

ORDINANCE NO. 2020- 65

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2019); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

RECITALS

WHEREAS, Elevation Premium Pointe, LLC ("Petitioner"), having obtained written consent to the establishment of the District by the owner of 100 percent (100%) of the real property, described in attached **Exhibit A**, to be included in the District, petitioned the St. Johns County Board of Commissioners (the "County") to adopt an ordinance establishing the Premium Pointe Community Development District (the "District"), with petition attached as **Exhibit B**, pursuant to Chapter 190, Florida Statutes (2019); and

WHEREAS, Petitioner is a Florida limited liability company, authorized to conduct business in the State of Florida; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on December 15, 2020; and

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

will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and that the area to be served by the District is amenable to separate special district governance; and

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

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

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

SECTION 2. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2019).

SECTION 3. DISTRICT NAME. There is hereby established a Community Development District situated entirely within the unincorporated limits of St. Johns County, Florida, which District shall be known as the "Premium Pointe Community Development District."

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated by reference. The proposed District covers approximately 150.74 acres of land. The site is generally located south and west of State Road 16, north of County Road 208, and east of S. Forrest Creek Drive, in unincorporated St. Johns County, Florida.

SECTION 5. FUNCTIONS AND POWERS. The general powers and functions of the District are described in Chapter 190, Florida Statutes (2019). The District is also authorized to exercise additional special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described in Section 190.012(2)(a), Florida Statutes.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Owais Khanani, Shaman Foradi, Michael Rich, Kristin Banks, and Jawaad Khanani. All of the above-styled persons are residents of the State of Florida and citizens of the United States of America.

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

SECTION 8. SEVERABILITY. If any provision of this Ordinance or the application thereof is formally determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force

and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

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

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 15th DAY OF December, 2020.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY**

BY: *Jeremiah R. Blocker*
Jeremiah R. Blocker, Chair

BY: DEC 22 2020
Rendition Date

**ATTEST: Brandon J. Patty,
CLERK OF THE CIRCUIT COURT & COMPTROLLER**

BY: *Yvonne King*
Deputy Clerk

EFFECTIVE DATE: DEC 22 2020

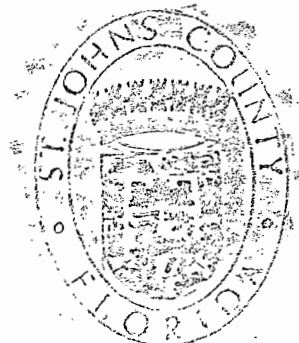


EXHIBIT A LEGAL DESCRIPTION: CDD BOUNDARY PARCEL ONE

A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; SAID PARCEL BEING A PORTION OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS BOOK 1152, PAGE 882, OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A NAIL AND DISK IDENTIFIED AS "LB #6824", SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF THE RIGHT OF WAY OF COUNTY ROAD S-208 (FORMERLY STATE ROAD NO. S-208) WITH THE WEST LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 73°58'58" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 599.96 FEET; THENCE NORTH 01°08'35" WEST, DEPARTING SAID CENTERLINE, A DISTANCE OF 34.54 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208 AND THE SOUTHWESTERLY EXTENSION OF THE EASTERLY LINE OF GREY HAWK ESTATES AS RECORDED IN MAP BOOK 72, PAGE 93 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 01°08'35" WEST, CONTINUING ALONG THE SAID SOUTHWESTERLY EXTENSION OF THE EASTERLY LINE OF SAID GREY HAWK ESTATES, A DISTANCE OF 42.40 FEET TO A 4"x4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING AT THE SOUTHEAST CORNER OF SAID GREY HAWKS ESTATES; THENCE NORTH 01°08'35" WEST, ALONG THE EASTERLY LINE OF SAID GREY HAWK ESTATES, A DISTANCE OF 970.03 FEET TO A 4"x4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING THE NORTHEAST CORNER OF SAID GREY HAWKS ESTATES; THENCE SOUTH 88°51'25" WEST, ALONG THE NORTHERLY LINE OF SAID GREY HAWKS ESTATES, A DISTANCE OF 573.25 FEET TO A 4"x4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING ON THE WESTERLY LINE OF SAID SECTION 6; THENCE NORTH 01°08'35" WEST, DEPARTING SAID NORTH LINE AND ALONG SAID WESTERLY LINE OF SECTION 6, A DISTANCE OF 1,378.53 FEET; THENCE NORTH 90°00'00" EAST, DEPARTING SAID WESTERLY LINE OF SECTION 6, A DISTANCE OF 684.96 FEET; THENCE SOUTH 54°51'48" EAST, A DISTANCE OF 865.51 FEET; THENCE NORTH 45°48'02" EAST, A DISTANCE OF 745.58 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1839.86 FEET, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 9°00'14", AN ARC LENGTH OF 289.13 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 40°45'35" EAST, 288.83 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 36°15'28" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1,904.98 FEET; THENCE SOUTH 53°43'55" WEST, DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY, A DISTANCE OF 549.29 FEET; THENCE SOUTH 09°26'20" EAST, A DISTANCE OF 222.22 FEET; THENCE NORTH 88°54'58" EAST, A DISTANCE OF 396.33 FEET; THENCE NORTH 53°43'55" EAST, A DISTANCE OF 325.58 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 36°15'27" EAST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 176.46 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING AT ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4311, PAGE 1736, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°36'42" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 224.15 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING ON THE WESTERLY LINE OF SAID LANDS AND ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 121.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY LINE THROUGH A DELTA ANGLE OF 25°09'39", AN ARC LENGTH OF 53.14 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°02'43" EAST, 52.71 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824"; THENCE SOUTH 09°29'10" EAST, A DISTANCE OF 34.62 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 32.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 78°38'46", AN ARC LENGTH OF 44.61 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 86°55'53" EAST, 41.19 FEET; THENCE NORTH 53°44'32" EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 218.13 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 36°15'28" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 40.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB#6824", SAID MAG NAIL AND DISK BEING ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4684, PAGE 196, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°44'32" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 293.14 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE WEST LINE OF SAID LANDS; THENCE SOUTH 37°45'51" WEST, ALONG SAID WEST LINE, A DISTANCE OF 2.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824" SAID MAG NAIL BEING A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 05°48'58", AN ARC LENGTH OF 7.61 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 17°42'16" EAST, 7.61 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824"; THENCE SOUTH 20°36'48" EAST, A DISTANCE OF 307.80 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 34°23'13", AN ARC LENGTH OF 15.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 37°48'34" EAST, 14.78 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824"; THENCE SOUTH 55°00'20" EAST, A DISTANCE OF 15.35 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2851, PAGE 1931, OF SAID PUBLIC RECORDS; THENCE NORTH 73°58'37" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 54.46 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE WESTERLY LINE OF SAID LANDS; THENCE SOUTH 16°17'44" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 66.02 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING ON THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1137, PAGE 1300 OF SAID PUBLIC RECORDS; THENCE NORTH 73°58'58" WEST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS, A DISTANCE OF 691.54 FEET TO A 4"x4" CONCRETE MONUMENT IDENTIFIED AS "RLS#4690", SAID MONUMENT BEING THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE SOUTH 16°01'02" WEST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 300.00 FEET TO A 4"x4" CONCRETE MONUMENT IDENTIFIED AS "RLS#4690"; THENCE CONTINUE SOUTH 16°01'02" WEST, A DISTANCE OF 17.00 FEET TO A 4"x4" CONCRETE MONUMENT IDENTIFIED AS "LB#6824", SAID MONUMENT BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208; THENCE NORTH 73°58'58" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2,224.64 FEET TO THE POINT OF BEGINNING

CONTAINING 6,538.436347 SQUARE FEET OR 150.10 ACRES, MORE OR LESS.

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

**UPDATED PETITION TO ESTABLISH THE PREMIUM POINTE
COMMUNITY DEVELOPMENT DISTRICT**

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

1. Location and Size. The proposed District is located entirely within St. Johns County, Florida. **Exhibit 1** depicts the general location of the project. The proposed District covers approximately 150.10 acres of land. The site is generally located south and west of State Road 16, north of County Road 208, and east of S. Forest Creek Drive. The metes and bounds description of the proposed external boundaries of the District is set forth in **Exhibit 2**.

2. Excluded Parcels. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the boundaries of the proposed District, in accordance with Section 190.005, *Florida Statutes*. Documentation of this consent is contained in **Exhibit 3**.

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

Name: Owais Khanani
Address: 121 S. Orange Avenue, Suite 1250
Orlando, Florida 32801

Name: Shaman Foradi
Address: 121 S. Orange Avenue, Suite 1250
Orlando, Florida 32801

Name: Michael Rich
Address: 121 S. Orange Avenue, Suite 1250
Orlando, Florida 32801

Name: Kristin Banks
Address: 121 S. Orange Avenue, Suite 1250
Orlando, Florida 32801

Name: Jawaad Khanani
Address: 121 S. Orange Avenue, Suite 1250
Orlando, Florida 32801

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

5. Name. The proposed name of the District is Premium Pointe Community Development District.

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

7. Major Water and Wastewater Facilities. **Exhibit 5** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District. Currently there are no water or sewer facilities within the boundaries of the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or

install, as well as the anticipated entity responsible for ownership and maintenance. In the event the District is unable or unwilling to continue as the owner and entity responsible for the maintenance of the facilities described in Exhibit 6, a property owners' association will assume such rights and obligations. The estimated costs of constructing the infrastructure serving land within the proposed District are identified in Exhibit 7. At present, these improvements are estimated to be made, acquired, constructed and/or installed from March 2021 to July 2022. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions. This estimate contemplates the exercise of special powers requested by the Petitioner at this time for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described by Section 190.012(2)(a), *Florida Statutes*. Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as affirmative acceptance by the Board of County Commissioners of improvements or acceptance of any operating and maintenance obligations of the District.

9. Statement of Estimated Regulatory Costs. Exhibit 8 is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

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

Jonathan T. Johnson (jonathanj@hgslaw.com)
HOPPING GREEN & SAMS, P.A.

119 South Monroe Street, Suite 300 (32301)
P.O. Box 6526
Tallahassee, Florida 32314

11. This petition to establish the Premium Pointe Community Development District should be granted because it meets the six (6) factors set forth in Section 190.005(1)(e), *Florida Statutes*, as follows:

a. The statements contained within this Petition have been found to be true and correct.

b. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the St. Johns County Comprehensive Plan.

c. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

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

e. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual

entity capable of making reasonable provisions for the operation and maintenance of the District's services and facilities.

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

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

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

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

c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described by Section 190.012(2), *Florida Statutes*; and

d. grant such other relief as appropriate.

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RESPECTFULLY SUBMITTED, this 18th day of August, 2020, as updated the 16th day
of September, 2020.

HOPPING GREEN & SAMS, P.A.

A handwritten signature in black ink, appearing to read "Jonathan T. Johnson", with a horizontal line extending to the right from the end of the signature.

Jonathan T. Johnson
jonathanj@hgslaw.com
Florida Bar No. 986460
119 South Monroe Street, Suite 300
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)
Attorney for Petitioner

EXHIBIT 1

General Location of the Proposed District

Updated 12-7-20

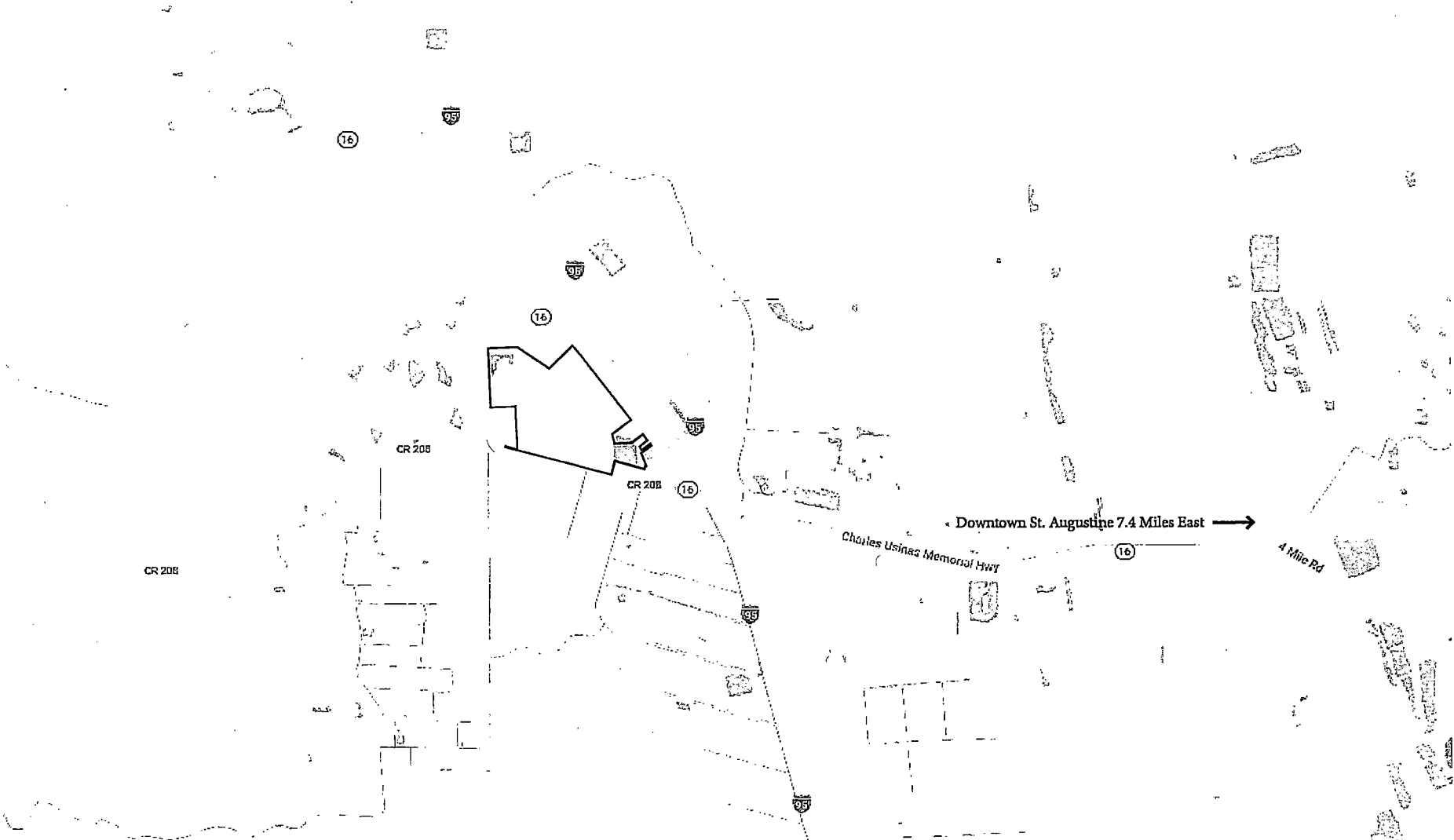


EXHIBIT A-COMMUNITY DEVELOPMENT DISTRICT LOCATION MAP

Elevation Pointe Community Development District Engineer's Report



Kimley»Horn

Expect More. Experience Better.

