

# **HARMONY ON LAKE ELOISE**

**COMMUNITY DEVELOPMENT  
DISTRICT**

**May 11, 2022**

**BOARD OF SUPERVISORS**

**PUBLIC HEARING AND**

**REGULAR MEETING**

**AGENDA**

# Harmony on Lake Eloise Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

May 4, 2022

### ATTENDEES:

Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

Board of Supervisors

Harmony on Lake Eloise Community Development District

Dear Board Members:

The Board of Supervisors of the Harmony on Lake Eloise Community Development District will hold a Public Hearing and Regular Meeting on May 11, 2022, at 9:30 A.M., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Public Hearing to Consider the Adoption of an Assessment Roll and the Imposition of Special Assessments Relating to the Financing and Securing of Certain Public Improvements
  - *Hear testimony from the affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on the property.*
  - *Thereafter, the governing authority shall meet as an equalizing board to hear any and all complaints as to the special assessments on a basis of justice and right.*
  - A. Affidavit/Proof of Publication
  - B. Mailed Notice to Property Owner(s)
  - C. Engineer's Report (*for informational purposes*)
  - D. Master Special Assessment Methodology Report (*for informational purposes*)
  - E. Consideration of Resolution 2022-32, Making Certain Findings; Authorizing a Capital Improvement Plan; Adopting an Engineer's Report; Providing an Estimated Cost of Improvements; Adopting an Assessment Report; Equalizing, Approving, Confirming and Levying Debt Assessments; Addressing the Finalization of Special Assessments; Addressing the Payment of Debt Assessments and the Method of Collection; Providing for the Allocation of Debt Assessments and True-Up Payments; Addressing Government Property, and

Transfers of Property to Units of Local, State and Federal Government;  
 Authorizing an Assessment Notice; and Providing for Severability, Conflicts and  
 an Effective Date

4. Consideration of Resolution 2022-33, Approving the Proposed Budget for Fiscal Year 2022/2023 and Setting a Public Hearing Thereon Pursuant to Florida Law and Providing for an Effective Date
5. Consideration of Resolution 2022-34, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2022/2023 and Providing for an Effective Date
6. Consideration of Resolution 2022-35, Extending the Terms of Office of All Current Supervisors to Coincide with the General Election Pursuant to Section 190.006, Florida Statutes; Providing for Severability; and Providing an Effective Date
7. Consideration of Resolution 2022-07, Designating the Primary Administrative Office and Principal Headquarters of the District and Providing an Effective Date
8. Acceptance of Unaudited Financial Statements as of March 31, 2022
9. Approval of March 9, 2022 Regular Meeting Minutes
10. Staff Reports
  - A. District Counsel: *KE Law Group, PLLC*
  - B. District Engineer [Interim]: *Dewberry Engineers, Inc.*
  - C. District Manager: *Wrathell, Hunt and Associates, LLC*

- NEXT MEETING DATE: June 8, 2022 at 9:30 A.M.

○ QUORUM CHECK

<b>CHRIS TYREE</b>	<input type="checkbox"/>	<b>IN PERSON</b>	<input type="checkbox"/>	<b>PHONE</b>	<input type="checkbox"/>	<b>NO</b>
<b>MARY MOULTON</b>	<input type="checkbox"/>	<b>IN PERSON</b>	<input type="checkbox"/>	<b>PHONE</b>	<input type="checkbox"/>	<b>NO</b>
<b>BILL FIFE</b>	<input type="checkbox"/>	<b>IN PERSON</b>	<input type="checkbox"/>	<b>PHONE</b>	<input type="checkbox"/>	<b>NO</b>
<b>COURTNEY POTTER</b>	<input type="checkbox"/>	<b>IN PERSON</b>	<input type="checkbox"/>	<b>PHONE</b>	<input type="checkbox"/>	<b>NO</b>
<b>JC NOWOTNY</b>	<input type="checkbox"/>	<b>IN PERSON</b>	<input type="checkbox"/>	<b>PHONE</b>	<input type="checkbox"/>	<b>NO</b>

11. Board Members' Comments/Requests
12. Public Comments

13. Adjournment

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 346-5294.

Sincerely,



Cindy Cerbone  
District Manager

**FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE**

**CALL-IN NUMBER: 1-888-354-0094**

**PARTICIPANT PASSCODE: 801 901 3513**

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**3A**

# LOCALiQ

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## PROOF OF PUBLICATION

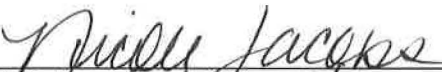
Harmony On Lake Eloise Cdd  
Harmony On Lake Eloise Cdd  
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Boca Raton FL 33431-8556

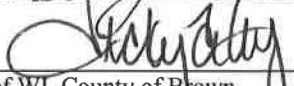
STATE OF FLORIDA, COUNTY OF POLK

The Ledger-News Chief, a newspaper printed and published in the city of Lakeland, and of general circulation in the County of Polk, State of Florida, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue dated or by publication on the newspaper's website, if authorized, on:

04/15/2022, 04/22/2022

and that the fees charged are legal.  
Sworn to and subscribed before on 04/22/2022

  
\_\_\_\_\_  
Legal Clerk

  
\_\_\_\_\_  
Notary, State of WI, County of Brown  
9.19.25

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VICKY FELTY  
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**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**3B**



STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

**AFFIDAVIT OF MAILING**

**BEFORE ME**, the undersigned authority, this day personally appeared Michal Szymonowicz, who by me first being duly sworn and deposed says:

1. I am over eighteen (18) years of age and am competent to testify as to the matters contained herein. I have personal knowledge of the matters stated herein.
2. I, Michal Szymonowicz, am employed by Wrathell, Hunt and Associates, LLC, and, in the course of that employment, serve as Assessment Roll Coordinator for the Harmony on Lake Eloise Community Development District.
3. Among other things, my duties include preparing and transmitting correspondence relating to the Harmony on Lake Eloise Community Development District.
4. I do hereby certify that on April 11, 2022, and in the regular course of business, I caused letters, in the forms attached hereto as **Exhibit A**, to be sent notifying affected landowner(s) in the Harmony on Lake Eloise Community Development District of their rights under Chapters 170, 190 and 197, *Florida Statutes*, with respect to the District's anticipated imposition of assessments. I further certify that the letters were sent to the addressees identified in **Exhibit B** and in the manner identified in **Exhibit A**.
5. I have personal knowledge of having sent the letters to the addressees, and those records are kept in the course of the regular business activity for my office.

**FURTHER AFFIANT SAYETH NOT.**


  
By: Michal Szymonowicz

**SWORN AND SUBSCRIBED** before me by means of  physical presence or  online notarization this 11th day of April 2022, by Michal Szymonowicz, for Wrathell, Hunt and Associates, LLC, who  is personally known to me or  has provided \_\_\_\_\_ as identification, and who  did or  did not take an oath.



DAHPNE GILLYARD  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG327647  
Expires 8/20/2023

NOTARY PUBLIC

  
Print Name: Daphne Gillyard  
Notary Public, State of Florida  
Commission No.: GG327647  
My Commission Expires: 8/20/2023

**EXHIBIT A:** Copies of Forms of Mailed Notices  
**EXHIBIT B:** List of Addressees

**EXHIBIT A:**

# Harmony on Lake Eloise Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton, Florida 33431

Phone: (561) 571-0010 • Toll-free: (877) 276-0889 • Fax: (561) 571-0013

### Via First Class U.S. Mail and Email

April 11, 2022

FORESTAR USA REAL ESTATE GROUP INC

2221 E LAMAR BLVD STE 790

ARLINGTON TX 76006-7458

**RE: *Harmony on Lake Eloise Community Development District ("District")  
Notice of Hearings on Debt Assessments  
See attached Legal Description***

Dear Property Owner:

In accordance with Chapters 170, 190 and 197, Florida Statutes, the District's Board of Supervisors ("**Board**") hereby provides notice of the following public hearings, and public meeting:

#### **PUBLIC HEARINGS AND MEETING**

DATE:	Wednesday, May 11, 2022
TIME:	9:30 a.m. (EST)
LOCATION:	43824 Highway 27 Davenport, Florida 33837-6808

The purpose of the public hearings announced above is to consider the imposition of special assessments ("**Debt Assessments**"), and adoption of assessment rolls to secure proposed bonds, on benefited lands within the District, and, to provide for the levy, collection and enforcement of the Debt Assessments. The proposed bonds secured by the Debt Assessments are intended to finance certain public infrastructure improvements, including, but not limited to, stormwater management, water and sewer utilities, landscape, irrigation, lighting, and other infrastructure improvements (together, "**Project**"), benefitting certain lands within the District. The Project is described in more detail in the *Harmony on Lake Eloise Community Development District Engineer's Report*, dated March 9, 2022 ("**Engineer's Report**"). Specifically, the Project includes a Capital Improvement Plan to provide public infrastructure benefitting all lands within the District, as identified in the Engineer's Report. The Debt Assessments are proposed to be levied as one or more assessment liens and allocated to the benefitted lands within various assessment areas, as set forth in the *Master Special Assessment Methodology Report*, dated March 9, 2022 ("**Assessment Report**"). Copies of the Engineer's Report and Assessment Report are attached hereto. As required by Chapters 170, 190 and 197, *Florida Statutes*, the Assessment Report, together with the Engineer's Report, describe in more detail the purpose of the Debt Assessments; the total amount to be levied against each parcel of land within the District; the units of measurement to be applied against each parcel to determine the Debt Assessments; the number of such units contained within each parcel; and the total revenue the District will collect by the Debt Assessments. At the conclusion of the public hearings, the Board will, by resolution, levy and impose assessments as finally approved by the Board. A special meeting of the District will also be held where the Board may consider any other business that may properly come before it.

The Debt Assessments constitute a lien against benefitted property located within the District just as do each year's property taxes. For the Debt Assessments, the District may elect to have the County Tax Collector collect the assessments, or alternatively may collect the assessments by sending out an annual bill. For delinquent assessments that were initially directly billed by the District, the District may initiate a foreclosure action or may place the delinquent assessments on the next year's county tax bill. IT IS IMPORTANT TO PAY YOUR ASSESSMENT BECAUSE FAILURE TO PAY WILL CAUSE A TAX CERTIFICATE TO BE ISSUED AGAINST THE PROPERTY WHICH MAY RESULT IN LOSS OF TITLE, OR FOR DIRECT BILLED ASSESSMENTS, MAY RESULT IN A FORECLOSURE ACTION, WHICH ALSO MAY RESULT IN A LOSS OF TITLE. The District's decision to collect assessments on the tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

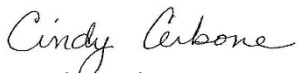
The District is located entirely within the City of Winter Haven, Florida, and consists of approximately 354.37 acres of land. The site is generally located west of Lake Eloise, north of Eagle Lake Loop, south of Lake Lulu and east of US 17. A geographic depiction of the District is shown below. All lands within the District are expected to be improved in accordance with the reports identified above. A geographic description of the property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the "District's Office" located at c/o Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (877)276-0889. Also, a copy of the agendas and other documents referenced herein may be obtained from the District Office.

The public hearings and meeting are open to the public and will be conducted in accordance with Florida law. The public hearings and meeting may be continued to a date, time, and place to be specified on the record. There may be occasions when staff or board members may participate by speaker telephone. Any person requiring special accommodations because of a disability or physical impairment should contact the District Office at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear and comment at the public hearings and meeting, and may also file written objections with the District Office within twenty (20) days of issuance of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

If you have any questions, please do not hesitate to contact the District Office.

