consent to Exercise of Special Powers.

a. Pursuant to Section 190.012(2)(a) of the Act, the City hereby consents to the exercise of the powers set forth in Section 190.012(2) (a), (b), (c), and (d) of the Act, thereby enabling District No. 11 to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses; (2) fire prevention and control, including water mains and plugs, fire stations, fire trucks, and other vehicles and equipment; (3) school buildings and related structures, which may be leased, sold, or donated to the school district, for use in its educational system, when authorized by the district school board; and (4) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion detection systems, and patrol cars, when authorized by proper governmental agencies; except that District No. 11 may not exercise any police power, but may contract with appropriate local general-purpose government agencies for an increased level of such services within District No. 11

boundaries. Said powers shall be discharged in accordance with Chapter 190, Florida Statutes. District No. 11's exercise of special powers pursuant to section 190.012(2)(d), Florida Statutes, may not impede the public's access to public roadways. District No. 11 shall not impose special assessments of any kind whatsoever on real property to be dedicated to or owned by the City for public Infrastructure purposes. Notwithstanding anything to the contrary set forth herein, District No. 11 shall not operate or maintain any water and sewer facilities within its boundaries and all of such facilities shall be dedicated to and/or owned by the City.

b. The City further consents to the exercise by District No. 11 of the right and power of eminent domain, pursuant to Chapter 73, Florida Statutes, and Chapter 74, Florida Statutes, over any property outside the boundaries of District No. 11 and within the City (except municipal, county, state, and federal property) for the uses and purposes of District No. 11 relating solely to water, sewer, District No. 11 roads, and water management, specifically including, without limitation, the power of eminent domain for the taking of easements for the drainage of the land of one person over and through the land of another; provided, however, that District No. 11 shall exercise the eminent domain power only for uses and purposes contemplated by, consistent with, or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 11.

c. The foregoing powers shall be in addition, and supplemental, to the powers which the proposed District No. 11 is entitled to exercise pursuant to the Act.

d. As permitted by the Act, the City hereby approves District No. 11's exercise, outside of its boundaries, of the powers granted in the Act and herein, subject to the terms hereof, for uses and purposes contemplated by, consistent with, or in furtherance of the requirements of approved development permits or development orders relating to the real property within District No. 11.

Section 7. Notice of Special Assessments. District No. 11 is solely responsible for the implementation of assessments upon benefitted property within its boundaries. The Petitioner, its successors and assignees shall provide notice of said special assessments to all prospective purchasers of said property. The Petitioner, its successors and assignees shall provide full disclosure of the public financing and maintenance improvements undertaken by District No. 11. This disclosure shall include a statement in bold print that special assessments imposed by District No. 11 will appear in the tax bill for each property within District No. 11. This disclosure shall meet the requirements of section 190.048, Florida Statutes, as amended from time to time, and shall be included in every contract for purchase and sale of property within District No. 11. District No. 11 shall record a notice of establishment in the Public Records in accordance with Section 190.0485, Florida Statutes, before any bond sale, and shall record a notice of assessments (lien of record) in the Public Records after each bond sale.

Section 8. Conditions. This Ordinance shall be subject to the following conditions:

a. The property within District No. 11 shall be subject to all applicable City ordinances, including but not limited to site plan approval and all permitting and review requirements and processes;

b. All development within District No. 11 shall be subject to City inspections and requirements; and

c. The construction by or on behalf of District No. 11 of all public Infrastructure relating to ponds, landscaping, hardscaping and walls, sanitary sewer, stormwater management (including ponds and retention and transmission facilities), roads and paving, sidewalks, and water supply distribution shall be in accordance with applicable City standards; stormwater management facilities will be constructed consistent with the design criteria set forth within all applicable South Florida Water Management District surface water management permits.

Section 9. Authority. District No. 11 shall have all of the authority and power contained within Chapter 190, Florida Statutes, to the extent set forth in this Ordinance.

Section 10. Conflicts. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 11. Severability. The provisions of this Ordinance are intended to be severable. If any portion of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 12. Filing with the Department of State. The Clerk be and is hereby directed forthwith to send a certified copy of this Ordinance to the Bureau of Administrative Code and Laws, Department of State, The Capitol, Tallahassee, Florida, 32304.

Section 13. Effective Date. This Ordinance shall become effective immediately upon final adoption.

\* \* \*

PASSED AND ENACTED by the City Council of the City of Port St. Lucie, Florida, this  
\_\_\_ day of \_\_\_\_\_, 2022.

**CITY COUNCIL  
CITY OF PORT ST. LUCIE, FLORIDA**

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

\_\_\_\_\_  
Shannon Martin, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
James D. Stokes, City Attorney

**EXHIBIT A**

**EXTERNAL BOUNDARIES OF  
TRADITION COMMUNITY DEVELOPMENT DISTRICT NO. 11**