EXHIBIT 2

**Metes and Bounds Description of the Proposed
External Boundaries of the District**

PREMIUM POINT CDD LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY FLORIDA, SAID PARCEL BEING A PORTION OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS BOOK 1152, PAGE 882, OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FOR A POINT OF REFERENCE, COMMENCE AT A NAIL AND DISK IDENTIFIED AS "LB #6824", SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF THE RIGHT OF WAY OF COUNTY ROAD S-208 (FORMERLY STATE ROAD NO. S-208) WITH THE WEST LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 73°58'58" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 599.96 FEET; THENCE NORTH 01°08'35" WEST, DEPARTING SAID CENTERLINE, A DISTANCE OF 34.54 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208 AND THE SOUTHWESTERLY EXTENSION OF THE EASTERLY LINE OF GREY HAWK ESTATES AS RECORDED IN MAP BOOK 72, PAGE 93 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 01°08'35" WEST, CONTINUING ALONG THE SAID SOUTHWESTERLY EXTENSION OF THE EASTERLY LINE OF SAID GREY HAWK ESTATES, A DISTANCE OF 42.40 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING AT THE SOUTHEAST CORNER OF SAID GREY HAWKS ESTATES; THENCE NORTH 01°08'35" WEST, ALONG THE EASTERLY LINE OF SAID GREY HAWK ESTATES, A DISTANCE OF 970.03 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING THE NORTHEAST CORNER OF SAID GREY HAWKS ESTATES; THENCE SOUTH 88°51'25" WEST, ALONG THE NORTHERLY LINE OF SAID GREY HAWKS ESTATES, A DISTANCE OF 573.25 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING ON THE WESTERLY LINE OF SAID SECTION 6; THENCE NORTH 01°08'35" WEST, DEPARTING SAID NORTH LINE AND ALONG SAID WESTERLY LINE OF SECTION 6, A DISTANCE OF 1,378.53 FEET; THENCE NORTH 90°00'00" EAST, DEPARTING SAID WESTERLY LINE OF SECTION 6, A DISTANCE OF 684.96 FEET; THENCE SOUTH 54°51'48" EAST, A DISTANCE OF 865.51 FEET; THENCE NORTH 45°48'02" EAST, A DISTANCE OF 745.58 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1839.86 FEET, SAID POINT ALSO BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 9°00'14", AN ARC LENGTH OF 289.13 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 40°45'35" EAST, 288.83 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 36°15'28" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 1,904.98 FEET; THENCE SOUTH 53°43'55" WEST, DEPARTING SAID SOUTHWESTERLY RIGHT OF WAY, A DISTANCE OF 549.29 FEET; THENCE SOUTH 09°26'20" EAST, A DISTANCE OF 222.22 FEET; THENCE NORTH 88°54'58" EAST, A DISTANCE OF 396.33 FEET; THENCE NORTH 53°43'55" EAST, A DISTANCE OF 325.58 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 36°15'27" EAST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 176.46 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING AT ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4311, PAGE 1736, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°36'42" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 224.15 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING ON THE WESTERLY LINE OF SAID LANDS AND ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 121.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY LINE THROUGH A DELTA ANGLE OF 25°09'39", AN ARC LENGTH OF 53.14 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°02'43" EAST, 52.71 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824"; THENCE SOUTH 09°29'10" EAST, A DISTANCE OF 34.62 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 32.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 78°38'46", AN ARC LENGTH OF 44.61 FEET, SAID CURVE BEING SUBTENDED

BY A CHORD BEARING AND DISTANCE OF SOUTH 86°55'53" EAST, 41.19 FEET; THENCE NORTH 53°44'32" EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 218.13 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 36°15'28" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 40.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB#6824", SAID MAG NAIL AND DISK BEING ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4684, PAGE 196, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°44'32" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 293.14 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE WEST LINE OF SAID LANDS; THENCE SOUTH 37°45'51" WEST, ALONG SAID WEST LINE, A DISTANCE OF 2.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824" SAID MAG NAIL BEING A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 05°48'58", AN ARC LENGTH OF 7.61 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 17°42'16" EAST, 7.61 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824"; THENCE SOUTH 20°36'48" EAST, A DISTANCE OF 307.80 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 34°23'13", AND ARC LENGTH OF 15.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 37°48'34" EAST, 14.78 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824"; THENCE SOUTH 55°00'20" EAST, A DISTANCE OF 15.35 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2851, PAGE 1931, OF SAID PUBLIC RECORDS; THENCE NORTH 73°59'37" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 54.46 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE WESTERLY LINE OF SAID LANDS; THENCE SOUTH 16°17'44" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 66.02 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING ON THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1137, PAGE 1300 OF SAID PUBLIC RECORDS; THENCE NORTH 73°58'58" WEST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS, A DISTANCE OF 691.54 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "RLS#4690", SAID MONUMENT BEING THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE SOUTH 16°01'02" WEST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 300.00 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "RLS#4690"; THENCE CONTINUE SOUTH 16°01'02" WEST, A DISTANCE OF 17.00 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LB#6824", SAID MONUMENT BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208; THENCE NORTH 73°58'58" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2,224.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,538,436.347 SQUARE FEET OR 150.10 ACRES, MORE OR LESS.

EXHIBIT 3
Landowner Consent

**CONSENT TO
PETITION TO ESTABLISH THE
PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT**

THE UNDERSIGNED, ANDERSON (1995) LIMITED PARTNERSHIP, a Delaware limited partnership ("Anderson"), is the fee simple owner of certain real property located in St. Johns County, Florida, as more fully described in EXHIBIT "A", attached hereto and made a part hereof (the "Property").

Anderson, as Petitioner under that certain Petition to Establish the Premium Pointe Community Development District (the "Petition"), intends to submit a petition to create the Premium Pointe Community Development District (the "District") in accordance with the provisions of Chapter 190, *Florida Statutes*.

Anderson is the fee simple owner of the lands which are intended to constitute the District, as described above, and Anderson understands and acknowledges that, pursuant to the provisions of Section 190.005(2)(a), *Florida Statutes*, the Petitioner is required to include with the Petition the written consent to the establishment of the District of one hundred percent (100%) of the owner(s) of the lands to be included within the District.

As evidenced by its execution of both this document and the Petition, Anderson hereby consents to the inclusion of the Property in the Premium Pointe Community Development District, and further agrees to execute any other documentation necessary or convenient to evidence this consent.

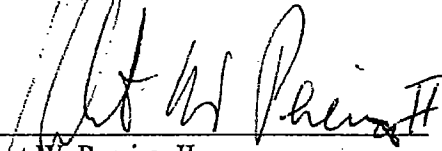
Anderson hereby acknowledges and agrees that the foregoing consent and obligation to execute additional documentation is and shall be a covenant running with the land which shall bind the undersigned's successors-in-title and assigns and shall remain in full force and effect for two (2) years from the date hereof.

[Signature on following page]

**SIGNATURE PAGE FOR
CONSENT TO PETITION TO ESTABLISH THE
PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT**

Executed this 12 day of February, 2020.

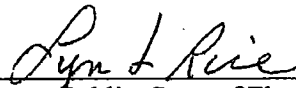
**CLAMPETT, LLC; MEGHUN, LLC;
EAGLEFORD (2012), LLC as General Partners
of ANDERSON (1995) LIMITED
PARTNERSHIP**, a Delaware limited partnership

By: 
Robert W. Pereira, II
Manager

STATE OF Massachusetts
COUNTY OF Middlesex

The foregoing instrument was acknowledged before me this 12 day of February, 2020 by Robert W. Pereira, II, as Manager of Clampett, LLC; Meghun, LLC; Eagleford (2012), LLC, General Partners of **ANDERSON (1995) LIMITED PARTNERSHIP**, a Delaware limited partnership, on behalf of said entity. Said person is [] personally known to me or [] has produced a valid driver's license as identification.

(AFFIX SEAL)


Notary Public; State of ~~Florida~~ Massachusetts
Print Name: _____
My Commission Expires: _____
My Commission No.: _____

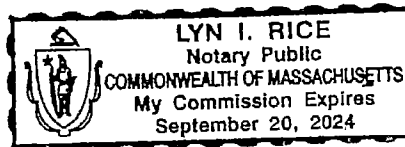


EXHIBIT "A"
TO THE CONSENT TO PETITION TO ESTABLISH THE
PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT

LEGAL DESCRIPTION: PARCEL A

A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY FLORIDA, SAID PARCEL BEING A PORTION OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS BOOK 1152, PAGE 882, OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FOR A POINT OF REFERENCE, COMMENCE AT A NAIL AND DISK IDENTIFIED AS "LB #6824", SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF THE RIGHT OF WAY OF COUNTY ROAD S-208 (FORMERLY STATE ROAD NO. S-208) WITH THE WEST LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 73°58'58" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 304.81 FEET; THENCE NORTH 16°01'02" EAST, DEPARTING SAID CENTERLINE, A DISTANCE OF 33.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208 AND THE SOUTHWESTERLY LINE OF GREY HAWK ESTATES AS RECORDED IN MAP BOOK 72, PAGE 93 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA AND ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 16°01'02" EAST, CONTINUING ALONG THE SAID SOUTHWESTERLY LINE OF SAID GREY HAWKS ESTATES, A DISTANCE OF 17.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK ALSO BEING A POINT ON A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1,587.02 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°53'19", A DISTANCE OF 273.90 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 78°54'48" EAST, 273.56 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING AT THE SOUTHEAST CORNER OF SAID GREY HAWKS ESTATES; THENCE NORTH 01°08'35" WEST, ALONG THE EASTERLY LINE OF SAID GREY HAWK ESTATES, A DISTANCE OF 970.03 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING THE NORTHEAST CORNER OF SAID GREY HAWKS ESTATES; THENCE SOUTH 88°51'25" WEST, ALONG THE NORTHERLY LINE OF SAID GREY HAWKS ESTATES, A DISTANCE OF 573.25 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING ON THE WESTERLY LINE OF SAID SECTION 6; THENCE NORTH 01°08'35" WEST, DEPARTING SAID NORTH LINE AND ALONG SAID WESTERLY LINE OF SAID SECTION 6, A DISTANCE OF 2,206.91 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#261 D.D. MOODY", SAID CONCRETE MONUMENT BEING THE NORTHWEST CORNER OF SAID SECTION 6 AND THE SOUTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1187, PAGE 1257 OF SAID PUBLIC RECORDS; THENCE NORTH 89°05'38" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 6 AND THE SOUTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1187, PAGE 1257, A DISTANCE OF 786.41 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LB#6824", SAID CONCRETE MONUMENT BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED) AND BEING THE SOUTHEASTERLY CORNER OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1187, PAGE 1257; THENCE SOUTH 56°01'39" EAST, DEPARTING SAID NORTHERLY LINE OF SECTION 6 AND ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,073.87 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LB#6824", SAID MONUMENT BEING THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,839.86 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 19°46'11", AN ARC LENGTH OF 634.84 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 46°08'33" EAST, 631.70 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LB#6824"; THENCE SOUTH 36°15'28" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2,508.11 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING AT ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4311, PAGE 1736, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°36'42" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 224.15 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING ON THE WESTERLY LINE OF SAID LANDS AND ON A CURVE

CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 121.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY LINE THROUGH A DELTA ANGLE OF 25°09'39", AN ARC LENGTH OF 53.14 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 25°02'43" EAST, 52.71 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824"; THENCE SOUTH 09°29'10" EAST, A DISTANCE OF 34.62 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 32.50 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 78°38'46", AN ARC LENGTH OF 44.61 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 86°55'53" EAST, 41.19 FEET; THENCE NORTH 53°44'32" EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 218.13 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16; THENCE SOUTH 36°15'28" EAST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 40.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB#6824", SAID MAG NAIL AND DISK BEING ON THE NORTH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4684, PAGE 196, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°44'32" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 293.14 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE WEST LINE OF SAID LANDS; THENCE SOUTH 37°45'51" WEST, ALONG SAID WEST LINE, A DISTANCE OF 2.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824" SAID MAG NAIL BEING A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 05°48'58", AN ARC LENGTH OF 7.61 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 17°42'16" EAST, 7.61 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824"; THENCE SOUTH 20°36'48" EAST, A DISTANCE OF 307.80 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 34°23'13", AND ARC LENGTH OF 15.00 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 37°48'34" EAST, 14.78 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824"; THENCE SOUTH 55°00'20" EAST, A DISTANCE OF 15.35 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2851, PAGE 1931, OF SAID PUBLIC RECORDS; THENCE NORTH 73°59'37" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 54.46 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE WESTERLY LINE OF SAID LANDS; THENCE SOUTH 16°17'44" WEST, ALONG SAID WESTERLY LINE, A DISTANCE OF 66.02 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB#6824", SAID IRON PIPE BEING ON THE NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1137, PAGE 1300 OF SAID PUBLIC RECORDS; THENCE NORTH 73°58'58" WEST, ALONG THE NORTHEASTERLY LINE OF SAID LANDS, A DISTANCE OF 691.54 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "RLS#4690", SAID MONUMENT BEING THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE SOUTH 16°01'02" WEST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 300.00 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "RLS#4690"; THENCE CONTINUE SOUTH 16°01'02" WEST, A DISTANCE OF 17.00 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LB#6824", SAID MONUMENT BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208; THENCE NORTH 73°58'58" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2,509.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,246,872 SQUARE FEET OR 189.32.