Sincerely,



Cindy Cerbone  
District Manager

**ATTACHMENTS:** Engineer's Report and Assessment Report (with Legal Descriptions of Lands)

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**3C**

REFERENCE NO. 50138736

.....

# HARMONY AT LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT ENGINEER'S REPORT

MARCH 09, 2022



SUBMITTED BY  
Dewberry Engineers Inc.  
800 N. Magnolia Avenue  
Suite 1000  
Orlando, Florida 32803  
Phone: 407.843.5120

SUBMITTED TO  
Harmony at Lake Eloise CDD  
c/o Ms. Cindy Cerbone  
Wrathell, Hunt and Associates, LLC  
2300 Glades Road #410W  
Boca Raton, Florida 33431  
Phone: 561.571.0010

# Engineer's Report

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## 1. Introduction

The purpose of this report is to provide a description of the capital improvement plan (“CIP”) and estimated costs of the CIP for the Harmony at Lake Eloise Community Development District (“District”).

## 2. General Site Description

The proposed District is located entirely within the City of Winter Haven, Florida, and includes approximately 354.37 acres of land. **Exhibit 1** depicts the general location of the project. The site is generally located west of Lake Eloise, north of Eagle Lake Loop, south of Lake Lulu, and east of US 17 and Snively Elementary School. The CIP also includes offsite improvements located within Polk County.

The metes and bounds sketch and description of the external boundary of the proposed District is set forth in **Exhibit 2**.

## 3. Proposed Capital Improvement Project

The CIP is intended to provide public infrastructure improvements for the lands within the District, which is planned for 1163 residential units. The proposed site plan for the District is attached as **Exhibit 3**, and this plan enumerates the proposed lot count, by type, for the District.

The tables shown below depict the planned product types and land uses in **Table 3.1** and **Table 3.2** for the District respectively.

Table 3.1

Harmony at Lake Eloise Planned Product Types	
PRODUCT TYPE	TOTAL UNITS (PHASES 1-5)
20' x 120' LOTS	288
40' x 137.5' LOTS	103
40' x 137.5' LOTS (REAR LOAD)	154
50' x 137.5' LOTS (REAR LOAD)	111
50' X 120' LOTS	345
60' X 120' LOTS	124
80' X 137.5' LOTS	38
<b>TOTAL</b>	<b>1163</b>

Table 3.2

Harmony at Lake Eloise Land Uses	
LAND USE	ACREAGE
Lot Development	168.93
Roads	67.52
Common Areas	60.46
Stormwater Ponds	53.22
Conservation Areas	4.24
<b>TOTAL</b>	<b>354.37</b>

The CIP infrastructure includes:

### 3.1 Roadway Improvements

The CIP includes subdivision roads within the District. Generally, all roadways will be 2-lane undivided roads. Such roads include the roadway asphalt, base and subgrade, roadway curb and gutter, striping and signage, and sidewalks within the right-of-way abutting non-single-family lot lands. Sidewalks abutting lots will be constructed by the homebuilders. Roadways will be designed in accordance with City standards.

Internal roadways may be financed by the District and dedicated to the City of Winter Haven for ownership, operation, and maintenance. Alternatively, the developer may elect to finance and gate the internal roads and convey those roads to a homeowner's association for ownership, operation, and maintenance (in such an event, the District would be limited to financing only utilities, conservation/mitigation, and stormwater improvements behind such gated areas).

### 3.2 Stormwater Management System

The stormwater collection and outfall systems are a combination of roadway curbs, curb inlets, pipe, control structures, and open stormwater ponds both dry and wet designed to treat and attenuate stormwater runoff from District lands. The stormwater system within the project discharges to ten retention ponds and additional dry swale areas. The stormwater system will be designed consistent with the criteria established by the SWFWMD and the City of Winter Haven for stormwater and floodplain management systems. It is anticipated that the District will finance, own, operate, and maintain the stormwater systems, with the exception that the city will own, operate, and maintain the inlets and storm sewer pipes within the city's right-of-way.

### 3.3 Water, Wastewater, and Reclaim Utilities

As part of the CIP, the District intends to construct and/or acquire potable water, wastewater and reclaim infrastructure for the development. **Exhibit 4** labels both the offsite connections for water, wastewater, and reclaim for the CIP and the anticipated onsite utilities to be constructed. The on-site water supply improvements include watermains located within the right-of-way for potable water service and fire protection. The pipe diameter is a proposed 8-inch waterline connecting to a proposed 12-inch line within the realigned West Lake Eloise Drive and then tying into an existing 12-inch (offsite) watermain. The locations of the tie-in points are on the north and south ends of the project within the right of way of the existing West Lake Eloise Drive.

The on-site reuse supply improvements include reuse mains located within the right-of-way and used for irrigation. The pipe diameters range from 4-12-inch reuse waterlines including the proposed 12-inch reuse water main on West Lake Eloise Drive. The installation of a new 12-inch reuse main on West Lake Eloise Drive is to be connected into the existing 24-inch reuse line on Eloise Loop Road.

Wastewater improvements for the project will include an onsite 8-inch diameter sanitary sewer gravity collection system that outfalls into a master lift station to be constructed by the City of Winter Haven. The proposed location of the master lift station is at the northwest-west corner of West Lake Eloise Drive and Eloise Loop Road. There will be a Developers Agreement with the city regarding the construction of this master lift station. Two additional lift stations are planned. One is in phase 2 and the other is on the phase line of phases 3 and 4. These lift stations will manifold to a proposed force main that will discharge to the master lift station. An additional force main is proposed for the city within the proposed West Lake Eloise Drive right-of-way.

There is also an interim condition where a temporary lift station may be constructed to handle the initial flows while the master lift station is being constructed by others.

The water, wastewater, and reclaim collection systems for all phases will be completed by the District and subsequently dedicated to the City of Winter Haven for operation and maintenance with the exception of the master lift station, which is being designed and built by the City.

### **3.4 Hardscape, Landscape, and Irrigation**

The District will construct and/or install landscaping, irrigation, and hardscaping within District common areas and rights-of-way. The irrigation system will consist of irrigation mains, valves, and appurtenances. Hardscaping will include monuments and entry features.

The city has design criteria standards and specifications for planting and irrigation design; therefore, this project will meet and/or exceed the minimum requirements outlined by the city. The on-site enhancements at the common areas are for the general benefit of the community.

All such landscaping, irrigation, and hardscaping will be funded, maintained, and owned by the District. Such infrastructure located within the city rights-of-way are to be owned and maintained by the District pursuant to a right-of-way agreement to be entered into with the city.

### **3.5 Streetlights / Undergrounding of Electrical Utility Lines**

The District intends to lease streetlights through an agreement with Tampa Electric. The District is anticipated to fund the streetlights through an annual operation and maintenance assessment. As such, streetlights are not included as part of the CIP.

The CIP does, however, include the underground of electrical utility conduit lines within right-of-way and utility easements throughout the community. Electrical lines and transformers will be owned by the electric company, Tampa Electric, and not paid for by the District as part of the CIP.

### **3.6 Recreational Amenities**

While not part of the CIP, the developer intends to develop a residential amenity for the project, which would be financed by the developer and owned and maintained by a homeowner's association. The amenities constitute common areas for the exclusive benefit of the residential lot owners within the development.

### **3.7 Environmental Conservation/Mitigation**

There are currently no existing wetlands that will be impacted by the development. In the event that wetlands are impacted, the District will be responsible for the design, permitting, construction, maintenance, and government reporting of the environmental mitigation. These costs are not currently included within the CIP.

### **3.8 Professional Services**

The CIP also includes various professional services. These include: (i) engineering, surveying, and architectural fees, (ii) permitting and plan review costs, and (iii) development/construction management services fees that are required for the design, permitting, construction, and maintenance acceptance of the public improvements and community facilities.

### **3.9 Offsite Improvements**

Offsite improvements include the construction of an offsite roundabout, which includes 18-foot pavement lane with Type F, Type RA, and Median Curb, stormwater drainage improvements, stamped concrete islands, landscape island, pedestrian crosswalk, and associated ADA access ramps, striping and pavement markings, and site restoration associated with the utility tie-ins on West Lake Eloise Drive and Eloise Loop Road. Additional offsite improvements may be required through the permit process.

As noted, the District's CIP functions as a system of improvements benefitting all lands within the District.

The foregoing improvements are required by applicable development approvals.

**TABLE 3.3** provides a breakdown of the CIP by category and the governing body for the purpose of financing, ownership, and management of each.

Table 3.3

Harmony at Lake Eloise Ownership and Management		
FACILITY DESCRIPTION	FINANCING ENTITY	OWNERSHIP AND MANAGEMENT ENTITY
Amenity	Developer	HOA
Stormwater Management	CDD	CDD
Utilities (Water, Sewer, Reclaim)	CDD	City
Hardscape/Landscape/Irrigation	CDD	CDD
Undergrounding of Electric Conduit	CDD	Tampa Electric Co.
Environmental Conservation/Mitigation	CDD	CDD
Off-Site Roadway	CDD	County
On-Site Roadways	CDD	City

#### 4. Permitting/Construction Commencement

Necessary permits for the construction of the first phases have either been obtained or are currently being designed and are included in the following **Table 4.1** below.

Table 4.1

Harmony at Lake Eloise Permit Status	
PERMIT	STATUS
City of Winter Haven - Construction Plans (Phase 1)	Permit Issued
City of Winter Haven - Construction Plans (Phase 2)	In Design
Polk County – Offsite Subdivision Entrance (Phase 1)	Under Review
Southwest Florida Water Management District (SWFWMD) - Environmental Resource Permit (Phase 1)	Permit Issued
Southwest Florida Water Management District (SWFWMD) - Mass Grading (Phase 2-5)	Under Review
Florida Department of Environmental Protection (FDEP) – Water (Phase 1)	Under Review
Florida Department of Environmental Protection (FDEP) – Sewer (Phase 1)	Under Review
Florida Department of Environmental Protection (FDEP) - Dryline Force Main (Phase 1)	Under Review

#### 5. Opinion of Probable Construction Costs

**Table 5** shown below presents the Opinion of Probable Cost for the CIP. It is our professional opinion that the costs set forth in **Table 5.1** are reasonable and consistent with current market pricing.

Table 5.1

Harmony at Lake Eloise Opinion of Probable Cost for the CIP	
IMPROVEMENT	TOTAL PROJECT
Stormwater System	\$19,878,000
Sanitary Sewer	\$5,731,250
Water Distribution	\$3,865,750
Reclaim Distribution	\$2,650,125
Undergrounding of Electric Conduit	\$3,065,625
Landscape/Hardscape/Irrigation	\$2,608,885
On-Site Roadways	\$7,500,450
Off-Site Roadways	\$668,583
Contingency	\$9,193,734
Professional Fees	\$2,208,522
<b>TOTAL</b>	<b>\$57,370,924</b>

The probable costs estimated herein do not include anticipated carrying cost, interest reserves or other anticipated CDD expenditures that may be incurred.

## 6. Conclusions and Engineer's Certification

The CIP will be designed in accordance with current governmental regulations and requirements. The CIP will serve its intended function so long as the construction is in substantial compliance with the design.

