

Executed this 29th day of May 2026.

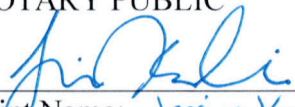


Jack M. Berry, III

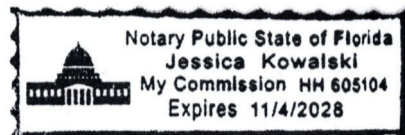
STATE OF FLORIDA
COUNTY OF Palm Beach

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 29th day of May 2026, by Jack M. Berry, III, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.

NOTARY PUBLIC



Print Name: Jessica Kowalski
Notary Public, State of Texas
Commission No.: HH 605104
My Commission Expires: 11-4-2028



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

2
3 Exhibit 1 is the map showing the general location of the proposed District.

4
5 Exhibit 2 is the metes and bounds legal description of the lands to be included within the
6 proposed District.

7
8 Exhibit 3 is the authorization of agent form, which authorizes Kilinski | Van Wyk PLLC
9 to act as agent for the Petitioner.

10
11 Exhibit 4 shows the distribution, location, and extent of the public and private land uses
12 proposed for the District by the future land use plan element of the City's Future Land Use
13 Plan.

14
15 Exhibit 5 indicates the location of major outfall canals and drainage basins for the lands
16 within the proposed District as well as the location of existing major trunk water mains and
17 wastewater interceptors within the currently undeveloped lands proposed to be included
18 within the District.

19
20 Exhibit 6 describes the types of facilities the District presently expects to finance, construct,
21 and install, as well as the entities anticipated for future ownership, operation, and
22 maintenance.

23
24 Exhibit 7 is the Statement of Estimated Regulatory Costs ("SERC"), required by statute.

25
26 Exhibit 8 is the Consent of Landowner to the establishment of the proposed District,
27 executed by McCarty Road LLC, which represents the consent of one hundred percent
28 (100%) of the owner of the lands to be included within the District.

29
30 **11. Were these exhibits prepared by you or under your supervision?**

31
32 Yes, the Petitioner engaged a consultant team and directed the preparation of the exhibits
33 to the Petition. I reviewed the Petition and exhibits prior to its filing.

34
35 **12. Are the contents of the Petition and the Exhibits attached to it and referenced above
36 true and correct to the best of your knowledge?**

37
38 Yes.

39
40 **13. Are you familiar with the area that is proposed to be included within the District?**

41
42 Yes, I am familiar with the general area and the site specifically.

43
44 **14. Approximately how large is the proposed District in acres?**

45
46 The proposed District covers approximately 72.024 acres, more or less, of land.

1
2 **15. What steps were taken with respect to filing the Petition with the City?**
3

4 On or around May 15, 2026, the Petitioner filed the Fourth Amended Petition with the City.
5 The Petitioner paid the filing fees, in accordance with the City's fee schedule requirements.
6

7 **16. Has notice of the hearing been provided in accordance with Section 190.005, Florida**
8 **Statutes?**
9

10 Yes. The Notice of Public Hearing is being published as a display ad in the Treasure Coast
11 News, a newspaper of general circulation in St. Lucie County and of general interest and
12 readership in the community. An affidavit of the publications will be provided to the City's
13 staff after final publication.
14

15 **17. Who are the five (5) persons designated in the Petition to serve as the initial Board of**
16 **Supervisors?**
17

18 The five persons include: myself, Bobbie Shockley, Jessica Kowalski, Justin Frye, and
19 Charleigh Berry.
20

21 **18. Do you know each of these persons personally?**
22

23 Yes, I do.
24

25 **19. Are each of the persons designated to serve as the initial Board of Supervisors**
26 **residents of the State of Florida and citizens of the United States?**
27

28 Yes, they are.
29

30 **20. Are there residential units planned for development within the proposed District?**
31

32 Yes. There are approximately 321 residential units planned for development within the
33 proposed District.
34

35 **21. Are there residents currently living within the areas to be included within the District,**
36 **and, if so, have they been notified about the creation of the District?**
37

38 No. As of this date, there are no residents currently living in any of the areas proposed to
39 be included within the boundaries of the proposed District.
40

41 **22. Would you please describe the proposed timetable for development of land within the**
42 **proposed District?**
43

44 The proposed timetable for the construction of infrastructure to develop the land is
45 expected to occur in two (2) phases from 2026 to 2032, with the first phase tentatively
46 starting in 2026 and the second phase tentatively starting in 2027.