LEGAL DESCRIPTION: PARCEL B







A PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY FLORIDA, SAID PARCEL BEING A PORTION OF THOSE LANDS AS INTENDED TO BE DESCRIBED IN

OFFICIAL RECORDS BOOK 1152, PAGE 882, OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; FOR A POINT OF REFERENCE, COMMENCE AT A NAIL AND DISK IDENTIFIED AS "LB #6824", SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF THE RIGHT OF WAY OF COUNTY ROAD S-208 (FORMERLY STATE ROAD NO. S-208) WITH THE WEST LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 73°58'58" EAST, ALONG SAID CENTERLINE, A DISTANCE OF 304.81 FEET; THENCE NORTH 16°01'02" EAST, DEPARTING SAID CENTERLINE, A DISTANCE OF 33.00 FEET TO A MAG NAIL AND DISK IDENTIFIED AS "LB 6824", SAID MAG NAIL AND DISK BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID COUNTY ROAD NO. S-208 AND THE SOUTHWESTERLY LINE OF GREY HAWK ESTATES AS RECORDED IN MAP BOOK 72, PAGE 93 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 73°58'58" EAST, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2509.70 FEET; THENCE NORTH 16°01'02" EAST, DEPARTING SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 17.00 FEET TO THE SOUTHWESTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1137, PAGE 1300, OF SAID PUBLIC RECORDS; THENCE NORTH 16°01'02" EAST, ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 300.00 FEET TO A 4"X4" CONCRETE MONUMENT IDENTIFIED AS "LS#894", SAID CONCRETE MONUMENT BEING THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE SOUTH 73°58'58" EAST, ALONG THE NORTHERLY LINE OF SAID LANDS, A DISTANCE OF 691.54 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB 6824", SAID IRON PIPE BEING ON THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN PARCEL 2, OFFICIAL RECORDS BOOK 2851, PAGE 1931, OF SAID PUBLIC RECORDS; THENCE NORTH 16°17'44" EAST, ALONG SAID WESTERLY LINE, A DISTANCE OF 66.02 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB 6824", SAID IRON PIPE BEING THE NORTHWESTERLY CORNER OF SAID LANDS; THENCE SOUTH 73°59'37" EAST, ALONG THE NORTHERLY LINE OF SAID LANDS, A DISTANCE OF 55.73 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS 840.00 FEET, SAID POINT BEING THE POINT OF BEGINNING; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 16°25'46", AN ARC LENGTH OF 240.87 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 45°30'00" EAST, 240.04 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB 6824", SAID IRON PIPE BEING ON THE SOUTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4684, PAGE 196, OF SAID PUBLIC RECORDS; THENCE NORTH 53°42'53" EAST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 136.81 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB 6824" SAID IRON PIPE BEING ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 36°15'28" EAST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 80.00 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB 6824", SAID IRON PIPE BEING THE NORTHEASTERLY CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4684, PAGE 196, OF SAID PUBLIC RECORDS; THENCE SOUTH 53°43'02" WEST, ALONG THE NORTHERLY LINE OF THOSE LANDS, A DISTANCE OF 136.78 FEET TO A 1/2" IRON PIPE IDENTIFIED AS "LB 6824", SAID PIPE BEING THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 760.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 14°03'39", AN ARC LENGTH OF 186.51 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 46°41'04" WEST, 186.04 FEET TO A 1/2" IRON PIPE IDENTIFIED AS BEING "LB 6824", SAID IRON PIPE BEING ON THE NORTHERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2851, PAGE 1931; THENCE NORTH 73°59'37" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 54.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 28,043 SQUARE FEET OR 0.64 ACRES, MORE OR LESS.

EXHIBIT 4
Future Land Uses

Legend

-  Residential-B Land Use (RES-B)
-  Mixed-Use District Land Use (Mu)
-  Neighborhood Commercial Land Use (NG)
-  Rural Silviculture Owned by SJRWMD
-  Rural Silviculture Owned by SJRWMD
-  Rural Silviculture

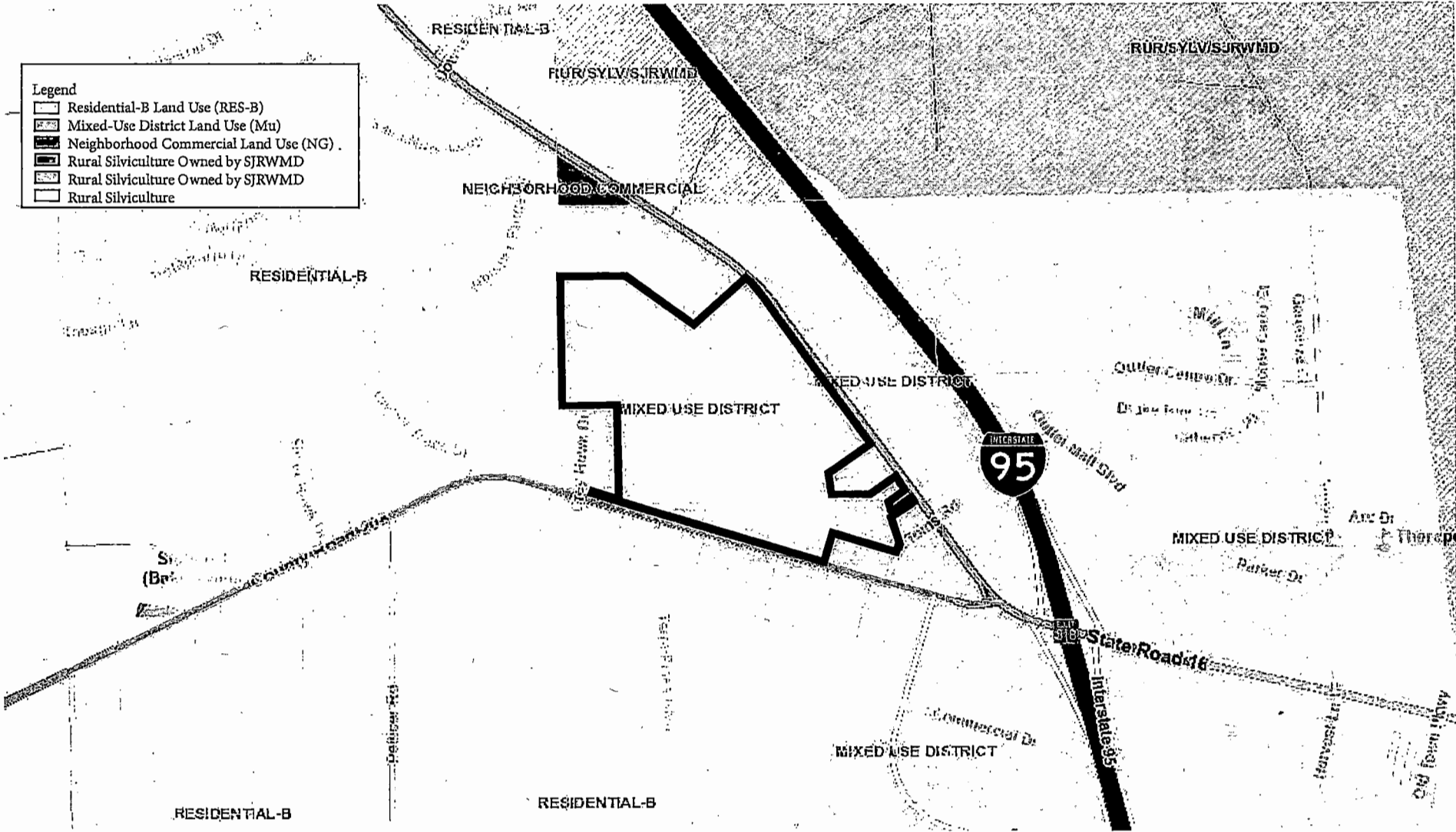


EXHIBIT I-FUTURE LAND USE MAP

Elevation Pointe Community Development District Engineer's Report



Kimley»Horn

Expect More. Experience Better.

EXHIBIT 5
Existing and Proposed
Major Trunk Water Mains and Sewer Connections

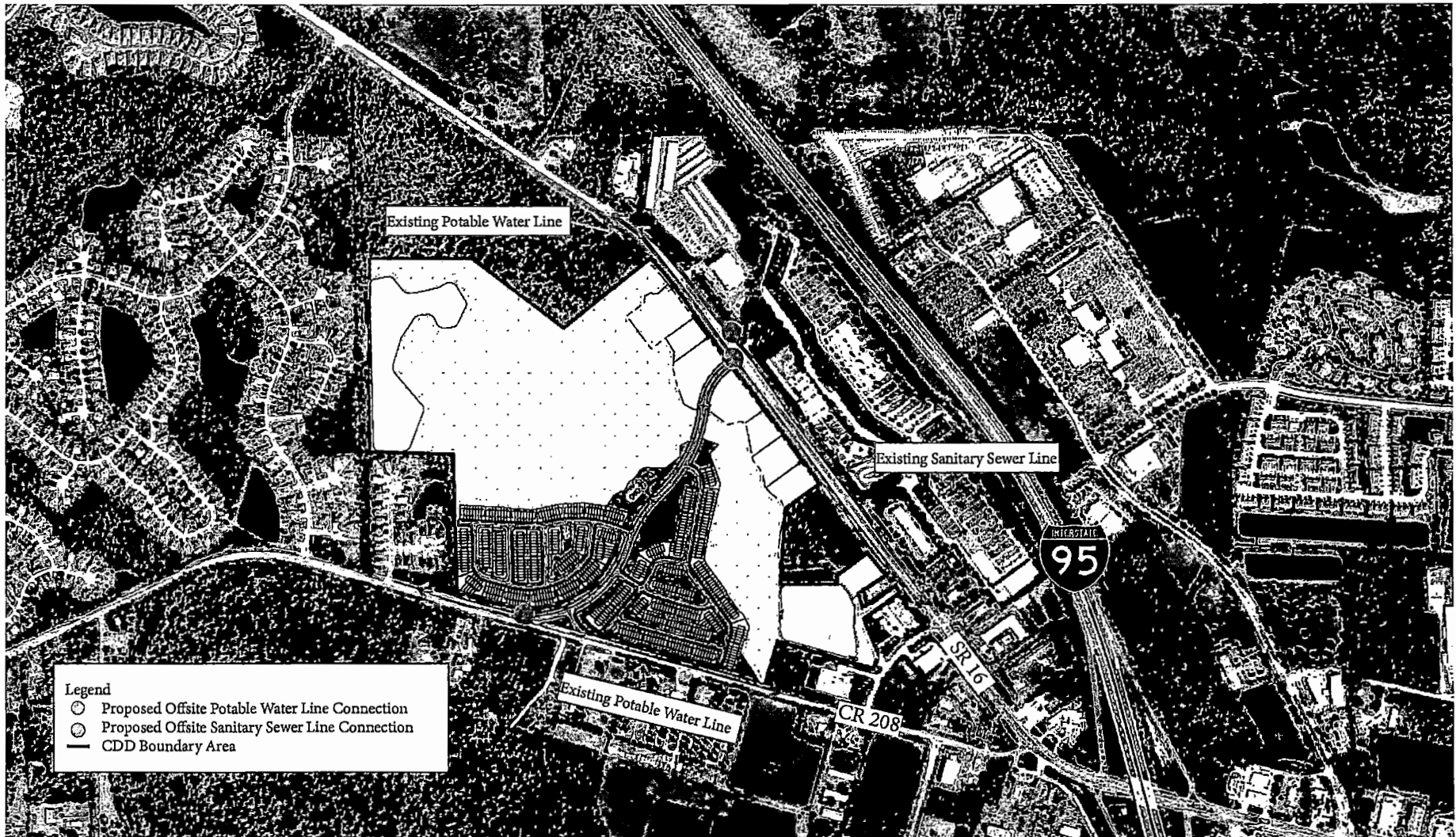


EXHIBIT 6
Proposed District Facilities
and Services

**Premium Pointe CDD – Proposed Facilities
Infrastructure Ownership & Maintenance**

Improvement Category	Ownership	Operation and Maintenance
Onsite Roadways	County/CDD	County/CDD
Offsite Roadways	County/State	County/State
Master Stormwater System	CDD	CDD
Potable Water Distribution System	County	County
Wastewater Collection System	County	County
Reclaimed Water Distribution System	County	County
Amenities	CDD	CDD
Hardscape, Landscape and Irrigation	CDD	CDD
Electrical Undergrounding	CDD	CDD

Notes:

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

County – St. Johns County

CDD – Community Development District

State – State of Florida

EXHIBIT 7

Summary of Cost Opinions

Premium Pointe CDD – Estimated Costs and Timeline

Improvement Category	Estimated Cost
Onsite Roadways	\$2,049,150
Offsite Roadways	\$450,000
Master Stormwater System	\$3,916,250
Potable Water Distribution System	\$624,000
Wastewater Collection System	\$999,000
Reclaimed Water Distribution System	\$400,000
Amenities	\$1,250,000
Hardscape, Landscape and Irrigation	\$800,000
Electrical Undergrounding	\$250,000
Professional Fees and Contingency	\$2,024,760
Total Estimated Costs	\$12,763,160

Improvements are assumed to be made, acquired, constructed and/or installed from March 2021 through July 2022

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

These estimates contemplate the exercise of special powers requested by the Petitioner at this time for parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described by Section 190.012(2)(a), Florida Statutes.