It is further our opinion that:

- The estimated cost to the CIP as set forth herein is reasonable based on prices currently being experienced in City of Winter Haven, Florida and is not greater than the lesser of the actual cost of construction or the fair market value of such infrastructure;
- Improvements comprising the CIP are required by applicable development approvals;
- The CIP is feasible to construct, there are no technical reasons existing at this time that would prevent the implementation of the CIP, and it is reasonable to assume that all necessary regulatory approvals will be obtained in due course;
- The reasonably expected economic life of the CIP is anticipated to be at least 20 years;
- The assessed property within the District will receive a special benefit from the CIP that is at least equal to such costs.
- The CIP will function as a system of improvements benefitting all lands within the District.

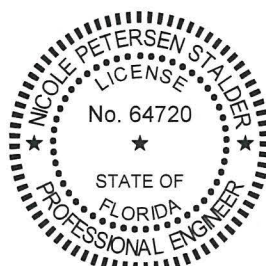
The professional service for establishing the Construction Cost Estimate is consistent with the degree of care and skill exercised by members of the same profession under similar circumstances.

The CIP improvements will be owned by the District or other governmental units and as such the CIP improvements are intended to be available and will be reasonably available for use by the general public (either by being part of a system of improvements that is available to the general public or is otherwise available to the general public) including nonresidents of the District. All the CIP improvements are or will be located on lands owned or to be owned by the District or another governmental entity or on public easements in favor of the District or other governmental entity. No private earthwork is included in the CIP. Accordingly, the earthwork costs include digging any stormwater ponds as well as the placement of fill at the site but does not include the cost of fine grading of any lots.

Please note that the CIP as presented herein is based on current plans and market conditions, which are subject to change. Accordingly, the CIP, as used herein, refers to sufficient public infrastructure of the kinds described herein (i.e., stormwater/floodplain management, sanitary sewer, potable water, etc.) to support the development and sale of the planned residential units in the District, which (subject to true-up determinations) number and type of units may be changed with the development of the site. Stated differently, during development and implementation of the public infrastructure improvements as described for the District, it may be necessary to make modifications and/or deviations for the plans, and the District expressly reserves the right to do so.

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Nicole P. Stalder, P.E.  
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**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**3D**

# HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

## Master Special Assessment Methodology Report

March 9, 2022



Provided by:

**Wrathell, Hunt and Associates, LLC**

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: [www.whhassociates.com](http://www.whhassociates.com)

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## **1.0 Introduction**

### **1.1 Purpose**

This Master Special Assessment Methodology Report (the "Report") was developed to provide a financing plan and a special assessment methodology for the Harmony on Lake Eloise Community Development District (the "District"), located in the City of Winter Haven, Polk County, Florida, as related to funding the costs of public infrastructure improvements via the Capital Improvement Plan (the "Project") contemplated to be provided by the District.

### **1.2 Scope of the Report**

This Report presents the projections for financing the District's Capital Improvement Plan described in the Harmony on Lake Eloise Community Development District Engineer's Report developed by Dewberry Engineers Inc. (the "District Engineer") and dated March 9, 2022 (the "Engineer's Report"), as well as describes the method for the allocation of special benefits and the apportionment of special assessment debt resulting from the provision and funding of the Project.

### **1.3 Special Benefits and General Benefits**

The public infrastructure improvements undertaken and funded by the District as part of the Project create special and peculiar benefits, different in kind and degree than general benefits, for properties within its borders as well as general benefits to the public at large. However, as discussed within this Report, these general benefits are incidental in nature and are readily distinguishable from the special and peculiar benefits which accrue to property within the District. The District's Capital Improvement Plan enables properties within its boundaries to be developed.

There is no doubt that the general public and property owners of property outside the District will benefit from the provision of the Project. However, these benefits are only incidental since the Project is designed solely to provide special benefits peculiar to property within the District. Properties outside the District are not directly served by the Project and do not depend upon the Project to obtain or to maintain their development entitlements. This fact alone clearly distinguishes the special benefits which District properties receive compared to those lying outside of the District's boundaries.

The Capital Improvement Plan will provide public infrastructure improvements which are all necessary in order to make the lands within the District developable and saleable. The installation of such improvements will cause the value of the developable and saleable lands within the District to increase by more than the sum of the financed cost of the individual components of the Project. Even though the exact value of the benefits provided by the Project is hard to estimate at this point, it is nevertheless greater than the costs associated with providing the same.

#### **1.4 Organization of the Report**

*Section Two* describes the development program as proposed by the Developer, as defined below.

*Section Three* provides a summary of the Project as determined by the District Engineer.

*Section Four* discusses the financing program for the District.

*Section Five* introduces the special assessment methodology for the District.

### **2.0 Development Program**

#### **2.1 Overview**

The District will serve the Harmony on Lake Eloise development, a master planned residential development located the City of Winter Haven, Polk County, Florida. The land within the District consists of approximately 354.37 +/- acres and is generally located west of Lake Eloise, north of Eagle Lake Loop, south of Lake Lulu, and east of US 17 and Snively Elementary School.

#### **2.2 The Development Program**

The development of Harmony on Lake Eloise is anticipated to be conducted by Forestar (USA) Real Estate Group Inc, (the "Developer"). Based upon the information provided by the Developer and the Engineer, the current development plan envisions a total of 1,163 single-family residential dwelling units developed over a multi-year period in two (2) stages within five (5) development phases, although unit numbers, land use types and phasing may change throughout the development period. Table 1 in the *Appendix* illustrates the development plan for Harmony on Lake Eloise.

### **3.0 The Capital Improvement Plan**

#### **3.1 Overview**

The public infrastructure costs to be funded by the District are described by the District Engineer in the Engineer's Report. Only public infrastructure that may qualify for bond financing by the District under Chapter 190, Florida Statutes and under the Internal Revenue Code of 1986, as amended, was included in these estimates.

#### **3.2 The Project**

The public infrastructure improvements which are part of the Project and are needed to serve the Development are projected to consist of improvements which will serve all of the lands in the District. The Project will consist of a stormwater system, sanitary sewer, water distribution, reclaim distribution, undergrounding of electric conduit, landscape/hardscape/irrigation, on-site roadways and off-site roadways, the costs of which, along with contingencies and professional fees, were estimated by the District Engineer at \$57,370,924.

The public infrastructure improvements that comprise the Project will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

Table 2 in the *Appendix* illustrates the specific components of the Project.

### **4.0 Financing Program**

#### **4.1 Overview**

As noted above, the District is embarking on a program of capital improvements which will facilitate the development of lands within the District. Generally, construction of public improvements is either funded by the Developer and then acquired by the District or funded directly by the District. As of the time of writing of this Report, the District will most likely acquire completed improvements from the Developer, although the District maintains the complete flexibility to either acquire the public infrastructure from the Developer or construct it, or even partly acquire it and partly construct it.

Even though the actual financing plan may change to include multiple series of bonds, it is likely that in order to fully fund costs of the Project as described in *Section 3.2* in two financing transactions, the District would have to issue approximately \$73,185,000 in par amount of special assessment bonds (the "Bonds").

**Please note that the purpose of this Report is to allocate the benefit of the Project to the various land uses in the District and based on such benefit allocation to apportion the maximum debt necessary to fund the Project. The discussion of the structure and size of the indebtedness is based on various estimates and is subject to change.**

## **4.2 Types of Bonds Proposed**

The proposed financing plan for the District provides for the issuance of the Bonds in the approximate principal amount of \$73,185,000 to finance approximately \$57,370,924 in Project costs. The Bonds as projected under this financing plan would be structured to be amortized in 30 annual installments following a 24-month capitalized interest period. Interest payments on the Bonds would be made every May 1 and November 1, and principal payments on the Bonds would be made either on May 1 or on November 1.

In order to finance the improvement and other costs, the District would need to borrow more funds and incur indebtedness in the total amount of approximately \$73,185,000. The difference is comprised of debt service reserve, capitalized interest, underwriter's discount and costs of issuance. Preliminary sources and uses of funding for the Bonds are presented in Table 3 in the *Appendix*.

**Please note that the structure of the Bonds as presented in this Report is preliminary and may change due to changes in the development program, market conditions, timing of infrastructure installation as well as for other reasons. The District maintains complete flexibility as to the structure of the Bonds and reserves the right to modify it as necessary.**

## **5.0 Assessment Methodology**

### **5.1 Overview**

The issuance of the Bonds provides the District with funds necessary to construct/acquire the infrastructure improvements which are part of the Project outlined in *Section 3.2* and described in more detail by

the District Engineer in the Engineer's Report. These improvements lead to special and general benefits, with special benefits accruing to the assessable properties within the boundaries of the District and general benefits accruing to areas outside the District but being only incidental in nature. The debt incurred in financing the public infrastructure will be secured by assessing properties that derive special and peculiar benefits from the Project. All properties that receive special benefits from the Project will be assessed for their fair share of the debt issued in order to finance all or a portion of the Project.

## **5.2 Benefit Allocation**

The most current development plan envisions the development of 1,163 single-family residential dwelling units, although unit numbers and land use types may change throughout the development period.

The public infrastructure improvements that comprise the Project will serve and provide benefit to all land uses in the District and will comprise an interrelated system of improvements, which means all of improvements will serve the entire District and improvements will be interrelated such that they will reinforce one another.

By allowing for the land in the District to be developable, both the public infrastructure improvements that comprise the Project and their combined benefit will be greater than the sum of their individual benefits. All of the land uses within the District will benefit from each infrastructure improvement category, as the improvements provide basic infrastructure to all land within the District and benefit all land within the District as an integrated system of improvements.

As stated previously, the public infrastructure improvements included in the Project have a logical connection to the special and peculiar benefits received by the land within the District, as without such improvements, the development of the properties within the District would not be possible. Based upon the connection between the improvements and the special and peculiar benefits to the land within the District, the District can assign or allocate a portion of the District's debt through the imposition of non-ad valorem assessments, to the land receiving such special and peculiar benefits. Even though these special and peculiar benefits are real and ascertainable, the precise amount of the benefit cannot yet be calculated with mathematical certainty. However, such benefit is more valuable than the cost of, or the actual non-ad valorem assessment amount levied on that parcel.

The benefit associated with the Project of the District is proposed to be allocated to the different unit types within the District in proportion to the density of development and intensity of use of the infrastructure as measured by a standard unit called an Equivalent Residential Unit ("ERU"). Table 4 in the *Appendix* illustrates the ERU weights that are proposed to be assigned to the unit types contemplated to be developed within the District based on the relative density of development and the intensity of use of master infrastructure, the total ERU counts for each unit type, and the share of the benefit received by each unit type.

The rationale behind different ERU weights is supported by the fact that generally and on average smaller units will use and benefit from the District's improvements less than larger units, as for instance, generally and on average smaller units or units produce less storm water runoff, may produce fewer vehicular trips, and may need less water/sewer capacity than larger units. Additionally, the value of the larger units is likely to appreciate by more in terms of dollars than that of the smaller units as a result of the implementation of the Project. As the exact amount of the benefit and appreciation is not possible to be calculated at this time, the use of ERU measures serves as a reasonable approximation of the relative amount of benefit received by the different unit types from the District's improvements.

Table 5 in the *Appendix* presents the apportionment of the assessment associated with funding the District's Project (the "Bond Assessments") in accordance with the ERU benefit allocation method presented in Table 4. Table 5 also presents the annual levels of the projected annual debt service assessments per unit.