1 **23. Would you generally describe the services and facilities you currently expect the**
2 **proposed District to provide?**
3

4 The Petitioner presently intends for the District to be involved in providing the following
5 services and facilities: stormwater management systems, water, wastewater, and reclaim
6 utility systems, roadway improvements, offsite roadway improvements, hardscape
7 including entry features and signage, landscape, irrigation, environmental conservation,
8 and recreational amenity improvements. Capital costs of these improvements, including
9 associated contingencies and professional fees, will be borne by the District. The
10 Petitioner's good faith expectation of the costs associated with the acquisition or
11 construction of such improvements is itemized in Exhibit 6 of the Petition.
12

13 **24. Are these costs expected to include the cost of acquiring land from the developer?**
14

15 No.
16

17 **25. Do you have an opinion, as someone experienced in development, as to whether the**
18 **area of land to be included within the proposed District is of sufficient size, is**
19 **sufficiently compact, and is sufficiently contiguous to be developable as one functional**
20 **interrelated community?**
21

22 Yes.
23

24 **26. What is your opinion?**
25

26 The proposed District has sufficient land area, and is sufficiently compact and contiguous
27 to be developed, with the roadway, drainage, water and sewer, and other infrastructure
28 systems, facilities and services contemplated. The District will operate as one functionally
29 interrelated community.
30

31 **27. What is the basis for your opinion?**
32

33 The size of the proposed District is approximately 72.024 acres of land, more or less. Based
34 on my previous experience, the proposed District is of sufficient size, compactness, and
35 contiguity to be developed as a functional interrelated community.
36

37 The qualities of compactness, contiguity, and size relate directly to whether an area can
38 become one functional interrelated community. From the standpoint of the provision,
39 management and operation of the community infrastructure expected to be provided by the
40 District, the acres contemplated for inclusion within the District is sufficiently compact,
41 contiguous and of sufficient size to maximize the successful delivery of these infrastructure
42 improvements to these lands. The delivery of services and facilities to the lands within the
43 District will not be hampered by insurmountable barriers or spatial problems. The area
44 within the District is suitably configured to maximize the benefits available from the
45 District services and facilities to be provided.
46

1 **28. In general, what financing methods does the Petitioner propose that the proposed**
2 **District use to pay for the anticipated facilities and services?**
3

4 The Petitioner presently expects that the District will finance certain services and
5 improvements through the issuance of tax-exempt bonds. The debt issued by the proposed
6 District is expected to be retired by funds from landowners in the form of “non-ad valorem”
7 or “special” assessments on benefitted property within the proposed District. Ongoing
8 maintenance and operational activities are expected to be funded by maintenance special
9 assessments. At present, the Petitioner expects that the proposed District may issue both
10 long- and short-term bonds that will pay a portion of the cost of these facilities. The short-
11 term bonds, and any facilities not financed with a bond issue, will be funded by the
12 developer through conventional bank financing.
13

14 **29. Who will be responsible for paying the proposed District’s assessments?**
15

16 Only those property owners, including the developer, within the proposed District will be
17 responsible for paying District assessments.
18

19 **30. Will these debts of the proposed District be an obligation of the City or the State of**
20 **Florida?**
21

22 No. Florida law provides that community development district debt cannot become the
23 obligation of a city, a county, or the state without the consent of that government.
24

25 **31. Why is the Petitioner seeking to have a community development district established**
26 **for this area?**
27

28 Districts are an efficient, effective way to provide infrastructure and have become accepted
29 in the marketplace by home buyers. Further, they are a preferred method of long term
30 maintenance by water management districts and other regulatory agencies because they
31 offer professional staff, assessments collected on the tax roll which makes funding secure
32 and other benefits not offered by a private entity operator of infrastructure.
33

34 From our perspective, the establishment of a District is logical for this project. It is a long-
35 term, stable, financially-secure entity. The District is a structured, formal entity, with the
36 legal ability to respond to current and future changes in the circumstances and desires of
37 its residents. This project requires that the landowners within the development must
38 provide for the ownership and maintenance of the roadways and stormwater management
39 system. A District is the best mechanism for the perpetual maintenance and operation of
40 such improvements. Under Florida law, the District has access to the county tax collection
41 mechanisms, which helps ensure that assessments will be collected and that the facilities
42 will be maintained. In that sense, to us, it is preferable to a property owners’ association.
43

44 In addition, the District has the financial capability to assist in the provision of necessary
45 capital improvements sooner than might otherwise be the case. The City, developers,
46 builders and residents will all benefit from these improvements in terms of access, traffic

1 flow, safety, and general property value enhancement.

2

3 **32. Does this conclude your testimony?**

4

5 Yes.

6