EXHIBIT 8

Statement of Estimated Regulatory Costs

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form the **Premium Pointe Community Development District** (the “District”). The proposed District comprises approximately 150.10 acres of land located within St. Johns County, Florida (hereafter “County”). The project is planned for approximately 430 townhome units and 130,000 square feet of commercial. 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 Premium Pointe Community Development District

The District is designed to provide community infrastructure, services, and facilities along with operation and maintenance of such facilities and services to the lands within the District. The District will encompass approximately 150.10 acres.

The Development plan for the proposed lands within the District includes approximately 430 townhome units and 130,000 square feet of commercial. Such uses are authorized for inclusion within the District. 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 planned community developments. CDD’s 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), Florida Statutes.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City/County in which the CDD lies. A CDD does not have the permitting, zoning or general 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 Premium Pointe. The scope of this SERC is limited to evaluating the consequences of approving the petition to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

According to Section 120.541(2), Florida Statutes, 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, 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, and any other costs necessary to comply with the rule.

(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 defined by Section 120.52, Florida Statutes. (St. Johns County is not defined as a small county for purposes of this requirement). The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.

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

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, 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.

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), Florida Statutes. The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0 of this SERC.

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 Premium Pointe Community Development District is a community designed for approximately 430 townhome units and 130,000 square feet of commercial. Formation of the District would put all of these units under the jurisdiction of the District. Prior to sale of any units, all of the land owned by the Developer and any other landowner will also be under the jurisdiction of the District.

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 formation of the District. The District as proposed will encompass under 2,500 acres, therefore the County is the establishing entity under sections 190.005(2), (2)(e), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.018, Florida Statutes, the proposed District must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

St. Johns County

The County and its staff will process and analyze the petition, conduct a public hearing with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. However, the filing fee required by Chapter 190, Florida Statutes, is anticipated to cover the costs for review of the petition for establishment.

These costs to the County are modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the 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 or additional staff. Fourth, there is no capital required to review the petition. Finally, local governments routinely process similar petitions for land uses and zoning charges that are far more complex than is the petition to establish a community development district.

The annual costs to the County because of the establishment of the District are minimal. The proposed District is an independent unit of local government. The only annual costs the County

faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County. Furthermore, the County will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the District operates independently from the County, and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

4.2 Impact on State and Local Revenues

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

In this regard it is important to note that any debt obligations incurred by the District to construct infrastructure or facilities, or for any other reason, are not debts of the State of Florida or the County. In accordance with Florida law, debts of the District are strictly the District's own responsibility.

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

Table 1 provides an outline of the various facilities and services the proposed District may provide. It is anticipated that onsite and offsite roadway improvements; master stormwater management system; potable water system; wastewater system; reuse water system; amenities; hardscape, landscape and irrigation improvements; electrical undergrounding; and professional fees/contingency will be financed by the District.

**Table 1.
Premium Pointe CDD Proposed Facilities and Services***

<u>District Infrastructure</u>	<u>Finance</u>	<u>Ownership</u>	<u>Operate</u>
Onsite Roadways	CDD	County/CDD	County/CDD
Offsite Roadways	CDD	County/State	County/State
Master Stormwater System	CDD	CDD	CDD
Potable Water Distribution System	CDD	County	County
Wastewater Collection System	CDD	County	County
Reclaimed Water Dist. System	CDD	County	County
Amenities	CDD	CDD	CDD
Hardscape, Landscape and Irrigation	CDD	CDD	CDD
Electrical Undergrounding	CDD	CDD	CDD

CDD = Premium Pointe CDD, County = St. Johns County, and State = State of Florida

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

The petitioner has estimated the design and development costs for providing the capital facilities. The cost estimates are shown in Table 2 below. Total development costs for these facilities are estimated to be approximately \$12,763,160. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all developable properties in the District that may benefit from the District's capital improvement program.

Table 2. Cost Estimate for District Facilities

<u>Infrastructure</u>	<u>Estimated Costs</u>
Onsite Roadways	\$2,049,150
Offsite Roadways	\$450,000
Master Stormwater System	\$3,916,250
Potable Water Distribution System	\$624,000
Wastewater Collection System	\$999,000
Reclaimed Water Dist. System	\$400,000
Amenities	\$1,250,000
Hardscape, Landscape and Irrigation	\$800,000
Electrical Undergrounding	\$250,000
Professional Fees and Contingency	\$2,024,760
Total	\$12,763,160

Landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose non-ad valorem assessments to fund the operation and maintenance of the District and its facilities and services.

It is important to recognize that buying property in the District is completely voluntary. Ultimately, all owners and users of property within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

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

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

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

Second, a District is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

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

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

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

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 formation of the District. If anything, the impact may be positive. This is because the District must competitively bid many of its contracts, affording small businesses the opportunity to bid on District work, and may also result in a need for additional retail and commercial services that afford small businesses and opportunity for growth.

The County has an estimated un-incarcerated population that is greater than 75,000 according to the 2010 U.S. Census. Therefore, the County is not defined as a "small county" according to section 120.52(19), 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 Developer's Engineer and other professionals associated with the Developer.

8.0 In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

There have been no good faith written proposals submitted to the agency as described in section 120.541(1)(a), Florida Statutes.

Prepared by:

Governmental Management Services - Central Florida, LLC

August 12, 2020

Rev. September 18, 2020

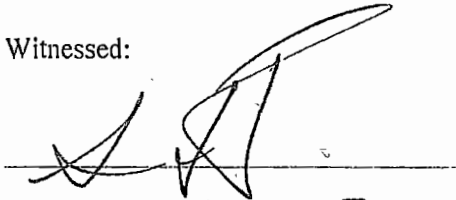
Rev. December 7, 2020

EXHIBIT 9
Authorization of Agent

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jonathan T. Johnson of Hopping Green & Sams, P.A., whose address is P.O. Box 6526, Tallahassee, Florida 32314, to act as agent for Elevation Premium Pointe, LLC with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of St. Johns, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

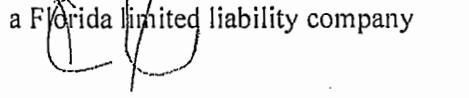


Print Name: Shaman Foradi



Print Name: Kaitlyn Duda

ELEVATION PREMIUM POINTE, LLC
a Florida limited liability company



By: Owais Khanani

Its: Manager

STATE OF FLORIDA
COUNTY OF Orange

I hereby certify that on this day, before me, by means of physical presence or online notarization, an officer duly authorized to take acknowledgments, personally appeared Owais Khanani as Manager of Elevation Premium Pointe, LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 21st day of July, 2020.




Notary Public

Personally known:

Produced Identification: _____

Type of Identification: _____

**BEFORE THE COUNTY COMMISSION
ST. JOHNS COUNTY, FLORIDA**

IN RE: A Petition to Establish Premium Pointe)
 Community Development District)
)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF St. Johns

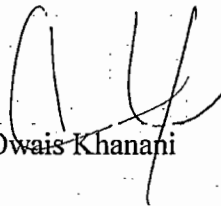
I, Owais Khanani, of Elevation Premium Pointe, LLC (“Affiant”), being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Owais Khanani and I am Manager of Elevation Premium Pointe, LLC.
3. The prepared written, pre-filed testimony consisting of six (6) pages, submitted under my name to the County Commission of St. Johns County relating to the establishment of the Premium Pointe Community Development District (“District”) and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the District establishment hearing my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning the Petition, its exhibits and the reasons for establishing the District are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various statutory requirements and an overview of the proposed development within the proposed District.

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

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

Executed this 21st day of October, 2020.

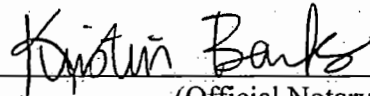

Ovais Khanani

SWORN TO and SUBSCRIBED before me by means of physical presence or online notarization, this 21st day of October, 2020 by the Affiant.



KRISTIN BANKS
Commission # GG 339771
Expires May 29, 2023
Bonded Thru Budget Notary Services

[notary seal]



(Official Notary Signature)

Name: Kristin Banks
Personally Known
OR Produced Identification _____
Type of Identification _____

1 **TESTIMONY OF Owais Khanani FOR THE ESTABLISHMENT OF THE**
2 **PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT**

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

5
6 My name is Owais Khanani and my mailing address is 121 South Orange Avenue
7 Orlando, Florida 32801.

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

10
11 Elevation Premium Pointe, LLC-Partner/Manager

12
13
14 **3. Briefly summarize your duties and responsibilities.**

15
16 Oversee acquisition and development of the project.

17
18 **4. Who is the petitioner in this proceeding?**

19
20 The petitioner is Elevation Premium Pointe, LLC ("Petitioner"), which is the business
21 entity that will supervise the development of the area.

22
23 **5. Are you familiar with the Petition to Establish ("Petition") the Premium Pointe**
24 **Community Development District ("Proposed District") filed by the Petitioner?**

25
26 Yes. I assisted in the formulation of the Petition and accompanying documents and met
27 with members of the consultant team we hired to prepare the filing. I also reviewed the
28 Petition and accompanying documents.

29
30 **6. Are there any changes or corrections to any of the documents attached to the**
31 **Petition at this time?**

32
33 No.

34
35 **7. Please generally describe each of the documents attached to the Petition.**

36
37 The Petition describes the Petitioner's request for establishment of a community
38 development district. Attached to the Petition are the following exhibits:

39
40 Exhibit 1 is a map showing the general location in which the Proposed District is located.

41
42 Exhibit 2 is a metes and bounds description of the boundaries of the Proposed District.

43
44 Exhibit 3 is the Consent of Landowner to CDD Establishment, executed by Anderson
45 (1995) Limited Partnership, which represents the consent of one hundred percent (100%)
46 of the owners of the lands to be included within the District.

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

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

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

Exhibit 7 is a summary of the estimated costs for constructing, installing or acquiring the facilities and services described in Exhibit 6.

Exhibit 8 is the Statement of Estimated Regulatory Costs prepared by George Flint of Governmental Management Services – Central Florida, LLC

Exhibit 9 is an authorization of agent form which authorizes Jonathan T. Johnson to act as the agent for the Petitioner during these proceedings.

8. Were these documents attached to the Petition prepared by you or under your supervision?

Yes.

9. To the best of your knowledge, is the general location map identified as Exhibit 1 to the Petition a true and accurate depiction of the general location of the Proposed District?

Yes.

10. To the best of your knowledge is the metes and bounds description included in Exhibit 2 to the Petition a true and accurate recitation of the land area to be included within the Proposed District?

Yes.

11. To the best of your knowledge, is Exhibit 3 to the Petition a true and accurate copy of the consent obtained from the owner of one hundred percent (100%) of the lands to be included within the proposed District?

Yes.