### **5.3 Assigning Debt**

The Bond Assessments associated with repayment of the Bonds will initially be levied on all of the gross acres of land in the District. Consequently, the Bond Assessments will be levied on approximately 354.37 +/- gross acres on an equal pro-rata gross acre basis and thus the total bonded debt in the amount of \$73,185,000 will be preliminarily levied on approximately 354.37 +/- gross acres at a rate of \$206,521.43 per acre.

As the land is platted, the Bond Assessments will be allocated to each platted parcel on a first platted-first assigned basis based on the planned use for that platted parcel as reflected in Table 5 in the *Appendix*. Such allocation of Bond Assessments to platted parcels

will reduce the amount of Bond Assessments levied on unplatted gross acres within the District.

Further, to the extent that any residential land which has not been platted is sold to another developer or builder, the Bond Assessments will be assigned to such parcel at the time of the sale based upon the development rights associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessments transferred at sale.

#### **5.4 Lienability Test: Special and Peculiar Benefit to the Property**

As first discussed in *Section 1.3*, Special Benefits and General Benefits, public infrastructure improvements undertaken by the District create special and peculiar benefits to certain properties within the District. The District's improvements benefit assessable properties within the District and accrue to all such assessable properties on an ERU basis.

Public infrastructure improvements undertaken by the District can be shown to be creating special and peculiar benefits to the property within the District. The special and peculiar benefits resulting from each improvement include, but are not limited to:

- a. added use of the property;
- b. added enjoyment of the property;
- c. decreased insurance premiums;
- d. increased marketability and value of the property.

The public infrastructure improvements which are part of the Project make the land in the District developable and saleable and when implemented jointly as parts of the Project, provide special and peculiar benefits which are greater than the benefits of any single category of improvements. These special and peculiar benefits are real and ascertainable, but not yet capable of being calculated and assessed in terms of numerical value; however, such benefits are more valuable than either the cost of, or the actual assessment levied for, the improvement or debt allocated to the parcel of land.

#### **5.5 Lienability Test: Reasonable and Fair Apportionment of the Duty to Pay**

A reasonable estimate of the proportion of special and peculiar benefits received from the improvements is delineated in Table 4 (expressed as ERU factors) in the *Appendix*.

The apportionment of the assessments is fair and reasonable because it was conducted on the basis of consistent application of the methodology described in *Section 5.2* across all assessable property within the District according to reasonable estimates of the special and peculiar benefits derived from the Project by different unit types.

## **5.6 True-Up Mechanism**

The Assessment Methodology described herein is based on conceptual information obtained from the Developer prior to construction. As development occurs it is possible that the number of ERUs may change. The mechanism for maintaining the methodology over the changes is referred to as true-up.

This mechanism is to be utilized to ensure that the Bond Assessments on a per ERU basis never exceed the initially allocated amounts as contemplated in the adopted assessment methodology. The Bond Assessments per ERU equal \$74,194.04 (\$73,185,000 in Bond Assessments divided by 986.40 ERUs). If any changes occur, the methodology described herein is applied to the land based on the number of and product types within each and every parcel as signified by the number of ERUs.

As the land is platted, the Bond Assessments are assigned to platted parcels based on the figures in Table 5 in the *Appendix*. If as a result of platting and apportionment of the Bond Assessments to the platted parcel of land, the Bond Assessments per ERU for land that remains unplatted within the District remain equal to \$74,194.04, then no true-up adjustment will be necessary.

If as a result of platting and apportionment of the Bond Assessments to the platted land, the Bond Assessments per ERU for land that remain unplatted within the District equal less than \$74,194.04 (either as a result of a larger number of units, different units or both), then the per ERU Bond Assessments for all parcels within the District will be lowered if that state persists at the conclusion of platting of all land within the District.

If, in contrast, a result of platting and apportionment of the Bond Assessments to the platted land, the Bond Assessments per ERU for land that remains unplatted within the District equals more than \$74,194.04<sup>1</sup> (either as a result of a smaller number of units, different

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<sup>1</sup> For example, if the first platting includes 100 SF 50 lots, which equates to a total allocation of \$7,419,403.89 in Bond Assessments, then the remaining unplatted land would be required to absorb 288 SF 20, 103 SF 40,



units or both), then the difference in Bond Assessments plus accrued interest will be collected from the owner of the property which platting caused the increase of assessment per ERU to occur, in accordance with a true-up agreement to be entered into between the District and the Developer, which will be binding on assignees.

The owner(s) of the property will be required to immediately remit to the Trustee for redemption a true-up payment equal to the difference between the actual Bond Assessments per ERU and \$74,194.04 multiplied by the actual number of ERUs plus accrued interest to the next succeeding interest payment date on the Bonds, unless such interest payment date occurs within 45 days of such true-up payment, in which case the accrued interest shall be paid to the following interest payment date.

In addition to platting of property within the District, any planned sale of an unplatted land to another builder or developer will cause the District to initiate a true-up test as described above to test whether the amount of the Bond Assessments per ERU for land that remains unplatted remains equal to \$74,194.04. The test will be based upon the development rights as signified by the number of ERUs associated with such parcel that are transferred from seller to buyer. The District shall provide an estoppel or similar document to the buyer evidencing the amount of Bond Assessments transferred at sale.

## **5.7 Assessment Roll**

The Bond Assessments of \$73,185,000 are proposed to be levied over the area described in Exhibit "A". Excluding any capitalized interest period, debt service assessments shall be paid in thirty (30) annual principal installments.

## **5.8 Additional Items Regarding Bond Assessment Imposition and Allocation**

This master assessment allocation methodology is intended to establish, without the need for a further public hearing, the necessary benefit and fair and reasonable allocation findings for a master assessment lien, which may give rise to one or more individual assessment liens relating to individual bond issuances necessary to fund all or a portion of the project(s) referenced herein. All such liens

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154 SF 40 Rear Load, 111 SF 50 Rear Load, 245 SF 50, 124 SF 60 and 38 SF 80 lots or \$65,765,596.11 in Bond Assessments. If the remaining unplatted land would only be able to absorb 288 SF 20, 103 SF 40, 154 SF 40 Rear Load, 111 SF 50 Rear Load, 240 SF 50, 124 SF 60 and 38 SF 80 lots or \$65,394,625.91 in Bond Assessments, then a true-up, payable by the owner of the unplatted land, would be due in the amount of \$370,970.19 in Bond Assessments plus applicable accrued interest to the extent described in this Section.

shall be within the benefit limits established herein and using the allocation Methodology described herein, and shall be described in one or more supplemental reports.

As noted herein, the Project functions as a system of improvements. Among other implications, this means that proceeds from any particular bond issuance can be used to fund improvements within any benefitted property within the District, regardless of where the Bond Assessments are levied, provided that Bond Assessments are fairly and reasonably allocated across all benefitted properties.

As set forth in any supplemental report, and for any particular bond issuance, the land developer may opt to “buy down” the Bond Assessments on particular product types and/or lands using a contribution of cash, infrastructure or other consideration, and in order for Bond Assessments to reach certain target levels. Note that any “true-up,” as described herein, may require a payment to satisfy “true-up” obligations as well as additional contributions to maintain such target assessment levels. Any amounts contributed by the developer to pay down Bond Assessment will not be eligible for “deferred costs,” if any are provided for in connection with any particular bond issuance.

No Bond Assessments are allocated herein to any public or private amenities or other common areas planned for the development. Such amenities and common areas will be owned and operated by the District and/or master homeowners’ association. If owned by a homeowners’ association, the amenities will be considered a common element for the exclusive benefit of property owners. Alternatively, if owned by the District, the amenities will be available for use by the public, subject to the District’s rules and policies. Accordingly, any benefit to the amenities and common areas flows directly to the benefit of all property in the District. As such, no Bond Assessments will be assigned to the amenities and common areas.

In the event that the Project is not completed, required contributions are not made, additional benefitted lands are added to the District and/or assessment area(s), or under certain other circumstances, the District may elect to reallocate the special assessments, and the District expressly reserves the right to do so, provided however that any such reallocation shall not be construed to relieve any party of contractual or other obligations to the District.

## 6.0 Additional Stipulations

### 6.1 Overview

Wrathell, Hunt and Associates, LLC was retained by the District to prepare a methodology to fairly allocate the special assessments related to the District's Project. Certain financing, development and engineering data was provided by members of District Staff and/or the Developer. The allocation Methodology described herein was based on information provided by those professionals. Wrathell, Hunt and Associates, LLC makes no representations regarding said information transactions beyond restatement of the factual information necessary for compilation of this report. For additional information on the Bond structure and related items, please refer to the Offering Statement associated with this transaction.

**Wrathell, Hunt and Associates, LLC does not represent the District as a Municipal Advisor or Securities Broker nor is Wrathell, Hunt and Associates, LLC registered to provide such services as described in Section 15B of the Securities and Exchange Act of 1934, as amended. Similarly, Wrathell, Hunt and Associates, LLC does not provide the District with financial advisory services or offer investment advice in any form.**

## 7.0 Appendix

Table 1

### Harmony on Lake Eloise

#### Community Development District

##### Proposed Development Plan

Product Type	Number of Units in Phases 1 and 2	Number of Units in Phases 3, 4 and 5	Total Number of Units
SF 20	0	288	288
SF 40	28	75	103
SF 40 Rear Load	103	51	154
SF 50 Rear Load	5	106	111
SF 50	106	239	345
SF 60	48	76	124
SF 80	0	38	38
<b>Total</b>	<b>290</b>	<b>873</b>	<b>1,163</b>

Table 2

## Harmony on Lake Eloise

### Community Development District

**Project Costs**

	<b>Total Project Costs</b>
<b>Improvement</b>	
Stormwater System	\$19,878,000
Sanitary Sewer	\$5,731,250
Water Distribution	\$3,865,750
Reclaim Distribution	\$2,650,125
Undergrounding of Electric Conduit	\$3,065,625
Landscape/Hardscape/Irrigation	\$2,608,885
On-Site Roadways	\$7,500,450
Off-Site Roadways	\$668,583
Contingency	\$9,193,734
Professional Fees	\$2,208,522
<b>Total</b>	<b>\$57,370,924</b>

Table 3

## Harmony on Lake Eloise

### Community Development District

**Preliminary Sources and Uses of Funds**

**Sources**

Bond Proceeds:	
Par Amount	\$73,185,000.00
<b>Total Sources</b>	<b>\$73,185,000.00</b>

**Uses**

Project Fund Deposits:	
Project Fund	\$57,370,924.00
Other Fund Deposits:	
Debt Service Reserve Fund	\$5,316,810.59
Capitalized Interest Fund	\$8,782,200.00
Delivery Date Expenses:	
Costs of Issuance	\$1,713,700.00
Rounding	\$1,365.41
<b>Total Uses</b>	<b>\$73,185,000.00</b>

Table 4

## Harmony on Lake Eloise

### Community Development District

**Benefit Allocation**

Product Type	Total Number of Units	ERU Weight	Total ERU
SF 20	288	0.40	115.20
SF 40	103	0.80	82.40
SF 40 Rear Load	154	0.80	123.20
SF 50 Rear Load	111	1.00	111.00
SF 50	345	1.00	345.00
SF 60	124	1.20	148.80
SF 80	38	1.60	60.80
<b>Total</b>	<b>1,163</b>		<b>986.40</b>