- 1 12. To the best of your knowledge, is the map included in Exhibit 4 a true and accurate
2 depiction of the future general distribution, location and extent of public and
3 private land uses within the proposed District?
4
5 Yes.
6
- 7 13. To the best of your knowledge, is Exhibit 5 a true and accurate depiction of the
8 existing and proposed major trunk water mains and sewer connections serving the
9 lands within and around the proposed District?
10
11 Yes.
12
- 13 14. To the best of your knowledge, does Exhibit 6 truly and accurately list the facilities
14 and services that the proposed District is expected to finance, fund, construct,
15 acquire and/or install, as well as the anticipated owner and entity responsible for
16 operation and maintenance thereof?
17
18 Yes.
19
- 20 15. To the best of your knowledge, does Exhibit 7 truly and accurately list the estimated
21 costs of constructing the infrastructure serving land within the proposed District?
22
23 Yes.
24
- 25 16. To the best of your knowledge, is Exhibit 8 a true and accurate copy of the
26 Statement of Estimated Regulatory Costs?
27
28 Yes.
29
- 30 17. To the best of your knowledge, is Exhibit 9 a true and accurate copy of the
31 Authorization of Agent form?
32
33 Yes.
34
- 35 18. Are the contents of the Petition and the exhibits attached to it, as described herein,
36 true and correct to the best of your knowledge?
37
38 Yes.
39
- 40 19. Are you familiar with the area that is to be included within the Proposed District?
41
42 Yes, I am familiar with the general area and the site specifically.
43
- 44 20. Approximately how large is the Proposed District in acres?
45

1 The Proposed District is located entirely within the limits of the St. Johns County
2 ("County"), Florida, and covers approximately 150.74 acres of land.
3

4 **21. What steps were taken with respect to filing the Petition with the County**
5 **Commission of the St. Johns County?**
6

7 On August 18, 2020, the Petitioner formally filed the Petition and Exhibits with the
8 County by submitting the original to the County Clerk. Accompanying the original
9 Petition was a check in the amount of Sixteen Thousand Three Hundred and Seventy
10 Dollars (\$16,370) made payable to the County. Copies of the Petition were
11 contemporaneously filed with the offices of the County Planning Department, County
12 Administrator and the County Attorney for their respective reviews.
13

14 **22. Who are the five persons designated in the Petition to serve as the initial Board of**
15 **Supervisors?**
16

17 The five persons are Owais Khanani, Shaman Foradi, Michael Rich, Kristin Banks and
18 Jawaad Khanani.
19

20 **23. Do you know each of these persons personally?**
21

22 Yes, I do.
23

24 **24. To the best of your knowledge, are any of the other proposed members of the Board**
25 **of Supervisors of the Proposed District employees, officers or stockholders of the**
26 **Petitioner?**
27

28 Yes, the proposed Board Members are all officers or employees of the Petitioner.
29

30 **25. Are each of the persons designated to serve as the initial Board of Supervisors**
31 **residents of the State of Florida and citizens of the United States?**
32

33 Yes, they are.
34

35 **26. Are there residential units planned for development within the Proposed District?**
36

37 Yes. There are approximately 430 townhome units currently planned for development
38 within the Proposed District, as well as 130,000 square feet of commercial use.
39

40 **27. Would you please describe the proposed timetable for development of land within**
41 **the Proposed District?**
42

43 The proposed timetable for the construction of infrastructure to develop the land is
44 expected to occur in one (1) phase over an estimated two (2) year period.
45

1 **28. 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 Proposed District to participate in the acquisition
5 or construction of certain improvements including but not limited to onsite and offsite
6 roadway improvements, potable water, wastewater and reclaimed water distribution
7 systems, master stormwater system improvements, amenity improvements, and
8 hardscape, landscape and irrigation improvements. Capital costs of these improvements,
9 including associated contingencies and professional fees, will be borne by the Proposed
10 District. The Petitioner's good faith estimation of the costs associated with the
11 acquisition or construction of such improvements is itemized in Exhibit 7 to the Petition.
12

13 **29. In general, what financing methods does the Petitioner propose for the Proposed**
14 **District to pay for the anticipated facilities and services?**
15

16 The Petitioner presently expects that the Proposed District will finance certain services
17 and improvements through the issuance of tax-exempt bonds. The debt issued by the
18 Proposed District is expected to be retired by "non-ad valorem" or "special" assessments
19 on benefitted property within the Proposed District. Ongoing maintenance and
20 operational activities are expected to be funded by maintenance assessments.
21

22 **30. Who will be responsible for paying the Proposed District's assessments?**
23

24 Only property owners within the Proposed District will be responsible for paying
25 assessments. We do not expect the Proposed District to issue general obligation debt
26 which pledges its full faith and credit.
27

28 **31. Will these Proposed District debts be an obligation of the St. Johns County or the**
29 **State of Florida?**
30

31 No. Florida law provides that community development district debt cannot become the
32 obligation of a county, a city, or the state without the consent of that government.
33

34 **32. Why is the Petitioner seeking to have a community development district established**
35 **for this area?**
36

37 According to information provided by the Florida Department of Economic Opportunity,
38 there are more than 700 active community development districts ("CDD(s)") in Florida.
39 CDDs are an efficient, effective way to provide infrastructure and have become accepted
40 in the marketplace of homebuyers.
41

42 From our perspective, the establishment of a CDD is logical for this project. It is a long-
43 term, stable, financially-secure entity. The Proposed District is a structured, formal
44 entity, with the legal ability to respond to future changes in the circumstances and desires
45 of its residents. Under Florida law, the Proposed District has access to the county tax

1 collection mechanisms which helps ensure that the facilities will be maintained. In that
2 sense, to us, it is preferable to a property owners' association.

3
4 Additionally, a CDD has the ability to enter into interlocal agreements with other
5 government entities. These allow a CDD to work with other government entities to
6 complete projects that benefit residents within the CDD boundaries while also assisting
7 local governments in completing infrastructure necessary to serve growth.

8
9 In addition, the Proposed District has the financial capability to assist in the provision of
10 necessary capital improvements sooner than might otherwise be the case. The County,
11 developers, builders and residents will all benefit from these improvements in terms of
12 access, traffic flow, safety, and general property enhancement.

13
14 Additionally, a CDD is the entity preferred by many regulatory agencies, including many
15 water management districts, to operate and maintain the stormwater management and
16 other similar systems. This is because the CDD is a perpetual entity, operating in open
17 meetings, with the financial ability to ensure that the maintenance of these important
18 environmental facilities and amenities is accomplished.

19
20 Given the nature of this project, in my opinion, a CDD is a logical, prudent, and desirable
21 way to ensure this needed infrastructure is maintained.

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

24
25 Yes.

26

**BEFORE THE COUNTY COMMISSION
ST. JOHNS COUNTY, FLORIDA**

IN RE: A Petition to Establish Premium Pointe)
 Community Development District)
 _____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY


STATE OF FLORIDA
COUNTY OF ST. JOHNS

I, Brian Deitsch, P.E. ("Affiant"), being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Brian Deitsch, P.E., and I am an Associate of Kimley-Horn and Associates, Inc., and a Florida Professional Engineer.
3. The prepared written, pre-filed testimony consisting of nine (9) pages submitted under my name to the County Commission of St. Johns County relating to the Petition to Establish ("Petition") the Premium Pointe Community Development District ("District") and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning land development and the construction of public infrastructure as a professional engineer are accurately set forth in my pre-filed testimony.
6. No corrections or amendments to my pre-filed testimony are required.

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

Executed this 27 day of OCTOBER, 2020.



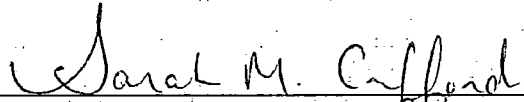
ASSOCIATE

SWORN TO and SUBSCRIBED before me by means of physical presence or online notarization, this 27th day of October, 2020 by the Affiant.



Sarah M. Crafford
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG944484
Expires 1/6/2024

[notary seal]



(Official Notary Signature)
Name: Sarah M. Crafford
Personally Known
OR Produced Identification _____
Type of Identification _____

1 **TESTIMONY OF BRIAN DEITSCH, P.E., FOR THE ESTABLISHMENT**
2 **OF THE PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT**

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

5
6 My name is Brian Deitsch, P.E. My business address is 12740 Gran Bay Parkway West,
7 Suite 2350, Jacksonville, FL 32258.

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

10
11 I am an Associate of Kimley-Horn and Associates, Inc., and a Florida Professional
12 Engineer.

13
14 **3. Please describe your duties with Kimley-Horn and Associates, Inc.**

15
16 My duties include civil engineering design, project management, and staff management.

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

20
21 Bachelor of Science, Civil Engineering, University of Florida.

22
23 **5. Do you have any professional licenses, registrations or certifications?**

24
25 I am a registered Professional Engineer in the State of Florida. My license number is
26 #77073.

27
28 **6. Are you familiar with the Petition to Establish ("Petition") Premium Pointe**
29 **Community Development District ("Proposed District") filed by Elevation Premium**
30 **Pointe, LLC ("Petitioner")?**

31
32 Yes.

33
34 **7. Have you reviewed the Petition and approved its contents?**

35
36 Yes, I have to the extent that it contains contents that were prepared by me or at my
37 direction.

38
39 **8. What has been your role with respect to the Proposed District's establishment**
40 **proceeding?**

41
42 I reviewed the overall cost estimates prepared by our firm under my direction and the
43 various engineering exhibits that were required for submittal.

44
45 **9. Did you prepare, or have others under your supervision prepare, any of the exhibits**
46 **attached to the Petition?**

1
2 Yes, Exhibits 1, 4, 5, 6 and 7 were prepared by my firm.
3

4 **10. Do any of those Petition exhibits require any change or correction?**
5

6 No changes or corrections are required.
7

8 **11. Are Petition Exhibits 1, 4, 5, 6 and 7 true and correct to the best of your knowledge
9 and belief?**
10

11 Yes.
12

13 **12. In general, what do Petition Exhibits 1, 4, 5, 6 and 7 demonstrate?**
14

15 Exhibit 1 is a vicinity map which graphically delineates the general location of the
16 Proposed District.
17

18 Exhibit 4 contains a map depicting the future general distribution, location and extent of
19 the public and private land uses within the proposed District by the future land use plan
20 element.
21

22 Exhibit 5 is a map identifying existing and proposed major trunk water mains and sewer
23 connections serving the lands within and around the proposed District.
24

25 Exhibit 6 contains a list of the facilities and services the proposed District is expected to
26 finance, fund, construct, acquire and/or install, as well as the anticipated entity
27 responsible for the ownership and maintenance thereof.
28

29 Exhibit 7 is a summary of the estimated costs for constructing, installing or acquiring the
30 facilities and services described in Exhibit 6.
31

32 **13. Would you generally describe the services and facilities that the Proposed District is
33 expected to provide?**
34

35 The Petitioner presently intends for the Proposed District to participate in the acquisition
36 or construction of certain improvements including but are not limited to certain onsite
37 and offsite roadway improvements, potable water, wastewater and reclaimed water
38 distribution systems, master stormwater system improvements, amenity improvements,
39 and hardscape, landscape and irrigation improvements.
40

41 **14. Are the construction cost estimates for the proposed facilities, as identified in
42 Exhibit 7 for the Proposed District, reasonable?**
43

44 Yes, I have reviewed the construction cost estimates and, to the best of my knowledge,
45 information and belief and based on the information available, the construction cost

1 estimates for the Proposed District are reasonable based on my experience and
2 knowledge of the local construction industry.

- 3
4 **15. Based on your training and experience as a professional engineer, do you have an**
5 **opinion as to whether the Proposed District is of sufficient size, sufficient**
6 **compactness and sufficient contiguity to be developable as a functional interrelated**
7 **community?**

8
9 Yes, I do.

- 10
11 **16. What is your opinion?**

12
13 It is my professional opinion that the Proposed District meets the indicated requirements
14 to be a functional interrelated community because it is of sufficient size, is sufficiently
15 compact and sufficiently contiguous to be developed with infrastructure systems,
16 facilities and services as one functionally interrelated community.

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

19
20 First, the lands to be included within the Proposed District have sufficient significant
21 infrastructure needs to be developable as a functionally interrelated community. Second,
22 this necessary infrastructure can be provided by the Proposed District in a cost-effective
23 manner based upon the specific design of the community. Furthermore, the use of one
24 development plan whose infrastructure is implemented by a community development
25 district ("CDD") to provide the community services and facilities will ensure that the
26 proposed improvements are provided and maintained in an efficient, functional and
27 integrated manner.

- 28
29 **18. As a professional engineer and planner for this project, do you have an opinion as to**
30 **whether the services and facilities to be provided by the Proposed District will be**
31 **incompatible with the capacities and uses of existing local and regional community**
32 **development facilities and services?**

33
34 My opinion is that the Proposed District will not be incompatible with the capacities and
35 uses of existing local and regional community facilities and services.

- 36
37 **19. What is the basis for your opinion?**

38
39 In order to answer this question, it is necessary to look to the community development
40 services and facilities which will be provided by the Proposed District to the lands within
41 its boundaries and to compare this to the *existing* community development services and
42 facilities presently available to those lands. Currently, the planned infrastructure
43 improvements that the Proposed District plans to provide do not exist on the property.

44
45 There is no duplication or overlap of facilities or services because no other entity or unit
46 of government is presently funding or providing the improvements proposed by the

1 Proposed District. Therefore, the Proposed District will be an efficient entity to
2 participate in the construction and maintenance of the necessary infrastructure
3 improvements.
4

- 5 **20. As a professional engineer and planner for this project, do you have an opinion as to**
6 **whether the area to be included within the Proposed District is amenable to being**
7 **served by separate special district government?**
8

9 Yes. The Proposed District encompasses approximately 150.74 acres. First, land
10 covering of this size is large enough to support its own community with individual
11 facility and service needs. Second, although maintenance of improvements is also a
12 concern, the Proposed District can be utilized as an efficient long-term mechanism to
13 ensure that the residents of the Proposed District pay for and receive proper and required
14 maintenance. Therefore, my opinion is that the area within the Proposed District is
15 amenable to separate special district government.
16

- 17 **21. As a professional engineer and planner for this project, do you have an opinion as to**
18 **whether the Proposed District is the best alternative to provide the proposed**
19 **community development services and facilities to the area that will be served?**
20

21 Yes.
22

- 23 **22. What is your opinion?**
24

25 It is my opinion that the Proposed District is the best alternative to provide the proposed
26 services and facilities within the Proposed District.
27

- 28 **23. What is the basis of your opinion?**
29

30 The Proposed District is a long-term, stable, perpetual entity capable of funding,
31 constructing and, in some cases, maintaining the facilities over the lifetime of the
32 facilities because the Proposed District has the advantage of being a unit of local
33 government, which has access to the tax-exempt bond market. Neither a property
34 owners' nor homeowners' association ("POA"/"HOA") has the ability to finance
35 infrastructure of the nature and scope contemplated here, or manage the construction,
36 acquisition or maintenance of the public infrastructure. Neither is authorized to place a
37 first lien on property if the owner does not pay its maintenance assessments. Overall, the
38 Proposed District would be a more timely, reliable and cost-efficient mechanism to
39 deliver and maintain the needed community improvements.
40

- 41 **24. Can you provide an example of a service or facility and explain why a CDD is a**
42 **preferred alternative for long-term operation and maintenance?**
43

44 Yes. An example would be a stormwater management system. By statute, CDDs and
45 POAs are permitted to operate and maintain these systems. However, POAs are
46 generally required by typical water management district rules to provide significantly

1 more information and documentation before they are authorized to operate and maintain a
2 stormwater management system. Such documentation generally must (i) indicate that the
3 association has the required financial capabilities, (ii) mandate that the association will
4 operate and maintain such systems and (iii) provide that the association cannot be
5 dissolved until another entity is found to maintain the system.

6
7 A CDD, which is generally considered to be a more secure financial, legal and
8 administrative entity, generally must simply provide a letter to the water management
9 district committing that the district will accept operation and maintenance responsibility.
10 All things being equal, a CDD is preferred over a POA/HOA for operation and
11 maintenance of a stormwater management system.

12
13 **25. In the course of your work in Florida, have you had an opportunity to work with the**
14 **State Comprehensive Plan found in Chapter 187, *Florida Statutes* ("State**
15 **Comprehensive Plan")?**

16
17 Yes, I have often referred to the State Comprehensive plan in rendering consultation to
18 public and private entities.

19
20 **26. In the course of your work in Florida, have you had an opportunity to review local**
21 **government comprehensive plans?**

22
23 Yes.

24
25 **27. What types of land development projects have you worked on which involved**
26 **analyzing consistency with the state and local comprehensive plans?**

27
28 I have worked on numerous large master planned communities. I have also helped to
29 review local comprehensive plans, evaluations and appraisals of comprehensive plans,
30 and have assisted with amendments to existing comprehensive plans for several Florida
31 counties and municipalities. All require consistency with comprehensive plans or
32 amendments to change the comprehensive plan so that the development complies with
33 the plan.

34
35 **28. Do you have an opinion, as someone experienced in planning, as to whether the**
36 **establishment of the Proposed District is inconsistent with any applicable element or**
37 **portion of the State Comprehensive Plan?**

38
39 Yes.

40
41 **29. What is that opinion?**

42
43 It is my opinion that the establishment of the Proposed District is not inconsistent with
44 any applicable element or portion of the State Comprehensive Plan.

45
46 **30. What is the basis for that opinion?**

1
2 I have reviewed, from a planning perspective, applicable portions of the State
3 Comprehensive Plan which relate to the establishment of a community development
4 district.
5

6 The State Comprehensive Plan "provides long-range policy guidance for the orderly
7 social, economic, and physical growth of the state." The State Comprehensive Plan sets
8 forth 25 subjects, goals, and numerous policies. Two subjects are particularly relevant,
9 from a planning perspective, to the establishment of the Proposed District: No. 15- Land
10 Use and No. 25- Plan Implementation.
11

12 **31. What is Subject 15 and why is it relevant?**
13

14 Subject 15 recognizes the importance of locating development in areas that have the
15 fiscal abilities and service capacity to accommodate growth. It is relevant because
16 community development districts are designed to provide infrastructure services and
17 facilities in a fiscally responsible manner to the areas which can accommodate
18 development growth. The Proposed District is not inconsistent with this goal because the
19 Proposed District will have the fiscal capability to provide the specified services and
20 facilities in this growth area. Additionally, under this subject, Policy 1 is relevant.
21

22 **32. What is Policy 1 and why is it relevant?**
23

24 Policy 1 promotes efficient development activities in areas which will have the capacity
25 to service new populations and commerce. The Proposed District will be a vehicle to
26 provide a high quality of infrastructure facilities and services in an efficient and focused
27 manner at sustained levels over the long-term life of the community.
28

29 **33. You also mentioned Subject 25. What is this and why is it relevant?**
30

31 This Subject calls for systematic planning capabilities to be integrated into all levels of
32 government throughout the state, with particular emphasis on improving inter-
33 governmental coordination and maximizing citizen involvement. The Proposed District
34 will be able to finance and construct (and operate and maintain) the contemplated
35 infrastructure improvements as authorized under Chapter 190, *Florida Statutes*, subject to
36 and not inconsistent with the local government comprehensive plan and land
37 development regulations. Citizen involvement is maximized since board meetings are
38 publicly advertised, open to the public, and property owners can be involved in the
39 provision of the improvements. Additionally, establishment of the Proposed District will
40 enhance governmental coordination since Section 189.08, *Florida Statutes*, requires the
41 Proposed District to file public facilities reports with the County, and to annually update
42 such reports to the extent there are any changes, which reports and updates the County
43 may rely upon in any revisions to its local comprehensive plan.
44

45 **34. Are there any relevant policies under this subject of the State Comprehensive Plan?**
46

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

11
12 Policy 3 provides for establishing effective monitoring, incentive, and enforcement
13 capabilities to see that the requirements established by regulatory programs are met.
14 Section 189.08(2), *Florida Statutes*, requires all independent special districts to submit
15 public facilities reports, including annual updates as to changes. This facilitates an
16 effective monitoring program of the Proposed District by the County. Sections
17 190.002(2)(c), and 190.004(3), *Florida Statutes*, dictate the legislative policy that all
18 community development districts comply with all government laws, rules and regulations
19 applicable to community development. Therefore, establishment of the Proposed District
20 is not inconsistent, and in fact is in furtherance, of this policy.

21
22 Policy 6 encourages citizen participation at all levels of policy development, planning
23 and operations. The Proposed District will hold its meetings in the sunshine pursuant to
24 Chapter 286, *Florida Statutes*. This process encourages citizen participation in, and
25 ultimately citizen control of, the activities of the Proposed District.

26
27 Policy 8 encourages continual cooperation among communities to bring the private and
28 public sectors together for establishing an orderly, environmentally, and economically
29 sound plan for future needs and growth. The Proposed District will be a vehicle to
30 enhance cooperation in the provision of infrastructure between the private sector and the
31 County.

32
33 **35. Are there any other subjects within the State Comprehensive Plan which are**
34 **relevant?**

35
36 Three additional subjects applicable to establishment of a CDD include Subject 9 -
37 Natural Systems and Recreational Lands, Subject 17 - Public Facilities and Subject 20 -
38 Governmental Efficiency. The applicable policies of Subject 9 relate to expanding state
39 and local efforts to provide activity-based recreational opportunities to urban areas which
40 can be accomplished with the funding assistance of the Proposed District. The applicable
41 goal and policies of Subject 17 relate to: (i) protecting investments in existing public
42 facilities; (ii) providing financing for new facilities; (iii) allocating the costs of new
43 public facilities on the basis of the benefits received by landowners; (iv) implementing
44 innovative but fiscally sound techniques for financing public facilities; and (v)
45 identifying and using stable revenue sources for financing public facilities. Subject 20
46 requires governments to economically and efficiently provide the amount and quality of

1 services required by the public which includes the creation of independent special taxing
2 districts, such as the Proposed District. The establishment of the Proposed District will
3 further these State Comprehensive Plan, Goals and Policies.
4

5 **36. You mentioned earlier that you have reviewed local comprehensive plans adopted
6 pursuant to Chapter 163, Florida Statutes. In your work on this project, did you
7 review the effective St. Johns County Local Comprehensive Plan?**

8 Yes, I did.
9

10
11 **37. Based upon your experience, do you have an opinion as to whether establishment of
12 the proposed District is inconsistent with any portion or element of the St. Johns
13 County Comprehensive Plan, adopted pursuant to Chapter 163, Florida Statutes?**

14 Yes, I do.
15

16
17 **38. What is that opinion?**

18 My opinion is the proposed District is not inconsistent with the County's Comprehensive
19 Plan.
20

21
22 **39. What is the basis of your opinion?**

23 First, a community development district is a unit of special-purpose government, and it
24 does not have the authority to make zoning or development permitting decisions that are
25 inconsistent with the comprehensive plan of a unit of general-purpose government, such
26 as the County. Since Chapter 190, *Florida Statutes*, prohibits the Proposed District from
27 taking action that is inconsistent with the County's Comprehensive Plan, the Proposed
28 District will still be required to undergo review and approval for all permitting and
29 construction. Moreover, if established the Proposed District would further some
30 provisions of the County's Comprehensive Plan. Specifically, the following elements of
31 the County's Comprehensive Plan generally relate to and are consistent with the
32 establishment of and exercise of the powers by the Proposed District.
33

34
35 Land Use Element – One stated goal of this element explains that the County's
36 Comprehensive Plan aims to "effectively manage growth and development by
37 designating areas of anticipated future development which satisfy demand where feasible,
38 in a cost-efficient and environmentally acceptable manner." It further provides as the
39 County's goal to "encourage and accommodate land uses which make St. Johns County a
40 viable community" and "create a sound economic base and offer diverse opportunities for
41 a wide variety of living, working, shopping and leisure activities [...]" The District can
42 provide the desired services and facilities to this area in accordance with this goal.
43

44 Intergovernmental Coordination Element - One stated goal of this element is to "aid in
45 the provisions of services and management of growth between the County,
46 municipalities, regional, state, and federal entities." The District will continue to be a

1 vital link in this coordination process as a provider and maintainer of community
2 infrastructure, whose activities are coordinated with and are not inconsistent with plans
3 and activities of related public and private agencies.
4

5 Infrastructure Element – There are numerous goals within this element that support the
6 finding that the District’s proposed facilities and services will not be inconsistent with the
7 County’s Comprehensive Plan. Such goals include but are not limited to providing an
8 efficient system of Stormwater Management and ensuring that adequate facility capacity
9 is available to serve future developments and coordinating the extension of potable water
10 facilities or the increase in capacity of potable water facilities in order to meet future
11 needs. As explained previously, the Proposed District plans to construct, acquire or
12 install and maintain stormwater management facilities and potable water facilities
13 consistent with these goals.
14

15 Capital Improvements Element - The goal of this element is to ensure the orderly and
16 efficient provision of services, including sanitary sewer, potable water, and drainage.
17 The Proposed District furthers this goal by providing the necessary services and facilities
18 to the area in an orderly and efficient manner.
19

20 For these reasons, it is my opinion that the establishment of the Proposed District is not
21 inconsistent with any applicable provisions of the County’s Comprehensive Plan.
22

23 **40. Does this conclude your testimony?**

24 Yes, it does.
25

**BEFORE THE COUNTY COMMISSION
ST. JOHNS COUNTY, FLORIDA**

IN RE: A Petition to Establish Premium Pointe)
 Community Development District)
 _____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

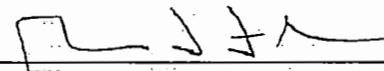
STATE OF FLORIDA
COUNTY OF ORANGE

I, George Flint ("Affiant"), being first duly sworn, do hereby state for my affidavit as follows:

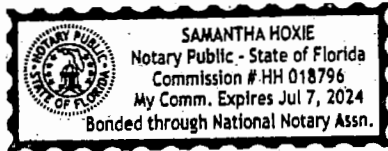
1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is George Flint and I am employed by Governmental Management Services – Central Florida, LLC.
3. The prepared written, pre-filed testimony consisting of eight (8) pages, submitted under my name to the County Commission of St. Johns County relating to the Petition to Establish ("Petition") the Premium Pointe Community Development District ("District") and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the District establishment hearing, my oral answers would be substantially the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning my work are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various managerial, operational and financial aspects related to the Petition.
7. No corrections or amendments to my pre-filed testimony are required.

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

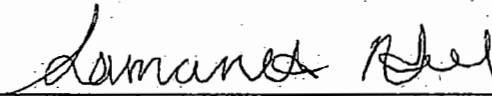
Executed this 12 day of October, 2020.


George Flint

SWORN TO and SUBSCRIBED before me by means of physical presence or online notarization, this 12th day of October, 2020 by the Affiant.



[notary seal]


(Official Notary Signature)
Name: George Flint
Personally Known X
OR Produced Identification _____
Type of Identification _____

1 **TESTIMONY OF GEORGE FLINT FOR THE ESTABLISHMENT**
2 **OF THE PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT**

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

5
6 My name is George S. Flint. My business address is 219 East Livingston Street, Orlando,
7 Florida 32801.