Table 5

# Harmony on Lake Eloise

## Community Development District

### Bond Assessments Apportionment

Product Type	Total Number of Units	Total Cost Allocation*	Maximum Total Bond Assessments Apportionment	Maximum Bond Assessments Apportionment per Unit	Maximum Annual Principal and Interest Payment per Unit on the Bonds	Maximum Annual Bond Assessments Payment**
SF 20	288	\$6,700,253.90	\$8,547,153.28	\$29,677.62	\$2,156.05	\$2,318.33
SF 40	103	\$4,792,542.72	\$6,113,588.81	\$59,355.23	\$4,312.09	\$4,636.66
SF 40 Rear Load	154	\$7,165,549.31	\$9,140,705.60	\$59,355.23	\$4,312.09	\$4,636.66
SF 50 Rear Load	111	\$6,455,973.81	\$8,235,538.32	\$74,194.04	\$5,390.12	\$5,795.82
SF 50	345	\$20,065,864.54	\$25,596,943.43	\$74,194.04	\$5,390.12	\$5,795.82
SF 60	124	\$8,654,494.62	\$11,040,072.99	\$89,032.85	\$6,468.14	\$6,954.99
SF 80	38	\$3,536,245.11	\$4,510,997.57	\$118,710.46	\$8,624.19	\$9,273.32
<b>Total</b>	<b>1,163</b>	<b>\$57,370,924.00</b>	<b>\$73,185,000.00</b>			

\* Please note that cost allocations to units herein are based on the ERU benefit allocation illustrated in Table 4

\*\* Includes county cost of collection at 3% (subject to change) plus early payment discount allowance at 4% (subject to change)

## EXHIBIT "A"

A PORTION OF SECTIONS 4 AND 9, TOWNSHIP 29 EAST, RANGE 26 EAST, ALSO A PORTION OF GOVERNMENT LOTS 1 AND 2, ALSO A PORTION OF LOTS 4, 5 AND 8, LAKE ELOISE SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 57 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, ALSO ALL OF LOTS 1, 2, 3, 6, 7, 9, 10, 11, 12, 13, 14, 15 AND 16 OF SAID LAKE ELOISE SUBDIVISION, ALSO A PORTION OF LOTS 66, 67, 89 AND 90, WAHNETA FARMS SUBDIVISION; ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGES 82A-82B OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE N89°49'14"E ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 4, A DISTANCE OF 397.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE N89°49'14"E, A DISTANCE OF 2223.24 FEET TO A POINT ON THE WEST MAINTAINED RIGHT OF WAY LINE WEST LAKE ELOISE DRIVE (VARIABLE WIDTH) PER POLK COUNTY MAINTAINED RIGHT OF WAY MAP BOOK 2, PAGES 306-308; THENCE S79°50'39"E, A DISTANCE OF 55.89 FEET TO A POINT ON THE EAST MAINTAINED RIGHT OF WAY OF SAID WEST LAKE ELOISE DRIVE; THENCE N89°59'46"E ALONG THE CENTERLINE OF A 20 FOOT WIDE PLATTED RIGHT OF WAY, SAID RIGHT OF WAY CLOSED PER OFFICIAL RECORDS BOOK 2009, PAGE 2057, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, A DISTANCE OF 999.70 FEET; THENCE DEPARTING SAID CENTERLINE RUN S00°09'14"E, A DISTANCE OF 331.74 FEET TO A POINT ON THE NORTH MAINTAINED RIGHT OF WAY LINE OF LAKE ELOISE TERRACE (50 FOOT COUNTY MAINTAINED RIGHT OF WAY); THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN S52°49'08"E, A DISTANCE OF 82.71 FEET TO A POINT ON THE WEST MAINTAINED RIGHT OF WAY LINE OF SAID LAKE ELOISE TERRACE; THENCE S00°06'02"E ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 840.93 FEET; THENCE DEPARTING SAID WEST MAINTAINED RIGHT OF WAY LINE, RUN S89°51'16"E, A DISTANCE OF 281.30 FEET TO A POINT ON THE WESTERLY SAFE UPLAND LINE FOR LAKE ELOISE AS DETERMINED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION HAVING AN ELEVATION OF 130.63 FEET (NORTH AMERICAN VERTICAL DATUM 1988); THENCE RUN ALONG SAID SAFE UPLAND LINE THE FOLLOWING TWENTY-EIGHT (28) COURSES: THENCE S22°14'00"E, A DISTANCE OF 64.35 FEET; THENCE S18°36'00"E, A DISTANCE OF 56.77 FEET; THENCE S11°08'18"E, A DISTANCE OF 195.28 FEET; THENCE S22°12'00"E, A DISTANCE OF 140.69 FEET; THENCE S06°04'58"W, A DISTANCE OF 68.55 FEET; THENCE S12°59'04"E, A DISTANCE OF 87.92 FEET; THENCE S19°38'28"E, A DISTANCE OF 200.47 FEET; THENCE S24°30'06"W, A DISTANCE OF 31.92 FEET; THENCE S09°25'30"W, A DISTANCE OF 23.96 FEET; THENCE S15°26'58"E, A DISTANCE OF 28.49 FEET; THENCE S17°34'46"W, A DISTANCE OF 94.77 FEET; THENCE S04°28'35"E, A DISTANCE OF 106.45 FEET; THENCE S05°11'23"W, A DISTANCE OF 92.74 FEET; THENCE S13°32'44"E, A DISTANCE OF 218.51 FEET; THENCE S22°56'23"E, A DISTANCE OF 97.49 FEET; THENCE S01°23'23"E, A DISTANCE OF 103.05 FEET; THENCE S14°23'06"E, A DISTANCE OF 109.59 FEET; THENCE S63°09'22"E, A DISTANCE OF 129.33 FEET; THENCE S03°55'45"E, A DISTANCE OF 15.02 FEET; THENCE S75°42'48"W, A DISTANCE OF 111.94 FEET; THENCE S38°15'31"W, A DISTANCE OF 40.47 FEET; THENCE S76°30'31"E, A DISTANCE OF 21.17 FEET; THENCE N80°39'55"E, A DISTANCE OF 57.26 FEET; THENCE S85°35'56"E, A DISTANCE OF 82.27 FEET; THENCE S26°12'43"E, A DISTANCE OF 111.31 FEET; THENCE S08°45'08"E, A DISTANCE OF 121.69 FEET; THENCE S12°24'10"W, A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF VALHALLA ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 67, PAGE 34 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE S89°47'32"W ALONG SAID NORTH LINE, A DISTANCE OF 1887.21 FEET TO A POINT ON THE WEST MAINTAINED RIGHT OF WAY LINE OF WEST LAKE ELOISE DRIVE (VARIABLE WIDTH RIGHT OF WAY) PER POLK COUNTY MAINTAINED RIGHT OF WAY MAP BOOK 2, PAGES 306-308; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING SIX (6) COURSES: THENCE S00°02'24"W, A DISTANCE OF 7.04 FEET; THENCE S00°09'38"E, A DISTANCE OF 200.00 FEET; THENCE S00°19'36"W, A DISTANCE OF 200.01 FEET; THENCE S00°06'11"E, A DISTANCE OF 200.00 FEET; THENCE S00°50'03"E, A DISTANCE OF 55.70 FEET; THENCE S00°49'57"E, A DISTANCE OF 49.96 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN N89°47'55"E ALONG THE SOUTH LINE OF HIDDEN OAKS LANE (50 FOOT RIGHT OF WAY) PER HIDDEN OAKS OF LAKE ELOISE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 109, PAGES 34-35, OF THE PUBLIC RECORDS OF POLK COUNTY FLORIDA AND ITS WESTERLY EXTENSION, A DISTANCE OF 702.96 FEET TO A POINT ON THE WEST LINE OF SAID HIDDEN OAKS OF LAKE ELOISE; THENCE RUN ALONG SAID WEST LINE THE FOLLOWING TWO (2) COURSES: S00°29'47"E, A DISTANCE OF 1137.97 FEET;

THENCE S52°48'47"E, A DISTANCE OF 34.79 FEET TO THE NORTHWEST CORNER OF LOT 37, GAINES COVE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 65, PAGE 4, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA ; THENCE RUN ALONG THE NORTHWEST LINE OF SAID GAINES COVE THE FOLLOWING FOUR (4) COURSES: S55°32'25"W, A DISTANCE OF 63.17 FEET; THENCE S37°10'28"W, A DISTANCE OF 203.96 FEET; THENCE N52°55'12"W, A DISTANCE OF 180.00 FEET; THENCE S37°10'26"W, A DISTANCE OF 220.00 FEET TO A POINT ON THE NORTHERLY MAINTAINED RIGHT OF WAY LINE OF ELOISE LOOP ROAD; THENCE N52°51'29"W ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 297.11 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF THE AFORESAID WEST LAKE ELOISE DRIVE; THENCE S74°06'15"W, A DISTANCE OF 56.79 FEET; THENCE N89°58'58"W, A DISTANCE OF 281.87 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF CSX RAILROAD (100 FOOT RIGHT OF WAY) PER VALUATION MAP V03209 & V0321 (V.5-FLA, L-27, 16 & 16B); THENCE N36°58'21"W ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 3856.43 FEET TO A POINT ON THE EASTERLY MAINTAINED RIGHT OF WAY LINE OF CROTON ROAD (VARIABLE RIGHT OF WAY WIDTH) PER MAP BOOK 14, PAGE 26 & 27) OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN ALONG SAID EASTERLY MAINTAINED RIGHT WAY LINE THE FOLLOWING SEVEN (7) COURSES: N00°08'53"W, A DISTANCE OF 37.70 FEET; THENCE S89°52'45"E, A DISTANCE OF 20.16 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 169°25'56", A CHORD BEARING OF N05°24'17"E AND A CHORD DISTANCE OF 119.49 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 177.43 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 68°00'33", A CHORD BEARING OF N45°18'24"W AND A CHORD DISTANCE OF 44.74 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.48 FEET TO THE END OF SAID CURVE; THENCE N00°09'09"W, A DISTANCE OF 189.88 FEET; THENCE N16°46'45"W, A DISTANCE OF 73.45 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE N00°10'44"W ALONG SAID WEST LINE, A DISTANCE OF 448.91 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SHELL ROAD (VARIABLE WIDTH RIGHT OF WAY) PER DEED BOOK 949, PAGE 327, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING NINE (9) COURSES: N41°06'03"E, A DISTANCE OF 40.45 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1944.86 FEET, A CENTRAL ANGLE OF 00°33'00", A CHORD BEARING OF N40°49'33"E AND A CHORD DISTANCE OF 18.67 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 18.67 FEET TO THE POINT OF TANGENCY, THENCE N39°57'07"E, A DISTANCE OF 406.17 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 255.37 FEET, A CENTRAL ANGLE OF 62°00'00", A CHORD BEARING OF N08°57'07"E AND A CHORD DISTANCE OF 263.05 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 276.34 FEET TO THE POINT OF TANGENCY; THENCE N22°02'53"W, A DISTANCE OF 50.39 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 783.51 FEET, A CENTRAL ANGLE OF 16°40'00", A CHORD BEARING OF N13°42'53"W AND A CHORD DISTANCE OF 227.11 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 227.91 FEET TO THE POINT OF TANGENCY; THENCE N05°22'53"W, A DISTANCE OF 197.64 FEET, TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 185.37 FEET, A CENTRAL ANGLE OF 65°57'23", A CHORD BEARING OF N27°35'49"E AND A CHORD DISTANCE OF 201.80 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 213.39 FEET TO THE POINT OF TANGENCY; THENCE N60°34'30"E, A DISTANCE OF 58.02 FEET, TO THE POINT OF BEGINNING.

CONTAINING 15,436,272 SQUARE FEET OR 354.37 ACRES, MORE OR LESS.

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**3 E**



**RESOLUTION 2022-32**

**[SECTION 170.08, F.S. DEBT ASSESSMENT RESOLUTION FOR  
HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT]**

**A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING A CAPITAL IMPROVEMENT PLAN; ADOPTING AN ENGINEER’S REPORT; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS; ADDRESSING THE FINALIZATION OF SPECIAL ASSESSMENTS; ADDRESSING THE PAYMENT OF DEBT ASSESSMENTS AND THE METHOD OF COLLECTION; PROVIDING FOR THE ALLOCATION OF DEBT ASSESSMENTS AND TRUE-UP PAYMENTS; ADDRESSING GOVERNMENT PROPERTY, AND TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE AND FEDERAL GOVERNMENT; AUTHORIZING AN ASSESSMENT NOTICE; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the Harmony on Lake Eloise Community Development District (“**District**”) is a local unit of special-purpose government established by ordinance of the City Commissioner of the City of Winter Haven, Florida, and existing under and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (“**Act**”); and

**WHEREAS**, the District has previously indicated its intention to construct certain types of improvements and to finance such improvements through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property within the District; and

**WHEREAS**, the District’s Board of Supervisors (“**Board**”) has noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments, and now desires to adopt a resolution imposing and levying such assessments as set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF  
THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT  
AS FOLLOWS:**

1. **AUTHORITY.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

2. **FINDINGS.** The Board further finds and determines as follows:

***The Capital Improvement Plan***

a. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways,

sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects and services necessitated by the development of, and serving lands within, the District; and

- b. On March 9, 2022, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2022-25 (“**Declaring Resolution**”), and in doing so determined to undertake a capital improvement plan to install, plan, establish, construct or reconstruct, enlarge, equip, acquire, operate and/or maintain the District’s capital improvements planned for all lands within the District (“**Project**”); and
- c. The Project is described in the Declaring Resolution and the *Engineer’s Report* dated March 9, 2022 (“**Engineer’s Report**,” attached hereto as **Exhibit A** and incorporated herein by this reference), and the plans and specifications for the Project is on file in the offices of the District Manager at c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 (“**District Records Office**”); and

#### ***The Debt Assessment Process***

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms to provide a portion of the funds needed for the Project, and further declared its intention to defray the whole or any part of the expense of the Projects by levying special assessments (“**Debt Assessments**”) on specially benefited property within the District – specifically all lands within the District (“**Assessment Area**”); and
- e. The Declaring Resolution was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met; and
- f. As directed by the Declaring Resolution, said Declaring Resolution was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher’s affidavit of publication is on file with the Secretary of the District; and
- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and
- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel, and the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and

- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and
- j. On May 11, 2022, and at the time and place specified in the Declaring Resolution, the Board conducted such public hearing and heard and considered all complaints and testimony as to the matters described above; the Board further met as an “Equalization Board;” and the Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll; and

***Equalization Board Additional Findings***

- k. Having considered the estimated costs of the Projects, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
  - i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Project as set forth in the Engineer’s Report; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within the Assessment Area, as set forth in the Assessment Report; and (3) the District issue bonds, notes or other specific financing mechanisms to provide funds for such purposes pending the receipt of such Debt Assessments; and
  - ii. The provision of said Project, the levying of the Debt Assessments, and the sale and issuance of such bonds, notes, or other specific financing mechanisms serve a proper, essential, and valid public purpose and are in the best interests of the District, its landowners and residents; and
  - iii. The estimated costs of the Project is as specified in the Engineer’s Report and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and
  - iv. It is reasonable, proper, just and right to assess the cost of such Projects against the properties specially benefited thereby in the Assessment Areas, using the method determined by the Board and set forth in the *Master Special Assessment Methodology Report*, dated March 9, 2022 (“**Assessment Report**,” attached hereto as **Exhibit B** and incorporated herein by this reference), which results in the Debt Assessments set forth on the final assessment roll; and
  - v. The Project benefits the Assessment Area as set forth in the Assessment Report; and
  - vi. Accordingly, the Debt Assessments as set forth in the Assessment Report constitute a special benefit to the applicable parcels of real property listed on said final assessment roll, and the benefit, in the case of each such parcel, will be equal to or in excess of the Debt Assessments imposed thereon, as set forth in **Exhibit B**; and

- vii. All developable property within the Assessment Area is deemed to be benefited by the Project, and the Debt Assessments will be allocated in accordance with the Assessment Report at **Exhibit B**; and
- viii. The Debt Assessments are fairly and reasonably allocated across the benefitted property, as set forth in **Exhibit B**; and
- ix. It is in the best interests of the District that the Debt Assessments be paid and collected as herein provided; and
- x. In order to provide funds with which to pay the costs of the Project which are to be assessed against the benefited properties, pending the collection of the Debt Assessments, it is necessary for the District to issue revenue bonds, notes or other specific financing mechanisms, including refunding bonds (together, "**Bonds**").

3. **AUTHORIZATION FOR THE PROJECT; ADOPTION OF ENGINEER'S REPORT.** The Engineer's Report identifies and describes the infrastructure improvements to be financed in part with the Bonds, and sets forth the cost of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Bonds is hereby authorized, approved and ratified, and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

4. **ESTIMATED COST OF IMPROVEMENTS.** The total estimated cost of the Project and the cost to be paid by the Debt Assessments on all specially benefited property are set forth in **Exhibits A and B**, respectively, hereto.

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of Debt Assessments to the benefitted lands within the Assessment Area is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Bonds.

6. **EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF DEBT ASSESSMENTS.** The Debt Assessments imposed on the parcels specially benefited by the Project within the Assessment Area, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied.

Immediately following the adoption of this Resolution, the lien of Debt Assessments as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the District in the District's "**Improvement Lien Book.**" The Debt Assessments levied against each respective parcel shown on such final assessment roll and interest, costs, and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first lien on such parcel, coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

- a. **Supplemental Assessment Resolutions for Bonds.** The lien for the Debt Assessments established hereunder shall be inchoate until the District issues Bonds. In connection with the issuance of any particular series of the Bonds, the District may adopt, without the need for further public hearing, a supplemental assessment resolution establishing

specific Debt Assessments, in one or more separately enforceable Debt Assessment liens, securing such Bonds. Such subsequent resolutions shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Among other things, the supplemental assessment resolutions may provide for the issuance of multiple series of Bonds each secured by the Assessment Area.

- b. **Adjustments to Debt Assessments.** The District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary and in the best interests of the District, as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law.
- c. **Contributions.** In connection with the issuance of a series of the Bonds, the project developer may request that any related Debt Assessments be reduced for certain product types. To accomplish any such requested reduction, and pursuant to the terms of an applicable acquisition agreement, and this resolution, the developer will agree to provide a contribution of infrastructure, work product, or land based on the lesser of cost basis or appraised value, comprising a portion of the Project and to meet the minimum requirements set forth in the Assessment Report, if any. Any such contributions shall not be eligible for payment under the Bonds.
- d. **Impact Fee Credits.** The District may or may not be entitled to impact fee credits as a result of the development of the Project, based on applicable laws and/or agreements governing impact fee credits. Unless otherwise addressed by supplemental assessment resolution, the proceeds from any impact fee credits received may be used in the District's sole discretion as an offset for any acquisition of any portion of the Project (e.g., land based on the lesser of cost basis or appraised value, infrastructure and/or work product), for completion of the Project, or otherwise used against the outstanding indebtedness of any debt issuance that funded the improvement giving rise to the credits.

7. **FINALIZATION OF DEBT ASSESSMENTS.** When the Project has been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to Section 170.08, *Florida Statutes*, the District shall credit to each Debt Assessment the difference, if any, between the Debt Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the Project. In making such credits, no credit shall be given for bond, note or other specific financing mechanism costs, capitalized interest, funded reserves or bond or other discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

8. **PAYMENT OF DEBT ASSESSMENTS AND METHOD OF COLLECTION.**

- a. **Payment.** The Debt Assessments, as further set forth in each supplemental assessment resolution, and securing the issuance of each series of the Bonds, may be paid in not more than thirty (30) yearly installments of principal and interest – beginning upon the issuance

of the particular series of the Bonds (and after taking into account any capitalized interest periods), provided, however, that the Board shall at any time make such adjustments by resolution, and at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District.

- b. **Prepayment.** Subject to the provisions of any supplemental assessment resolution, any owner of property subject to the Debt Assessments may, at its option, pre-pay the entire amount of the Debt Assessment any time, or a portion of the amount of the Debt Assessment up to two times, plus accrued interest to the next succeeding interest payment date (or the second succeeding interest payment date if such prepayment is made within forty-five (45) calendar days before an interest payment date (or such other time as set forth in the supplemental indenture for the applicable series of bonds secured by the Debt Assessments in question)), attributable to the property subject to Debt Assessments owned by such owner. Prepayment of Debt Assessments does not entitle the property owner to any discounts for early payment. If authorized by a supplemental assessment resolution, the District may grant a discount equal to all or a part of the payee's proportionate share of the cost of the applicable Project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the applicable Project, upon payment in full of any Debt Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.
- c. **Uniform Method; Alternatives.** The District may elect to use the method of collecting Debt Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* ("**Uniform Method**"). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, *Florida Statutes*. Such Debt Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its Debt Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Debt Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Debt Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinquent assessments that are directly billed shall accrue at the applicable rate of any bonds or other debt instruments secured by the Debt Assessments. The decision to collect Debt Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Debt Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.
- d. **Uniform Method Agreements Authorized.** For each year the District uses the Uniform Method, the District shall enter into an agreement with the County Tax Collector who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.
- e. **Re-amortization.** Any particular lien of the Debt Assessments shall be subject to re-

amortization where the applicable series of Bonds is subject to re-amortization pursuant to the applicable trust indenture and where the context allows.

**9. ALLOCATION OF DEBT ASSESSMENTS; APPLICATION OF TRUE-UP PAYMENTS.**

- a. At such time as parcels of land, or portions thereof, are included in a plat or site plan, it shall be an express condition of the lien established by this Resolution that, prior to County approval, any and all plats or site plans for any portion of the lands within the District, as the District's boundaries may be amended from time to time, shall be presented to the District Manager for review. As parcels of land, or portions thereof, are included in a plat or site plan, the District Manager shall review the plat or site plan and cause the Debt Assessments securing each series of Bonds to be reallocated to the units being included in the plat or site plan and the remaining property in accordance with **Exhibit B**, and cause such reallocation to be recorded in the District's Improvement Lien Book.
- b. Pursuant to the Assessment Report, attached hereto as **Exhibit B**, and which terms are incorporated herein, there may be required from time to time certain true-up payments. When a plat or site plan is presented to the District, the District Manager shall review the plat or site plan to determine whether, taking into account the plat or site plan, there is a net shortfall in the overall principal amount of assessments reasonably able to be assigned to benefitted lands within the Assessment Area. Such determination shall be made based on the language in this Resolution and/or the tests or other methods set forth in **Exhibit B** (if any), or any tests or methods set forth in a supplemental assessment resolution and corresponding assessment report. If the overall principal amount of assessments reasonably cannot be assigned, or is not reasonably expected to be assigned, as set forth in more detail in and subject to the terms of **Exhibit B** (or any supplemental resolution and report, as applicable), to the platted and site planned lands as well as the undeveloped lands, then a debt reduction payment ("**True-Up Payment**") in the amount of such shortfall shall become due and payable that tax year by the landowner(s) of record of the land subject to the proposed plat or site plan and of the remaining undeveloped lands, in addition to any regular assessment installment. The District's review shall be limited solely to this function and the enforcement of the lien established by this Resolution. In the event a True-Up Payment is due and unpaid, the lien established herein for the True-Up Payment amount shall remain in place until such time as the True-Up Payment is made. The District shall record all True-Up Payments in its Improvement Lien Book.
- c. In connection with any true-up determination, affected landowner(s) may request that such true-up determination be deferred because the remaining undeveloped lands are able to support the development of all of the originally planned units within the Assessment Area. To support the request, the affected landowner(s) shall provide the following evidence for the District's consideration: a) proof of the amount of entitlements remaining on the undeveloped lands within the Assessment Area, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development, c) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan, and d) documentation prepared by a licensed engineer that shows the feasibility of

implementing the proposed development plan. Any deferment shall be in the District's reasonable discretion.

- d. The foregoing is based on the District's understanding that the community would be developed with the type and number of units set forth in **Exhibit B**, on the developable acres. However, more than the stated number of units may be developed. In no event shall the District collect Debt Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such things as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology to any assessment reallocation pursuant to this paragraph would result in Debt Assessments collected in excess of the District's total debt service obligations for the Project, the Board shall by resolution take appropriate action to equitably reallocate the Debt Assessments.
- e. As set forth in any supplemental assessment resolution and/or supplemental assessment report for a specific series of Bonds, the District may assign a specific debt service assessment lien comprising a portion of the Debt Assessments to the Assessment Area, and, accordingly, any related true-up determinations may be limited to determining whether the planned units for such specified lands in the Assessment Area have been and/or will be developed.

**10. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT.** Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Debt Assessments without specific consent thereto. If at any time, any real property on which Debt Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Debt Assessments thereon), or similarly exempt entity, all future unpaid Debt Assessments for such tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

**11. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Polk County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

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

**13. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

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



**APPROVED AND ADOPTED THIS 11TH DAY OF MAY, 2022.**

ATTEST:

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

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

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A:**     *Engineer's Report, dated March 9, 2022*

**Exhibit B:**     *Master Special Assessment Methodology Report, dated March 9, 2022*

**Exhibit A:** *Engineer's Report*, dated March 9, 2022

**Exhibit B:** *Master Special Assessment Methodology Report*, dated March 9, 2022

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**4**

**RESOLUTION 2022-33**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT APPROVING THE PROPOSED BUDGET FOR FISCAL YEAR 2022/2023 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the District Manager has heretofore prepared and submitted to the Board of Supervisors ("**Board**") of the Harmony on Lake Eloise Community Development District ("**District**") prior to June 15, 2022, a proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2022 and ending September 30, 2023 ("**Fiscal Year 2022/2023**"); and

**WHEREAS**, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT:**

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2022/2023 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set as follows:

DATE: August 10, 2022

HOUR: 9:30 a.m.

LOCATION: Ramada by Wyndham Davenport Orlando South  
43824 Highway 27  
Davenport, Florida 33837-6808

3. **TRANSMITTAL; POSTING; NOTICE.** The District Manager is hereby directed to submit a copy of the proposed budget to the local general purpose unit(s) of government at least sixty (60) days prior to the hearing set above. In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved budget on the District's website at least two (2) days before the budget hearing date as set forth in Section 2. If the District does not have its own website, the District's Secretary is directed to transmit the approved budget to the manager or administrator of the local general purpose unit(s) of government for posting on the applicable website(s). Notice of this public hearing shall be published in the manner prescribed in Florida law.

4. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 11<sup>th</sup> DAY OF MAY, 2022.**

ATTEST:

**HARMONY ON LAKE ELOISE COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary/Assistant Secretary

---

Chair/Vice Chair, Board of Supervisors

**Exhibit A: Fiscal Year 2022/2023 Proposed Budget**

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSED BUDGET  
FISCAL YEAR 2023**



**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
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**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2023**

	Fiscal Year 2022				Proposed Budget FY 2023
	Proposed Budget FY 2022	Actual through 3/31/2022	Projected through 9/30/2022	Total Actual & Projected	
<b>REVENUES</b>					
Landowner contribution	75,265	7,054	70,281	\$ 77,335	\$ 210,291
Total revenues	<u>75,265</u>	<u>7,054</u>	<u>70,281</u>	<u>77,335</u>	<u>210,291</u>
<b>EXPENDITURES</b>					
<b>Professional &amp; administrative</b>					
Management/accounting/recording**	32,000	8,000	24,000	32,000	48,000
Legal	25,000	1,505	23,495	25,000	25,000
Engineering	2,000	-	2,000	2,000	2,000
Audit	-	-	-	-	6,000
Arbitrage rebate calculation*	-	-	-	-	750
Dissemination agent*	500	-	500	500	1,000
Trustee*	-	-	-	-	5,500
Telephone	200	80	120	200	200
Postage	500	-	500	500	500
Printing & binding	500	200	300	500	500
Legal advertising	6,500	1,743	4,757	6,500	2,000
Annual special district fee	175	-	175	175	175
Insurance	5,500	-	5,500	5,500	5,500
Contingencies/bank charges	500	-	500	500	500
Website hosting & maintenance	1,680	1,680	-	1,680	705
Website ADA compliance	210	-	210	210	210
Total professional & administrative	<u>75,265</u>	<u>13,208</u>	<u>62,057</u>	<u>75,265</u>	<u>98,540</u>
<b>Field operations and maintenance</b>					
Field operations manager	-	-	-	-	4,500
Field operations accounting	-	-	-	-	1,313
Landscaping contract labor	-	-	-	-	33,750
Insurance: property	-	-	-	-	3,750
Porter services	-	-	-	-	4,500
Backflow prevention test	-	-	-	-	113
Irrigation maintenance/repair	-	-	-	-	2,250
Plants, shrubs & mulch	-	-	-	-	7,500
Annuals	-	-	-	-	7,500
Tree trimming	-	-	-	-	1,500
Signage	-	-	-	-	750
General maintenance	-	-	-	-	3,000
Fence/wall repair	-	-	-	-	1,125
Aquatic control - ponds	-	-	-	-	4,500
Fountain electric	-	-	-	-	4,500
Fountain maintenance	-	-	-	-	1,500
Electric:					
Irrigation	-	-	-	-	1,800
Street lights	-	-	-	-	18,000
Entrance signs	-	-	-	-	900
Water- irrigation	-	-	-	-	9,000
Total field operations	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>111,751</u>

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2023**

	Fiscal Year 2022				Proposed Budget FY 2023
	Proposed Budget FY 2022	Actual through 3/31/2022	Projected through 9/30/2022	Total Actual & Projected	
Total expenditures	75,265	13,208	62,057	75,265	210,291
Excess/(deficiency) of revenues over/(under) expenditures	-	(6,154)	8,224	2,070	-
Fund balance - beginning (unaudited)	-	(2,070)	(8,224)	(2,070)	-
Fund balance - ending (projected)					
Assigned					
Working capital	-	-	-	-	-
Unassigned	-	(8,224)	-	-	-
Fund balance - ending	<u>\$ -</u>	<u>\$ (8,224)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

\* These items will be realized when bonds are issued

\*\* WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

**Professional & administrative**

Management/accounting/recording**	\$ 48,000
<p><b>Wrathell, Hunt and Associates, LLC</b> (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.</p>	
Legal	25,000
<p>General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.</p>	
Engineering	2,000
<p>The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	6,000
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Arbitrage rebate calculation*	750
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent*	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt &amp; Associates serves as dissemination agent.</p>	
Telephone	200
<p>Telephone and fax machine.</p>	
Postage	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Printing & binding	500
<p>Letterhead, envelopes, copies, agenda packages</p>	
Legal advertising	2,000
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Annual special district fee	175
<p>Annual fee paid to the Florida Department of Economic Opportunity.</p>	
Insurance	5,500
<p>The District will obtain public officials and general liability insurance.</p>	
Contingencies/bank charges	500
<p>Bank charges and other miscellaneous expenses incurred during the year and automated AP routing etc.</p>	
Website hosting & maintenance	705
Website ADA compliance	210

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES (continued)**

**Field operations and maintenance**

Field operations manager	4,500
Field operations accounting	1,313
Landscaping contract labor	33,750
Insurance: property	3,750
Porter services	4,500
Backflow prevention test	113
Irrigation maintenance/repair	2,250
Plants, shrubs & mulch	7,500
Annuals	7,500
Tree trimming	1,500
Signage	750
General maintenance	3,000
Fence/wall repair	1,125
Aquatic control - ponds	4,500
Fountain electric	4,500
Fountain maintenance	1,500
Electric:	
Irrigation	1,800
Street lights	18,000
Entrance signs	900
Water- irrigation	9,000
Total expenditures	<u><u>\$210,291</u></u>

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**5**

**RESOLUTION 2022-34**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2022/2023 AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Harmony on Lake Eloise Community Development District ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

**WHEREAS**, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District's regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

**WHEREAS**, the Board desires to adopt the Fiscal Year 2022/2023 meeting schedule attached as **Exhibit A**.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT:**

1. **ADOPTING FISCAL YEAR 2022/2023 ANNUAL MEETING SCHEDULE.** The Fiscal Year 2022/2023 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

3. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** this 11th day of May, 2022.

ATTEST:

**HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT**

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

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**EXHIBIT "A"**

<b>HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2022/2023 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>Ramada by Wyndham Davenport Orlando South, 43824 Highway 27 Davenport, Florida 33837-6808</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 12, 2022</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>November 9, 2022</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>December 14, 2022</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>January 11, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>February 8, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>March 8, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>April 12, 2023</b>	<b>Regular Meeting</b> <i>(presentation of FY2023 proposed budget)</i>	<b>9:30 AM*</b>
<b>May 10, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>June 14, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>July 12, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
<b>August 9, 2023</b>	<b>Public Hearing and Regular Meeting</b> <i>(adoption of FY2023 budget)</i>	<b>9:30 AM*</b>
<b>September 13, 2023</b>	<b>Regular Meeting</b>	<b>9:30 AM*</b>
* Meetings will convene immediately following the adjournment of the Harmony on Lake Eloise CDD meetings, scheduled to commence at 9:30 a.m., respectively.		



**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**6**

**RESOLUTION 2022-35**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT EXTENDING THE TERMS OF OFFICE OF ALL CURRENT SUPERVISORS TO COINCIDE WITH THE GENERAL ELECTION PURSUANT TO SECTION 190.006, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Harmony on Lake Eloise Community Development District ("**District**") is a local unit of special purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the current members of the Board of Supervisors ("**Board**") were elected by the landowners within the District based on a one acre/one vote basis; and

**WHEREAS**, Chapter 190, *Florida Statutes*, authorizes the Board to adopt a resolution extending or reducing the terms of office of Board members to coincide with the general election in November; and

**WHEREAS**, the Board finds that it is in the best interests of the District to adopt this Resolution extending the terms of office of all current Board members of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1.** The following terms of office are hereby extended to coincide with the general election to be held in November of 2024:

Seat #3 (currently held by Bill Fife)  
Seat #4 (currently held by Courtney Potter)  
Seat #5 (currently held by John Nowotny)

The following terms of office are hereby extended to coincide with the general election to be held in November of 2026:

Seat #1 (currently held by Chris Tyree)  
Seat #2 (currently held by Mary Moulton)

**SECTION 2.** If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

**PASSED AND ADOPTED** this 11th day of May, 2022.

ATTEST:

**HARMONY ON LAKE ELOISE COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**7**

**RESOLUTION 2022-07**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND PRINCIPAL HEADQUARTERS OF THE DISTRICT AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Harmony on Lake Eloise Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, the District desires to designate its primary administrative office as the location where the District’s public records are routinely created, sent, received, maintained, and requested, for the purposes of prominently posting the contact information of the District’s Record’s Custodian in order to provide citizens with the ability to access the District’s records and ensure that the public is informed of the activities of the District in accordance with Chapter 119, *Florida Statutes*; and

**WHEREAS**, the District additionally desires to specify the location of the District’s principal headquarters for the purpose of establishing proper venue under the common law home venue privilege applicable to the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT:**

**1. PRIMARY ADMINISTRATIVE OFFICE.** The District’s primary administrative office for purposes of Chapter 119, *Florida Statutes*, shall be located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

**2. PRINCIPAL HEADQUARTERS.** The District’s principal headquarters for purposes of establishing proper venue shall be located at the offices of \_\_\_\_\_, and within the City of Winter Haven, Polk County, Florida.

**3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of May, 2022.

ATTEST:

**HARMONY ON LAKE ELOISE COMMUNITY  
DEVELOPMENT DISTRICT**

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

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**8**

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
MARCH 31, 2022**

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
MARCH 31, 2022**

	General Fund	Debt Service Fund	Total Governmental Funds
<b>ASSETS</b>			
Undeposited funds	\$ 13,753	\$ -	\$ 13,753
Due from Landowner	6,154	955	7,109
Due from general fund	-	699	699
Total assets	<u>\$ 19,907</u>	<u>\$ 1,654</u>	<u>\$ 21,561</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Liabilities:			
Accounts payable	\$ 13,208	\$ 1,654	\$ 14,862
Due to debt service fund	699	-	699
Due to Landowner	-	1,654	1,654
Landowner advance	6,000	-	6,000
Total liabilities	<u>19,907</u>	<u>3,308</u>	<u>23,215</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred receipts	6,154	-	6,154
Total deferred inflows of resources	<u>6,154</u>	<u>-</u>	<u>6,154</u>
Fund balances:			
Restricted for:			
Debt service	-	(1,654)	(1,654)
Unassigned	(6,154)	-	(6,154)
Total fund balances	<u>(6,154)</u>	<u>(1,654)</u>	<u>(7,808)</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 19,907</u>	<u>\$ 1,654</u>	<u>\$ 21,561</u>



**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED MARCH 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Landowner contribution	\$ -	\$ 7,054	\$ 75,265	9%
Total revenues	<u>-</u>	<u>7,054</u>	<u>75,265</u>	9%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording**	2,000	8,000	32,000	25%
Legal	271	1,505	25,000	6%
Engineering	-	-	2,000	0%
Dissemination agent*	-	-	500	0%
Telephone	20	80	200	40%
Postage	-	-	500	0%
Printing & binding	50	200	500	40%
Legal advertising	1,743	1,743	6,500	27%
Annual special district fee	-	-	175	0%
Insurance	-	-	5,500	0%
Contingencies/bank charges	-	-	500	0%
Website hosting & maintenance	-	1,680	1,680	100%
Website ADA compliance	-	-	210	0%
Total professional & administrative	<u>4,084</u>	<u>13,208</u>	<u>75,265</u>	18%
Excess/(deficiency) of revenues over/(under) expenditures	(4,084)	(6,154)	-	
Fund balances - beginning	(2,070)	-	-	
Fund balances - ending	<u>\$ (6,154)</u>	<u>\$ (6,154)</u>	<u>\$ -</u>	

\*These items will be realized when bonds are issued

\*\*WHA will charge a reduced management fee of \$2,000 per month until bonds are issued.

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND  
FOR THE PERIOD ENDED MARCH 31, 2022**

	<u>Current Month</u>	<u>Year To Date</u>
<b>REVENUES</b>	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 <b>EXPENDITURES</b>		
<b>Debt service</b>		
Cost of issuance	<u>955</u>	<u>1,654</u>
Total debt service	<u>955</u>	<u>1,654</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 (955)	 (1,654)
 Fund balances - beginning	 (699)	 -
Fund balances - ending	<u><u>\$ (1,654)</u></u>	<u><u>\$ (1,654)</u></u>

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**9**

**DRAFT**

**MINUTES OF MEETING  
HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Harmony on Lake Eloise Community Development District held a Regular Meeting on March 9, 2022 at 9:30 A.M., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808.

**Present at the meeting were:**

William (Bill) Fife	Chair
Mary Moulton	Vice Chair
Chris Tyree	Assistant Secretary
Courtney Potter	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Andrew Kantarzhi	Wrathell, Hunt and Associates, LLC (WHA)
Jere Earlywine (via telephone)	District Counsel
Nicole Stalder (via telephone)	District Engineer

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 10:04 a.m. Supervisors Fife, Moulton, Potter and Tyree were present in person. Supervisor Nowotny was not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**GENERAL DISTRICT ITEMS**

**THIRD ORDER OF BUSINESS**

**Administration of Oath of Office to Supervisor, Chris Tyree *(the following will be provided in a separate package)***

39 Ms. Cerbone, a Notary of the State of Florida and duly authorized, administered the  
40 Oath of Office to Mr. Tyree. She provided the following:

- 41 **A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- 42 **B. Membership, Obligations and Responsibilities**
- 43 **C. Financial Disclosure Forms**
  - 44 **I. Form 1: Statement of Financial Interests**
  - 45 **II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
  - 46 **III. Form 1F: Final Statement of Financial Interests**
- 47 **D. Form 8B: Memorandum of Voting Conflict**

48

49 **FOURTH ORDER OF BUSINESS** **Consideration of Stormwater Management**  
 50 **Need Analysis Proposal**

51  
52 Ms. Cerbone stated a proposal was not needed. A letter would be submitted to the  
53 State advising that the CDD does not have a stormwater system yet, so the Stormwater  
54 Management Needs Analysis Report cannot be completed.

55

56 **FIFTH ORDER OF BUSINESS** **Consideration of Resolution 2022-07,**  
 57 **Designating the Primary Administrative**  
 58 **Office and Principal Headquarters of the**  
 59 **District and Providing an Effective Date**

60  
61 This item was deferred.

62

63 **SIXTH ORDER OF BUSINESS** **Presentation/Consideration of Bond**  
 64 **Financing Related Matter**

65

66 **A. Engineer’s Report**

67 Ms. Stalder presented the Engineer’s Report dated March 7, 2022 and described the  
68 proposed Capital Improvement Project (CIP) and 2022 Project and the accompanying Tables.

69 Ms. Stadler noted the following:

- 70 ➤ Roadways will generally be standard two-lane undivided roads with curbs and gutters to  
71 help convey water to the stormwater system. While it is intended that the roads would be

72 constructed by the CDD and dedicated to the City of Winter Haven for Operation &  
73 Maintenance (O&M), a caveat provides that the roads can be gated and remain with the CDD.

74 ➤ The opinion of probable costs would be adjusted, increasing the contingency to 20%.

75

76 **On MOTION by Mr. Tyree and seconded by Mr. Fife, with all in favor, the**  
77 **Engineer’s Report dated March 7, 2022, in substantial form, was approved.**

78

79

80 **B. Master Special Assessment Methodology Report**

81 Ms. Cerbone presented the Master Special Assessment Methodology Report dated  
82 March 9, 2022 and noted the pertinent data in each section. The Methodology would be  
83 revised to reflect the updated construction costs and increased contingency to 20% to be  
84 consistent with the Engineer’s Report. She discussed the development plan, CIP, financing plan,  
85 True-up mechanism and Appendix Tables.

86

87 **On MOTION by Mr. Tyree and seconded by Mr. Fife, with all in favor, the**  
88 **Master Special Assessment Methodology Report dated March 9, 2022, in**  
89 **substantial form, was approved.**

90

91

92 **C. Resolution 2022-25, Declaring Special Assessments; Designating the Nature and**  
93 **Location of the Proposed Improvements; Declaring the Total Estimated Cost of the**  
94 **Improvements, the Portion to be Paid by Assessments, and the Manner and Timing in**  
95 **Which the Assessments are to be Paid; Designating the Lands Upon Which the**  
96 **Assessments Shall be Levied; Providing for an Assessment Plat and a Preliminary**  
97 **Assessment Roll; Addressing the Setting of Public Hearings; Providing for Publication**  
98 **of this Resolution; and Addressing Conflicts, Severability and an Effective Date**

99 Ms. Cerbone presented Resolution 2022-13. This Resolution declares the special  
100 assessments as a means of repaying the bonds and adopts the previously approved Reports as  
101 Exhibits.

102



142 C. District Manager: *Wrathell, Hunt and Associates, LLC*

143 • NEXT MEETING DATE: April 13, 2022 at 9:30 A.M.

144 ○ QUORUM CHECK

145 The meeting scheduled for April 13, 2022 might be canceled. The Public Hearings would  
146 be held at the May 11, 2022 meeting and the proposed Fiscal Year 2023 budget would be  
147 discussed. Ms. Cerbone asked if Operations & Maintenance (O&M) should be included in the  
148 budget. Ms. Cerbone would work with Mr. Fife on this matter.

149

150 TENTH ORDER OF BUSINESS

Board Members' Comments/Requests

151

152 There were no Board Members' comments or requests.

153

154 ELEVENTH ORDER OF BUSINESS

Public Comments

155

156 There were no public comments.

157

158 TWELFTH ORDER OF BUSINESS

Adjournment

159

160 There being nothing further to discuss, the meeting adjourned.

161

162 **On MOTION by Mr. Tyree and seconded by Ms. Moulton, with all in favor, the**  
163 **meeting adjourned at 10:16 a.m.**

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[SIGNATURES APPEAR ON THE FOLLOWING PAGE]



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

\_\_\_\_\_  
Chair/Vice Chair

**HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT**

**10C**

## HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

### BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE

#### LOCATION

*Ramada by Wyndham Davenport Orlando South, 43824 Highway 27  
Davenport, Florida 33837-6808*

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
February 9, 2022	Regular Meeting	9:30 AM*
March 9, 2022	Regular Meeting	9:30 AM*
April 13, 2022 <b>CANCELED</b>	Regular Meeting	9:30 AM*
May 11 2022	Regular Meeting <i>(presentation of FY2023 proposed budget)</i>	9:30 AM*
June 8, 2022	Regular Meeting	9:30 AM*
July 13, 2022	Regular Meeting	9:30 AM*
August 10, 2022	Public Hearing and Regular Meeting <i>(adoption of FY2023 budget)</i>	9:30 AM*
September 14, 2022	Regular Meeting	9:30 AM*

*\* Meetings will convene immediately following the adjournment of the Fox Branch Ranch CDD meetings, scheduled to commence at 9:30 a.m., respectively.*

**CALL-IN NUMBER: 1-888-354-0094**  
**PARTICIPANT PASSCODE: 801 901 3513**