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

10
11 I am a Vice-President with Governmental Management Services – Central Florida, LLC
12 (GMS) and serve as District Manager and assessment administrator for community
13 development districts.

14
15 **3. Please briefly summarize your duties and responsibilities.**

16
17 GMS provides management and assessment consulting services to community
18 development districts and the real estate industry, including general management,
19 accounting, recording, secretarial services, field services and assessment administration.
20 GMS currently serves as the district manager for over one hundred and sixty (160)
21 community development districts (“CDDs”) in the State of Florida.

22
23 **4. Do you work with both public and private sector clients?**

24
25 GMS primarily works for public entities providing district management services.
26 However, we are retained, from time to time, by private entities to consult on the
27 creation of special districts as well as the viability of certain proposed developments.

28
29 **5. Prior to your current employment, by whom were you employed and what were**
30 **your responsibilities in those positions?**

31
32 I have twenty-six (26) years of experience in the public and private sectors providing
33 general management, budgeting, and consulting services. I served as the Budget Officer
34 and Assistant County Administrator for St. Johns County, Florida, and as the Assistant
35 County Manager/Performance Manager for Alachua County, Florida. In addition, I
36 served as a Senior Management Consultant and Regional Manager for TetraTech, Inc.,
37 an environmental engineering firm, and as the Executive Director of the St. Johns
38 County Utility Authority. I have extensive knowledge of special districts, governmental
39 budgeting and finance issues, the development process, and water and wastewater
40 utilities.

41
42 **6. Please describe your educational background.**

43
44 I have a Bachelor of Arts degree from Princeton University in Politics with a focus in
45 economics and a Master of Public Administration from Florida State University with a
46 specialization in public budgeting and finance.

1 **7. Please describe your work with CDDs in Florida.**

2
3 Through GMS, the clients I serve are both resident-elected and landowner-elected CDDs,
4 depending on the stage in the life of the development. I assist the various Boards of
5 Supervisors and residents by managing the accounting, official recordkeeping, and
6 operations and management of the assets acquired or constructed by the CDD. I have
7 provided management and assessment administration services to over sixty (60) active
8 CDDs across Florida.
9

10 **8. What has been your role with respect to the proposed Premium Pointe Community**
11 **Development District ("Proposed District") establishment proceeding?**

12
13 I serve as a financial, economic, and management consultant relating to the establishment
14 of the Proposed District. Specifically, I prepared Exhibit 8, the Statement of Estimated
15 Regulatory Costs ("SERC"), of the Petition to Establish the Proposed District
16 ("Petition").
17

18 **DISTRICT MANAGEMENT**

19
20 **9. At this point, I will ask you to address certain matters that relate to CDD**
21 **management. Please describe the general manner in which a CDD actually**
22 **operates.**
23

24 CDDs are governed by a five-member Board of Supervisors ("Board"). These Board
25 members are initially elected by landowners in the CDD. The Board is the governing
26 body of the CDD. The Board employs a district manager, who supervises the district's
27 services, facilities, and administrative functions. The Board annually considers and, after
28 public notice and hearing, adopts a budget. The CDD submits a copy of the proposed
29 budget to the applicable local general-purpose government for review and optional
30 comment prior to its adoption each year.
31

32 **10. Are there requirements, such as the open meetings and public records laws, imposed**
33 **upon CDDs in order to safeguard the public that are similar to those imposed upon**
34 **other general purpose local governments?**
35

36 Yes, there are.
37

38 **11. Please describe these requirements and safeguards.**
39

40 It is important to note that the establishment of a CDD does not change any requirements
41 for governmental approval of construction within the CDD. Any land development
42 requirements and all state and local development regulations still apply.
43

44 Members of the Board must be residents of Florida and citizens of the United States.
45 After the Board shifts to being elected by the resident electors of the CDD, the
46 supervisors must also be residents and electors of the CDD. Board members must
47 annually file the same financial disclosure forms required by other local officials.

1
2 Under the Government in the Sunshine laws, all CDD Board meetings are open to the
3 public, and other restrictions are imposed under Chapter 286, *Florida Statutes*. Further,
4 all documents of the CDD are available to the public upon request, in accordance with
5 Florida public records law. Additionally, like other political subdivisions, a CDD is
6 required to send financial reports to the Department of Financial Services. Also, a CDD
7 is audited by an independent certified public accountant every year.
8

9 Finally, to impose special or non-ad valorem assessments under Chapter 170, *Florida*
10 *Statutes*, a CDD must provide published and mailed notice to those who are assessed.
11 That assessment process entails preparation of a methodology that fairly and equitably
12 allocates the cost of the CDD's projects.
13

14 **12. Please describe in general terms how a CDD operates financially.**
15

16 In the early stages, particularly when a CDD is formed in mid-year, the CDD's operating
17 funds may be funded by a "funding agreement" between the CDD and the
18 landowner/developer in lieu of assessments that the CDD might have imposed on
19 property within the CDD.
20

21 In order to provide long term financing of capital projects, CDDs often issue bonds. All
22 bonds issued by CDDs must be secured by a trust agreement, and any bond maturing over
23 a period of more than five years must be validated and confirmed by court decree
24 pursuant to Chapter 75, *Florida Statutes*. The CDD also may borrow funds on a long or
25 short-term basis.
26

27 Debt may be retired by the district through non-ad valorem or special assessments
28 imposed on benefited properties, or rates, fees, and charges imposed on users of CDD
29 facilities and services. By law, debt of the CDD cannot become debt of any other
30 government (city, county or state), without that government's consent.
31

32 **13. What alternatives, other than CDDs, are you familiar with that might be available**
33 **to provide community infrastructure for the lands within the Proposed District?**
34

35 In my opinion there are two alternatives that might provide community infrastructure
36 such as the roads, utilities, drainage, and other improvements contemplated for the
37 Proposed District. First, the general-purpose local government could finance the
38 improvements utilizing special assessments and general funds. Alternatively, the
39 developer could provide infrastructure through private means, including private financing
40 if available. As discussed later in my testimony, neither of these alternatives is preferable
41 to the use of the CDD concept.
42

43 **14. Do you have an opinion, as someone experienced in district management and**
44 **operations, as to whether the Proposed District is the best available alternative for**
45 **delivering community services and facilities to the areas that will be served by the**
46 **Proposed District?**
47

1 Yes. For this project, the Proposed District is the best alternative available for delivering
2 the proposed services and facilities to the area that will be served. These improvements
3 include but are not limited to certain onsite and offsite roadway improvements, potable
4 water, wastewater and reclaimed water distribution systems, master stormwater system
5 improvements, amenity improvements, and hardscape, landscape and irrigation
6 improvements.
7

8 **15. What is the basis for your opinion?**
9

10 St. Johns County ("County") could finance the roadway and drainage improvements
11 utilizing special assessments or general funds. The developer and/or a homeowner's
12 association could provide these facilities, as well as the water and sewer facilities,
13 through private financing.
14

15 In evaluating these alternatives, it is important to consider whether the alternative can
16 provide focused services, can effectively and efficiently manage and maintain the
17 facilities, and whether the alternative can secure low cost, long-term public financing.
18 The County clearly provides the long-term perspective and is a stable and relatively low
19 cost source of financing and provider of services at sustained levels. However, the
20 County has substantial demands over a broad geographical area that places a heavy
21 management delivery load on its staff. In addition, if dependent district financing were
22 used, the County would be responsible for all administrative aspects of the dependent
23 district. By using a dependent district mechanism, the County would be increasing its
24 responsibility, and hence liability, for the variety of actions that will take place in the
25 Premium Pointe development. By contrast, a CDD can be created to provide focused
26 attention to a specific area in a cost effective manner. It also allows the County to focus
27 staff time, finances, and other resources elsewhere and does not burden the general body
28 of taxpayers in the County with the debt associated with this growth.
29

30 The other alternative is the use of private means – either through a property owner's
31 association or through the developer, or both in combination. This combination can
32 clearly satisfy the high demand for focused service and facilities and managed delivery.
33 However, only a public entity can assure a long-term perspective, act as a stable provider
34 of services and facilities, qualify as a lower cost source of financing and pay for services
35 at sustained levels. Property owners' associations lack the ability to effectively finance
36 these types of improvements. Their ability to assure adequate funds for sustained high
37 levels of maintenance is less than with a CDD.
38

39 Furthermore, neither the developer nor a POA would be required to conduct all actions
40 relating to the provision of these improvements in the "Sunshine" as a CDD must, or
41 abide by other public access requirements that are incumbent upon a CDD and its Board.
42 Also, provision and long term operation and maintenance of these improvements,
43 particularly the recreation and drainage activities, by a CDD ensures that residents have
44 guaranteed access to the body or entity making decisions about these facilities, and in fact
45 will one day sit as the five member Board making the decisions that impact their
46 community directly.
47

1 A CDD is an independent, special-purpose unit of local government designed to focus its
2 attention on providing the best long-term service to its specific benefited properties and
3 residents. It has limited power and a limited area of jurisdiction. The Proposed District
4 will be governed by its own Board and managed by those whose sole purpose is to
5 provide the Proposed District long term planning, management and financing of these
6 services and facilities. This long-term management capability extends to the operation
7 and maintenance of the facilities owned by the Proposed District. Further, the sources for
8 funding and manner of collection of funds will assure that the Proposed District's
9 facilities will be managed at the sustained levels of quality desired by residents well into
10 the future.

11
12 **16. As someone experienced in district management, is the area to be included within**
13 **the Proposed District of sufficient size, compactness, and sufficiently contiguous to**
14 **be developable as one functional, interrelated community?**
15

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

20 **17. What does the term "functionally interrelated community" mean?**
21

22 Local governments provide developments with the criteria for the elements of
23 infrastructure to provide for the facilities and services, including stormwater drainage,
24 water, sewer, and other facilities and services. Functional unification means that each
25 provided facility and service has a mutual reinforcing relationship to one another, with
26 each facility and service designed to contribute to the development and maintenance of
27 the community as a whole. Each facility and service must meet the growth and
28 development of the community, so a management capability and a funding source are
29 required for each service and facility. Thus, each of these necessary facilities and
30 services must be integrated, unified, and connected into a long-range plan.
31

32 **18. What is the basis for your opinion?**
33

34 First, the lands to be included within the Proposed District have sufficient infrastructure
35 needs to be developable as a functionally interrelated community. Second, this necessary
36 infrastructure can be provided by the Proposed District in a cost effective manner based
37 upon the specific design of the community. Furthermore, the use of one development
38 plan whose infrastructure is implemented by a CDD to provide the community services
39 and facilities will ensure that the proposed improvements are provided and maintained in
40 an efficient, functional and integrated manner.
41

42 The lands within the Proposed District will initially consist of approximately 150.74
43 acres of land. The purpose of this statutory requirement is to ensure successful and
44 efficient delivery of services and facilities to the property. Based upon my previous
45 experience with special districts, the Proposed District is suitably configured to maximize
46 the timely and cost efficient delivery of the necessary services and facilities.
47

1 **19. Do you have an opinion, as someone experienced in district management and**
2 **operations, as to whether the area that will be served by the Proposed District is**
3 **amenable to separate special district government?**

4
5 Yes.

6
7 **20. What is your opinion?**

8
9 The Proposed District is of sufficient size, compactness and contiguity. Therefore, the
10 area to be served by the Proposed District is well suited to separate special district
11 governance.

12
13 **21. What is the basis for your opinion?**

14
15 Two criteria are needed to evaluate a land area as amenable to separate special district
16 government. One, does the land area have need for the facilities and services and will its
17 owners and residents benefit from facilities that the special district could provide? Two,
18 is the land area of sufficient size, sufficiently compact and sufficiently contiguous to be
19 the basis for a functional interrelated community?

20
21 Under both criteria, the Proposed District is a planned community of sufficient size with
22 a need for the facilities and improvements that are presently expected to be provided by
23 the Proposed District. As described in the Petition, the Proposed District will construct
24 and maintain certain needed facilities and services. Other facilities and improvements
25 may be constructed by the Proposed District and ultimately maintained by the County.
26 Based on my experience, CDDs of this size are large enough to effectively provide and
27 manage services. From a management and operations perspective, the land area is well
28 suited to the provision of the proposed services and facilities.

29
30 **22. Do you have an opinion, as someone experienced in district management and**
31 **operations, as to whether the community development services and facilities of the**
32 **Proposed District will be incompatible with the capacity and use of existing local**
33 **and regional community development services and facilities?**

34
35 Yes.

36
37 **23. What is your opinion?**

38
39 The proposed services and facilities of the Proposed District are not incompatible with
40 the capacity and uses of existing local or regional community development services and
41 facilities.

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

44
45 Petitioner presently expects the Proposed District to finance and construct onsite and
46 offsite roadway improvements, potable water, wastewater and reclaimed water
47 distribution systems, master stormwater system improvements, amenity improvements,

1 and hardscape, landscape and irrigation improvements. None of the facilities expected to
2 be provided by the Proposed District presently exist. There will be no overlap or
3 incompatibility because the facilities and improvements expected to be provided by the
4 Proposed District do not exist today.
5

6 ECONOMICS AND FINANCING 7

- 8 **25. Are you familiar with the Petition filed by Elevation Premium Pointe, LLC**
9 **(“Petitioner”), to establish the Proposed District?**

10
11 Yes, I have reviewed the petition and all of the attached exhibits. Specifically, I prepared
12 Petition Exhibit 8 which is the SERC, a requirement of Chapter 190, *Florida Statutes*.
13

- 14 **26. Based on your review of Petition Exhibit 8 (Statement of Estimated Regulatory**
15 **Costs), are there any updates that need to be made at this time?**

16
17 No updates are necessary at this time.
18

- 19 **27. What exactly is a Statement of Estimated Regulatory Costs (“SERC”)?**

20
21 It is a requirement under Section 120.541(2), *Florida Statutes*, which has been
22 incorporated into the law on establishment of CDDs.
23

- 24 **28. In general terms, please summarize the economic analyses presented in the SERC.**

25
26 An understanding of the SERC requires the recognition of the scope of review and
27 evaluation for the establishment of a CDD as set out in Chapter 190, *Florida Statutes*.
28 Section 190.002(2)(d), *Florida Statutes*, states “that the process of establishing such a
29 district pursuant to uniform general law [must] be fair and based only on factors material
30 to managing and financing the service-delivery function of the district, so that any matter
31 concerning permitting or planning of the development is not material or relevant.” Thus,
32 the scope of the economic analysis included in the SERC addresses only the
33 establishment of the Proposed District, and not the planning or development of the
34 property itself.
35

36 The economic analysis sets out the assumptions about the development within the
37 Proposed District and the anticipated infrastructure to be provided by it. The analysis
38 addresses each of the potentially affected parties defined in the statute and evaluates the
39 impact of the Proposed District on each such group.
40

41 The Proposed District is a limited and highly specialized unit of local government. It is a
42 special-purpose unit of local government with a single objective: the provision and
43 maintenance of infrastructure and services for a planned new community. Its economic
44 benefits exceed its economic cost to Petitioner, the County, and to all subsequent
45 purchasers and landowners of the community - in short, to all affected parties.
46

1 Once the Proposed District is established, there are no direct costs to the County. While
2 the Proposed District will provide certain reports and budgets to the County for its
3 discretionary review, there are no requirements that it incur any obligations or expense
4 associated with its review. In addition, to the extent the Proposed District utilizes the
5 services of the Property Appraiser or Tax Collector under the provisions of Chapter 197,
6 *Florida Statutes*, to collect its assessments the Proposed District must pay the
7 administrative costs associated with those services.
8

9 It is important to note that under Chapter 190, *Florida Statutes*, the debt of the Proposed
10 District cannot become the debt of the County or the State of Florida. Since the Proposed
11 District will be an independent unit of government and will issue its own bonds, the
12 Proposed District will not have any affect on the bonding capacity of the County or the
13 State of Florida.
14

15 **29. Please describe briefly the data and methodology used in preparing the SERC and**
16 **related analyses.**

17
18 The data for the analysis came from the landowner, other experts working on the Petition,
19 and from the Petition itself. The methodology is standard economic impact assessment.
20

21 **30. As a financial consultant, do you have an opinion regarding the financial viability**
22 **and feasibility of the Proposed District?**

23
24 Yes, I do.
25

26 **31. What is that opinion?**

27
28 In my opinion, based on my experience with other CDDs, the Proposed District is
29 expected to be financially viable and feasible.
30

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

32
33 Yes, it does.
34

THE ST. AUGUSTINE RECORD
Affidavit of Publication

HOPPING GREEN & SAMS
119 S MONROE ST, STE 300
TALLAHASSEE, FL 32301

ACCT: 15693
AD# 0003319473-01
PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **SA LEGAL AD DISPLAY** in the matter of **PUB HEARING ORD.ESTAB.** was published in said newspaper on **11/17/2020, 11/24/2020, 12/01/2020, 12/08/2020.**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

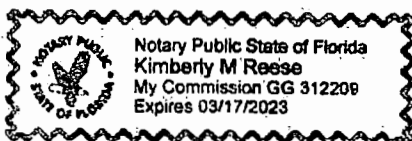
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this day of DEC 09 2020

by *Melissa Rhinehart* who is personally known to
me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)





Gen. John W. "Jay" Raymond, who at the time was U.S. Space Command commander, recognizes the establishment of the nation's 11th combatant command in a joint ceremony at Peterson Air Force Base in Colorado on Sept. 9, 2019. STAFF SGT. DENNIS HOFFMAN / U.S. AIR FORCE

Brevard faces competition from Colorado for Space Command HQ

Dave Berman
Florida Today
USA TODAY NETWORK - FLORIDA

A bipartisan contingent of Florida members of Congress is pushing for the Air Force to locate U.S. Space Command headquarters in Brevard County.

But Dale Ketcham, Space Florida's vice president for government and external relations, says it could be an uphill battle to win the headquarters away from front-runner Colorado, where the headquarters is temporarily based and where a predecessor of Space Command had been located.

"For any state, dethroning Colorado is a monumental task," Ketcham said. "Everyone everywhere recognized that Colorado is the front-runner."

Even if the Space Coast does not make the final cut, Ketcham said being in the current process will put the area in a good spot to be in the running for future missions, programs and units.

U.S. Space Command was established last year as the military's 11th unified combatant command. For now, it is headquartered at Peterson Air Force Base in Colorado, which had been the headquarters of the Air Force Space Command prior to the establishment of the new unified command.

The Air Force last month announced that Brevard County and Peterson Air Force Base are among the six finalists to advance in the selection process for Space Command's headquarters. The others are Kirtland Air Force Base in New Mexico, Offutt Air Force Base in Nebraska, Fort San Antonio in Texas and Redstone Army Airfield in Alabama.

The Air Force received nominations from 26 states, and narrowed the candidates down to these six finalists.

Ketcham said the Space Coast's strength in the competition is its extensive space-related facilities and operations.

He said Space Florida will "bring everything we can to the table" as part of a coordinated state effort to get the Space Command headquarters.

"The whole state is aggressively teed up to go after that," Ketcham said.

At stake are about 1,400 positions directly connected to Space Command headquarters, with about 40% uniformed personnel — including a four-star general — and 60% contractors and civil servants.

Ketcham said he expects a preferred site and an alternate site to be named by the Pentagon in the first quarter of 2021 for consideration by the White House.

Twenty-one members of Florida's congressional delegation joined in support of Florida's efforts to locate Space Command's headquarters in Brevard.

"Patrick Air Force Base and its associated Cape Canaveral Air Force Station has earned a global reputation as the world's premier gateway to space for government and commercial customers," members of the delegation wrote in a letter to acting Secretary of Defense Christopher Miller and Secretary of the Air Force Barbara Barrett. "It is also home to the 45th Space Wing, which delivers assured access to space for warfighters."

U.S. Rep. Bill Posey, R-Rockledge, whose district includes the proposed location, said in a statement that he is "proud of our delegation's efforts working together to make the case for Space Command headquarters to locate in Brevard County. Brevard's strategic location and quality of life make it the ideal place for this important national mission to be centered."

The congressional letter says the Space Coast offers Space Command "its renowned launch reputation," as well as "the quantity and quality of assets and expertise" that include "battlefield ac-

cess to rocket and spacecraft manufacturing, payload and electronics, and ground support."

The letter also cited the Space Coast being "surrounded by premier academic institutions with aerospace and aeronautics programs that train and produce world-class talent."

Additionally, the letter said the Space Coast "is one of the most military-friendly communities in a military-friendly state. The appealing environment, weather, quality of life, cost of living, A-plus-rated schools and dynamic economy make Brevard County a location of choice for service members and for those looking to put down roots following separation or retirement from military service."

According to the members of Congress, there are 3,935 active-duty, reserve and guard personnel living in the county, with 6,304 military dependents, plus more than 68,000 veterans.

Rep. Stephanie Murphy, D-Winter Park, noted that Florida already is home to the military's Southern Command and Special Operations Command, both at MacDill Air Force Base in Tampa.

"Given its long-standing leadership role when it comes to America's efforts in space, Florida would be a natural home for Space Command," Murphy said in a statement.

Rep. Charlie Crist, D-St. Petersburg — who formerly was the Republican governor of Florida — said in a statement that "space exploration is synonymous with Florida and the Space Coast. With our state's significant defense infrastructure, robust aerospace industrial base and supportive communities, there's no better place for Space Command headquarters than right here in Florida."

Rep. Michael Waltz, R-St. Johns County, said Florida "is continuing to lead the way in a new era of space exploration and innovation" and would be "the perfect location for U.S. Space Command."

Lynda Weatherman, president and chief executive officer of the Economic Development Commission of Florida's Space Coast said Brevard County's "unmatched quantity and quality of defense, civil and commercial space assets and expertise offer U.S. Space Command the agility, innovation and boldness needed to project space power."

The Space Coast was one of eight communities in Florida that Gov. Ron DeSantis endorsed nominations for Space Command headquarters. The others were Jacksonville, Pensacola, Miami-Dade County, Orange County, Pinellas County, Seminole County, and a joint proposal from Tampa and Hillsborough County.

The Defense Department describes U.S. Space Command as "distinct from and complementary to the U.S. Space Force. As an armed force, the U.S. Space Force

will organize, train and equip space forces. As a combatant command, U.S. Space Command actively employs assigned forces from each of the military services to accomplish directed missions in the space domain."

It said Space Command "increases the ability of the joint force to project power and influence, reduces decision timelines for space operations, and brings focused attention to defending U.S. interests in space" as part of an effort to "defend vital national interests and deter adversaries."

FLORIDA TODAY space reporter Rachel Joy contributed to this report.

Dave Berman is government editor at FLORIDA TODAY.

Contact Berman at 321-242-3649 or dberman@floridatoday.com. Twitter: @bydaveberman

NOTICE OF PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING THE PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT

DATE: December 15, 2020
TIME: 9:00 a.m.
LOCATION: County Auditorium, County Administration Building
300 San Sebastian View
St. Augustine, Florida 32084
AND/OR

As a Virtual Public Hearing conducted through Communications Media Technology pursuant to Executive Order 20-69 and St. Johns County Emergency Order 2020-10

Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida ("Board"), will consider the enactment of one County Ordinance granting a petition to establish a community development district to be known as the "Premium Pointe Community Development District" ("District"). The proposed Ordinance title is as follows:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE PREMIUM POINTE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2019); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The petitioner has proposed to establish the District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may be authorized by such District under Florida law, including Chapter 190, Florida Statutes. If adopted, the ordinance will establish the District, name its initial Board of Supervisors, describe its functions and powers, and designate the land to be serviced by the District. Specifically, the Board will consider the six factors listed in §190.005(1)(e), Florida Statutes. This hearing will afford the affected units of general-purpose local government and the general public a fair and adequate opportunity to appear and present oral and written comments regarding the proposed establishment of the District. The specific legal authority for the establishment of the District is set forth in §190.005, Florida Statutes.

The proposed District is located in the unincorporated St. Johns County, Florida, and is generally located south and west of State Road 16, north of County Road 208, and east of S. Forest Creek Drive and is anticipated to comprise of approximately 150.74 acres. The proposed boundaries of the District are outlined in the map depicted in this notice.

Copies of this notice, the proposed Ordinance, the petition for establishment, and associated documentation are on file in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084, or by e-mail at plandept@sjcl.us, and may be inspected by interested parties prior to said public hearing. All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing by methods provided below and present oral or written comments on the petition.

In accordance with Executive Order 20-69, and St. Johns County Emergency Order 2020-10, this meeting may be conducted remotely, under communication media technology (CMT) without a physical quorum of the members present. CMT means the electronic transmission of printed matter, audio, full motion video, free-frame video, compressed video, and digital video by any method available. CMT being used to conduct the meeting includes Government TV (GTV), phone, and wireless microphone. Should a person wish to submit printed material, it must be submitted a minimum 5 days in advance of this meeting and public hearing. Such printed documentation will be presented at the meeting and public hearing.

A person may attend this CMT meeting by calling the telephone number at (904) 209-1263 and viewing the meeting on (GTV or <http://www.sjcl.us/GTV/vw/actgvtv.aspx>). Written or physical documentation may be submitted to the St. Johns County Growth Management Department at 4040 Lewis Speedway, St. Augustine, FL 32084, or e-mail address: plandept@sjcl.us. A designated access point to this CMT meeting is located at 500 San Sebastian View.

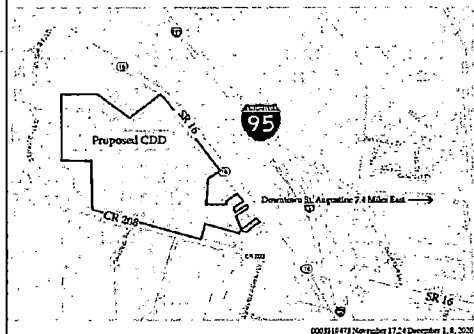
Additional information may be obtained at:
Mailing address: 4040 Lewis Speedway, St. Augustine, Florida 32084
Email address: plandept@sjcl.us
Phone number: (904) 209-0675

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any evidence, testimony, and argument which is offered utilizing CMT shall be afforded equal consideration as if were offered in person and shall be subject to the same objections.

This matter may be subject to court-imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, in care of St. Johns County Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, please call the Florida Relay Service 1-800-955-8770, no later than five (5) days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
JEB S. SMITH, CHAIR
ST. JOHNS COUNTY, FLORIDA
File No.: CDD-202000003 Premium Pointe CDD





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 22, 2020

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2020-65, which was filed in this office on December 22, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **DEC 22 2020**
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK