

**ORDINANCE NO. O-21-62**

**AN ORDINANCE OF THE CITY OF WINTER HAVEN FLORIDA, ESTABLISHING THE HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING NOTICE OF REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. (General Location: The area covered by this request is generally located west of Lake Eloise, north of Eagle Lake Loop, south of Lake Lulu and east of US 17. The area covered by this request is 354.37± acres.)**

**WHEREAS**, Forestar (USA) Real Estate Group, Inc. ("**Petitioner**"), having obtained written consent to the establishment of the Harmony on Lake Eloise Community Development District ("**District**")<sup>1</sup> by owners of one-hundred percent (100%) of the real property to be included in the District, petitioned by the City Commission ("**Commission**") of Winter Haven, Florida, to adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes; and,

**WHEREAS**, the Petitioner is a foreign corporation authorized to conduct business in the State of Florida with a local mailing address of 1064 Greenwood Boulevard, Suite 200, Lake Mary, Florida 32746; and,

**WHEREAS**, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Commission on September 14, 2021; and,

**WHEREAS**, upon consideration of the record established at that hearing, the Commission determined that the statements within the Petition are true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City's comprehensive plan; that the land within the District is of sufficient size; is sufficiently compact and is sufficiently contiguous to be developable as a functionally interrelated community; that the District is the best

---

<sup>1</sup> The District previously existed under the same name ("**Prior District**") pursuant to Ordinance O-17-07. Due to a change in ownership of the project, and at the request of the Prior District's Board of Supervisors, the City adopted Ordinance O-21-61 repealing Ordinance O-17-07 and dissolving the Prior District.

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

**WHEREAS**, the establishment of the District shall not act to amend any land development approvals and/or regulations governing the land area to be included within the District; and

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

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER HAVEN, FLORIDA, AS FOLLOWS:**

**SECTION 1. Authority.** This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980 codified in Chapter 190, Florida Statutes. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

**SECTION 2. District Name.** There is hereby established a community development district situated entirely within a portion of the City of Winter Haven, Florida, which shall be known as the "Harmony on Lake Eloise Community Development District," and which shall be referred to in this ordinance as the "District."

**SECTION 3. District External Boundaries.** The external boundaries of the District are described in Exhibit "A" attached hereto, said boundaries encompassing 354.37 acres, more or less.

**SECTION 4. District Powers and Functions.** The District shall have all those general powers granted pursuant to Section 190.011, and those special powers granted pursuant to Section 190.012(2). Consent is hereby given to the District to exercise those powers relating to Parks and facilities for indoor and outdoor recreational, cultural, and educational uses contained in Section 190.012 (2)(a), and to exercise those powers related to security contained in Section 190.012(2)(d), provided however that the District may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the District boundaries. Notwithstanding the foregoing, the adoption and passage of this Ordinance approving the Petition for the establishment of a Community Development District shall not be construed to delegate, authorize, or in any way consent to the District established hereunder to engage in the ownership and operation of a water and/or wastewater facility(s) which would allow the District to engage in the wholesale or retail sale of water, wastewater and/or reuse water services, or provide garbage services and/or any other municipal services absent the express written consent and/or agreement of the City.

**SECTION 5. Termination of District.** In the event that the District established hereunder is terminated for any reason, the City shall in no way be required to accept ownership and/or maintenance responsibility for the road rights of way, stormwater management and drainage systems, and street lighting that are necessary for the development in the District without the City's express written consent. In the event of termination, the District shall be responsible for ensuring the transfer of such ownership and maintenance responsibilities to an appropriate entity other than the City as authorized by law.

**SECTION 6. Board of Supervisors.** The five persons designated to serve as initial members of the District's Board of Supervisors are: Mary Moulton, John Wiggins, Roger Van Auken, Chris Tyree and Courtney Potter.

**SECTION 7. Notice Requirements.** The District shall provide public notice of all meetings pursuant to law.

**SECTION 8. Special Assessments.** Non ad valorem special assessments, as defined in Chapter 190, Florida Statutes, shall only be levied by the District on those lands included within the District boundary, as such boundary may be amended; and in accordance with Chapter 190, Florida Statutes.

**SECTION 9. Severability.** If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

**SECTION 10. Administrative Correction of Scrivener's Errors.** The administrative correction of typographical and/or scrivener's errors in this Ordinance which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

**SECTION 11. No Codification.** This ordinance shall not be codified, but the City Clerk shall retain this Ordinance as a permanent record of action taken by the City Commission.

**SECTION 12. Conflicts.** All ordinances in conflict herewith are hereby repealed.

**SECTION 13. Effective Date.** This Ordinance shall take effect immediately upon passage at second reading/public hearing.


**INTRODUCED** on first reading the 23<sup>rd</sup> day of August, 2021.

**PASSED** on second reading this 14<sup>th</sup> day of September, 2021.

CITY OF WINTER HAVEN, FLORIDA

  
MAYOR-COMMISSIONER

ATTEST:

  
CITY CLERK

Approved as to form:

  
CITY ATTORNEY



**EXHIBIT 2**

**LEGAL DESCRIPTION: CONTINUED FROM SHEET 2**

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 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 3858.43 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.

**SHEET 3 OF 9**

(SEE SHEETS 4-9 FOR SKETCH OF DESCRIPTION)

**SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.**

**SKETCH OF DESCRIPTION**

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

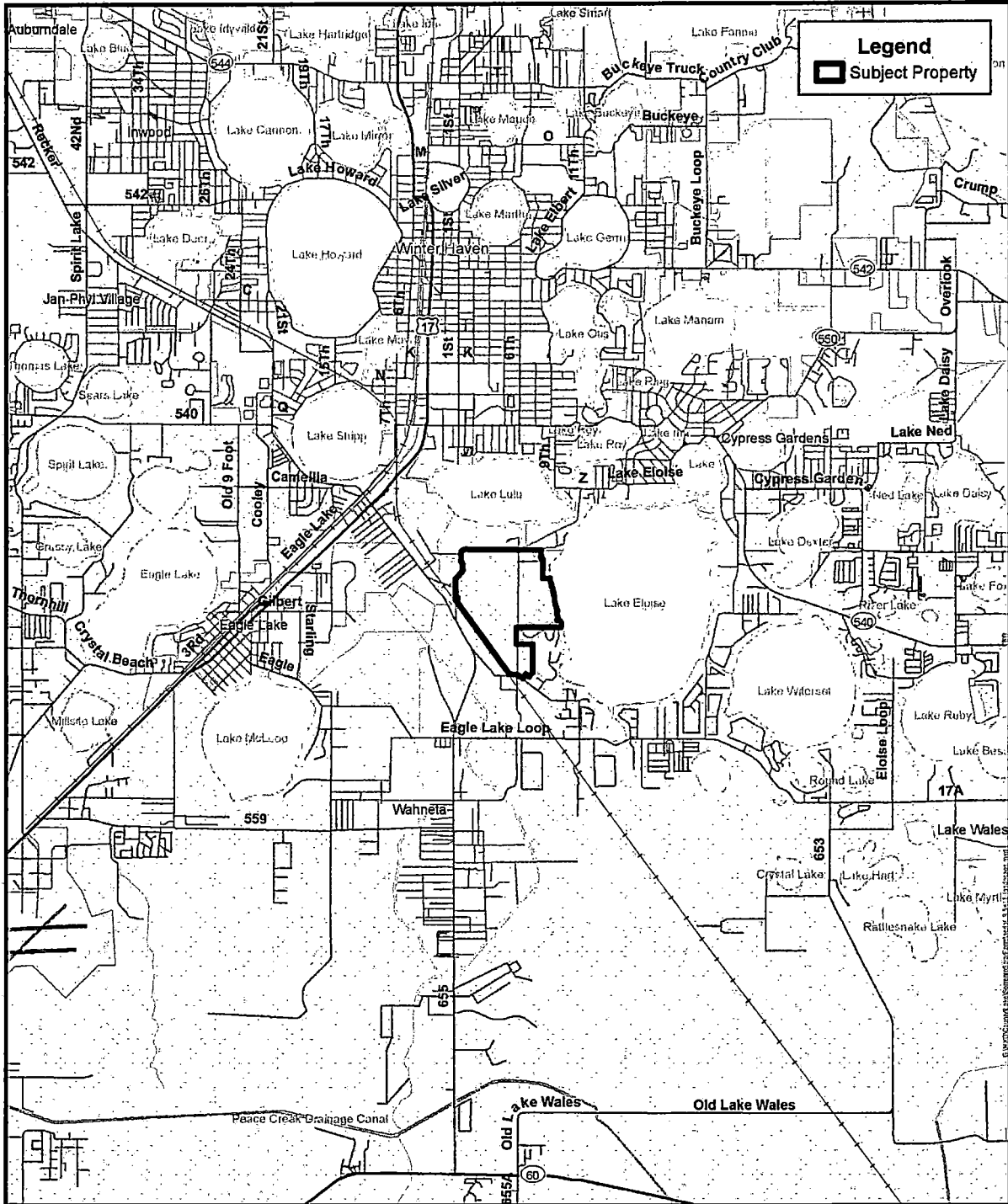
**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

PROJ: 50138735  
DRAWN BY: MRP  
CHECKED BY: RDD

Drawing name: S:\Employee\Luci\_Philip\Kalamant\_McPheish\_12816\Lake\_Eloise\_CDD\_smlsketch.dwg Sheet: 3 May 10, 2021 7:40am by: amsh08a

Exhibit "A"  
Page 3 of 3



**Harmony at Lake Eloise CDD**

Exhibit 1. General Location Map

Data Source: PCFA  
Image Source: ES&P



# **PETITION TO ESTABLISH HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT**

Submitted by:

Jere Earlywine  
Florida Bar No.155527  
[jeree@hgslaw.com](mailto:jeree@hgslaw.com)  
HOPPING GREEN & SAMS, P.A.  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301  
(850) 222-7500 (telephone)  
(850) 224-8551 (facsimile)



**BEFORE THE CITY COMMISSION FOR THE  
CITY OF WINTER HAVEN, FLORIDA**

**PETITION TO ESTABLISH A COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Forestar (USA) Real Estate Group, Inc. ("Petitioner"), hereby petitions the City Commission for the City of Winter Haven, Florida pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (2020), to establish a Community Development District ("District") with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within the City of Winter Haven, Florida, and covers approximately 354.37 acres of land, more or less. **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. The metes and bounds description of the external boundary of the proposed District is set forth in **Exhibit 2**.

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

3. Landowner Consents. Petitioner has obtained written consent to establish the proposed District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, Florida Statutes (2020). Consent to the establishment of a community development district is contained in **Exhibit 3**.

4. Initial Board Members. The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: Mary Moulton  
Address: 4042 Park Oaks Boulevard, Suite 200  
Tampa, Florida 33610

Name: John Wiggins  
Address: 4042 Park Oaks Boulevard, Suite 200  
Tampa, Florida 33610

Name: Roger Van Auker  
Address: 1064 Greenwood Boulevard, Suite 200  
Lake Mary, Florida 32746

Name: Chris Tyree  
Address: 1064 Greenwood Boulevard, Suite 200  
Lake Mary, Florida 32746

Name: Courtney Potter  
Address: 1064 Greenwood Boulevard, Suite 200  
Lake Mary, Florida 32746

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

5. Name. The proposed name of the District is the Harmony on Lake Eloise Community Development District.

6. Major Water and Wastewater Facilities. The existing major trunk water mains and wastewater interceptors within the proposed lands to be included within the District, if any, are reflected in **Exhibit 4**. **Exhibit 4** also demonstrates the planned water, wastewater and drainage plan for the lands to be included within the District.

7. District Facilities and Services. **Exhibit 5** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and install. The estimated costs of construction are also shown in **Exhibit 5**. At present, these improvements are estimated to be made, acquired, constructed and installed from 2022 to 2025. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

8. Existing and Future Land Uses. The existing land use is residential and commercial. The future general distribution, location and extent of the public and private land uses within and adjacent to the proposed District by land use plan element are shown in **Exhibit 6**. These proposed land uses are consistent with the applicable local Comprehensive Plan.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes (2020). The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in Florida. **Exhibit 8** identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should be sent to:

Jere Earlywine, Esq.  
HOPPING GREEN & SAMS, P.A.  
119 S. Monroe Street, Suite 300  
Tallahassee, FL 32301

11. This petition to establish the Harmony on Lake Eloise Community Development District should be granted for the following reasons:

- a. Establishment of the proposed District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the applicable local Comprehensive Plan.
- b. The area of land within the proposed District is part of a planned community. It is of sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.
- c. The establishment of the proposed District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the proposed development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the proposed District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.
- d. The community development services and facilities of the proposed District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the proposed District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the proposed District's services and facilities.
- e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the City Commission of the City of Winter Haven, Florida to:

- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;
- c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), Florida Statutes; and

d. grant such other relief as may be necessary or appropriate.

RESPECTFULLY SUBMITTED, this 29<sup>th</sup> day of June, 2021.

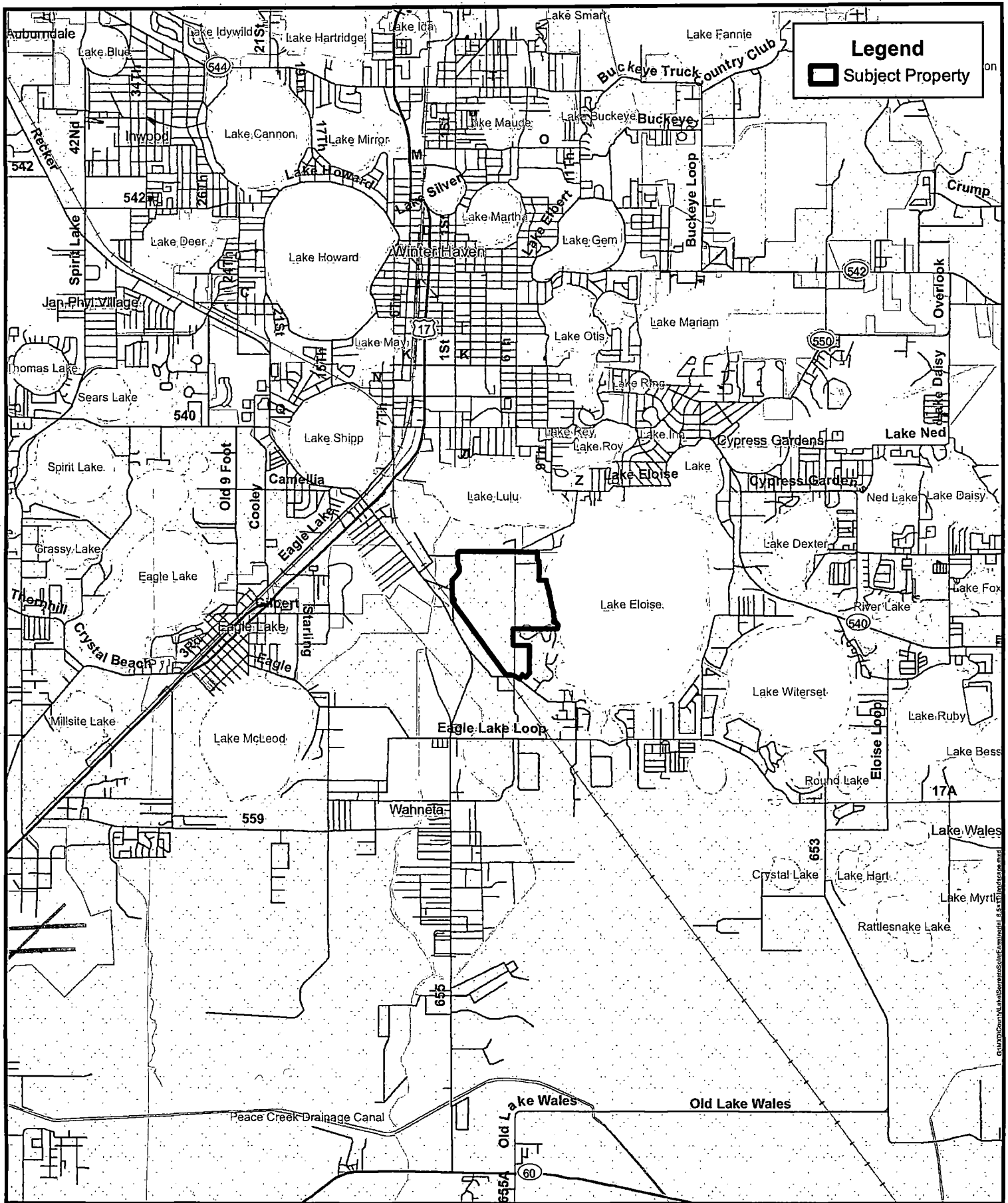
HOPPING GREEN & SAMS, P.A.



---

Jere Earlywine  
Florida Bar No. 155527  
HOPPING GREEN & SAMS, P.A.  
119 S. Monroe Street, Suite 300  
Tallahassee, Florida 32301  
(850) 222-7500 Telephone  
(850) 224-8551 Facsimile

# EXHIBIT 1



# Harmony at Lake Eloise CDD

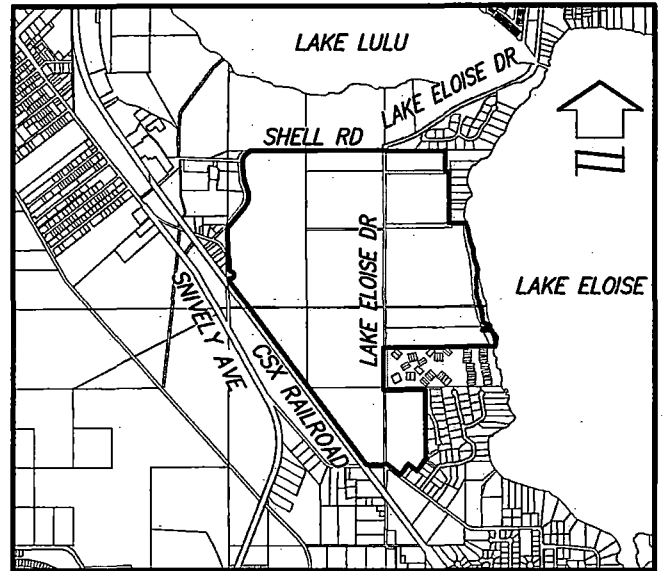
Exhibit 1. General Location Map




Data Source: PCPA  
Image Source: ESRI


# EXHIBIT 2

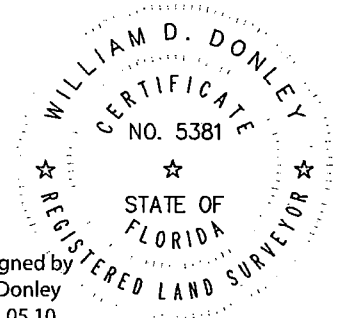
# EXHIBIT 2



**VICINITY MAP**  
**NOT TO SCALE**

### SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM; WEST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983; WITH 2011 ADJUSTMENT AND DERIVING A BEARING OF N89°49'14"E ALONG THE NORTH LINE OF THE SW 1/4 OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 26 EAST.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
3. THIS SKETCH OF DESCRIPTION MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
4. THIS IS NOT A BOUNDARY SURVEY.
5. THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062(3)
6. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WILLIAM D. DONLEY, PSM 5381, ON 05/10/2021 PER FAC 5J-17.062(2).



**William  
D Donley**

Digitally signed by  
William D Donley  
Date: 2021.05.10  
08:00:50 -04'00'

WILLIAM D. DONLEY \_\_\_\_\_ DATE  
 PROFESSIONAL SURVEYOR & MAPPER  
 LICENSE NUMBER LS 5381  
 NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED  
 SURVEYOR AND MAPPER

**SHEET 1 OF 9**

**SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.**

**SKETCH OF DESCRIPTION**

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



## Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD



# EXHIBIT 2

## LEGAL DESCRIPTION:

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;

CONTINUED ON SHEET 3

SHEET 2 OF 9

(SEE SHEETS 4-9 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

Drawing name: S:\Employee\Mike Phillips\Autasave\Ac-Publish-12616\Lake Eloise\_CDD\_svr\sketch.dwg Sheet 2 May 10, 2021 7:40am by: mphilips

# EXHIBIT 2

## LEGAL DESCRIPTION: CONTINUED FROM SHEET 2

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 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 OF 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.

SHEET 3 OF 9

(SEE SHEETS 4-9 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-

### HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



## Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

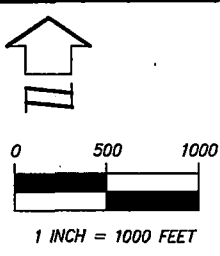
CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

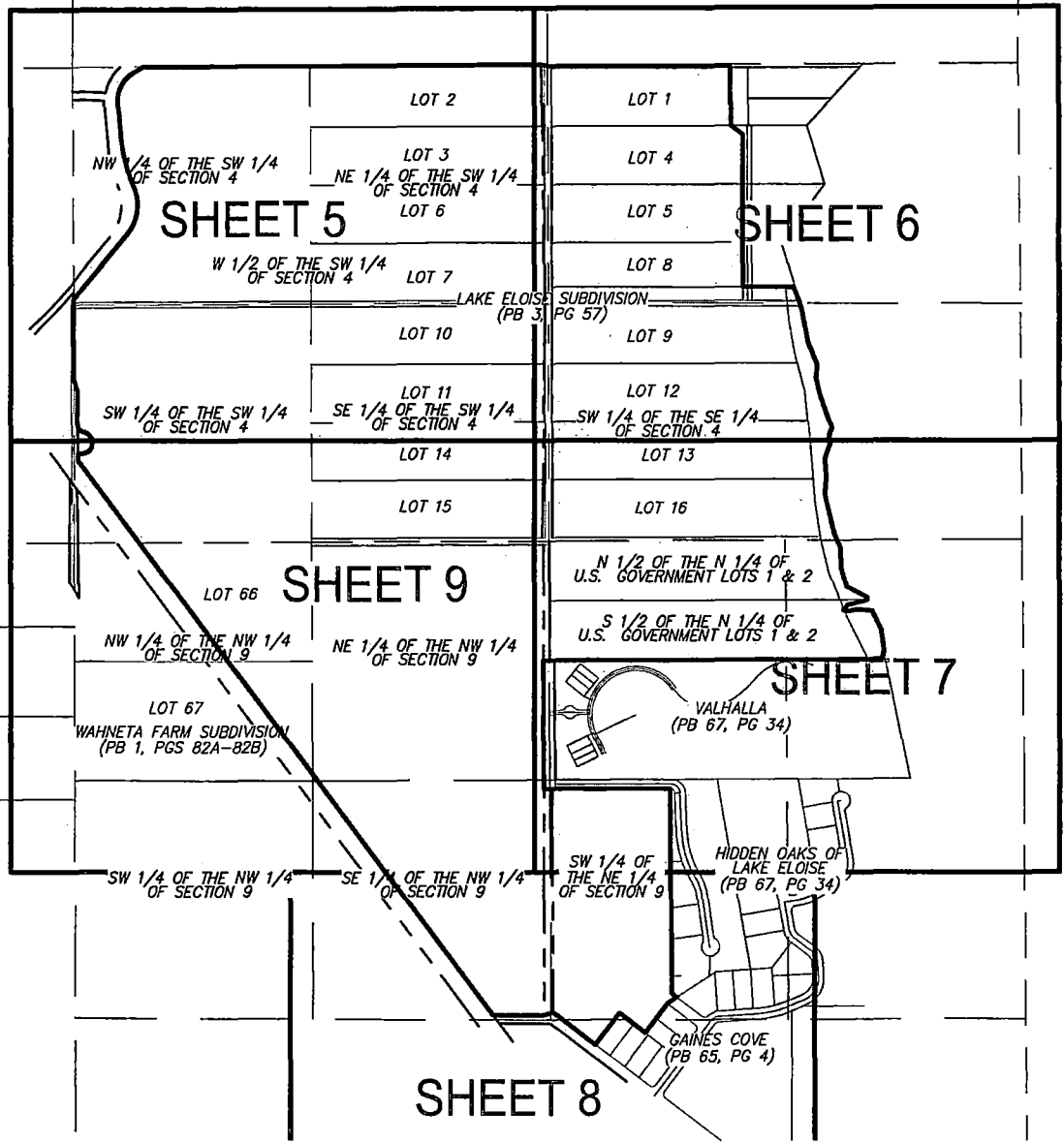
PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD



# EXHIBIT 2

## LEGEND:

- LINE BREAK
- ± MORE OR LESS
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PCC POINT OF COMPOUND CURVATURE
- PNT POINT OF NON-TANGENCY
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG(S) PAGE(S)
- DB DEED BOOK
- MB MAP BOOK
- L LENGTH
- R RADIUS
- ∠ CENTRAL ANGLE
- CB CHORD BEARING
- CH CHORD LENGTH
- SF SQUARE FEET
- AC ACRES
- ↻ CHANGE IN DIRECTION
- CM CONCRETE MONUMENT
- ELEV ELEVATION
- F.D.E.P. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
- ID IDENTIFICATION
- IR IRON ROD
- NAVD88 NORTH AMERICAN VERTICAL DATUM 1988
- S.R. STATE ROAD



SHEET 4 OF 9

(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

### SKETCH OF DESCRIPTION

-OF-

### HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



## Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

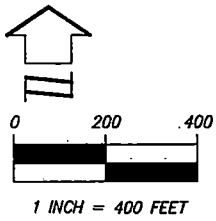
PREPARED FOR:  
**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 1000'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

Drawing name: S:\\_Employee\Mike Phillips\Autosave\AcPublish\_12616\Lake Eloise\_CDD\_sursketch.dwg Sheet 4 May 10, 2021 7:40am by: mphilips

# EXHIBIT 2



**POINT OF COMMENCEMENT**  
 NW CORNER OF THE  
 SW 1/4 OF SECTION 4  
 FOUND 4"X4" CM WITH  
 5/8" IR (NO ID)

N LINE OF THE SW 1/4 OF SECTION 4  
**SHELL ROAD**  
 PAVED ROAD  
 N89°49'14"E 2223.24'

(BEARING BASIS)  
 N89°49'14"E  
 397.29'

**POINT OF BEGINNING**

LOT 2  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 3  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

NE 1/4 OF THE SW 1/4  
 OF SECTION 4

LOT 6  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 7  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 10  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 11  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

SE 1/4 OF THE SW 1/4  
 OF SECTION 4

**CONTAINS:**  
 ±354.37 AC

N60°34'30"E 58.02'

L=213.39' R=185.37' Δ=65°57'23"  
 CB=N27°35'49"E CH=201.80

L=227.91' R=783.51' Δ=16°40'00"  
 CB=N13°42'53"W CH=227.11

**SHELL ROAD**  
 (R/W WIDTH VARIES)  
 PER DB 949, PG 327

L=276.34' R=255.37' Δ=62°00'00"  
 CB=N08°57'07"E CH=263.05'

EASTERLY R/W OF SHELL ROAD W 1/2 OF THE SW 1/4  
 PER DB 949, PG 327 OF SECTION 4

L=18.67' R=1944.86' Δ=00°33'00"  
 CB=N40°49'33"E CH=18.67'

NW 1/4 OF THE SW 1/4  
 OF SECTION 4

W LINE OF THE NW 1/4 OF THE SW  
 1/4 OF SECTION 4

**CROTON ROAD**  
 (R/W WIDTH VARIES PER  
 MB 14, PG 26 & 27)

SW 1/4 OF  
 THE SW 1/4  
 OF SECTION 4

EASTERLY MAINTAINED R/W LINE

L=47.48' R=40.00' Δ=68°00'33"  
 CB=N45°18'24"W CH=44.74'

L=177.43' R=60.00' Δ=169°25'56"  
 CB=N05°24'17"E CH=119.49'

N05°22'53"W  
 197.64'

N22°02'53"W  
 50.39'

N39°57'07"E  
 406.17'

N41°06'03"E  
 40.45'

N00°09'09"W 189.88'

N16°46'45"W 73.45'

N00°10'44"W  
 448.91'

MATCH LINE "A" - SEE SHEET 6

MATCH LINE "E" - SEE SHEET 9

SHEET 5 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
 (SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**HARMONY ON LAKE ELOISE  
 COMMUNITY DEVELOPMENT  
 DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
 ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
 WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

**FORESTAR REAL  
 ESTATE GROUP**

DATE: 04/06/2021  
 REV DATE:  
 SCALE 1" = 400'

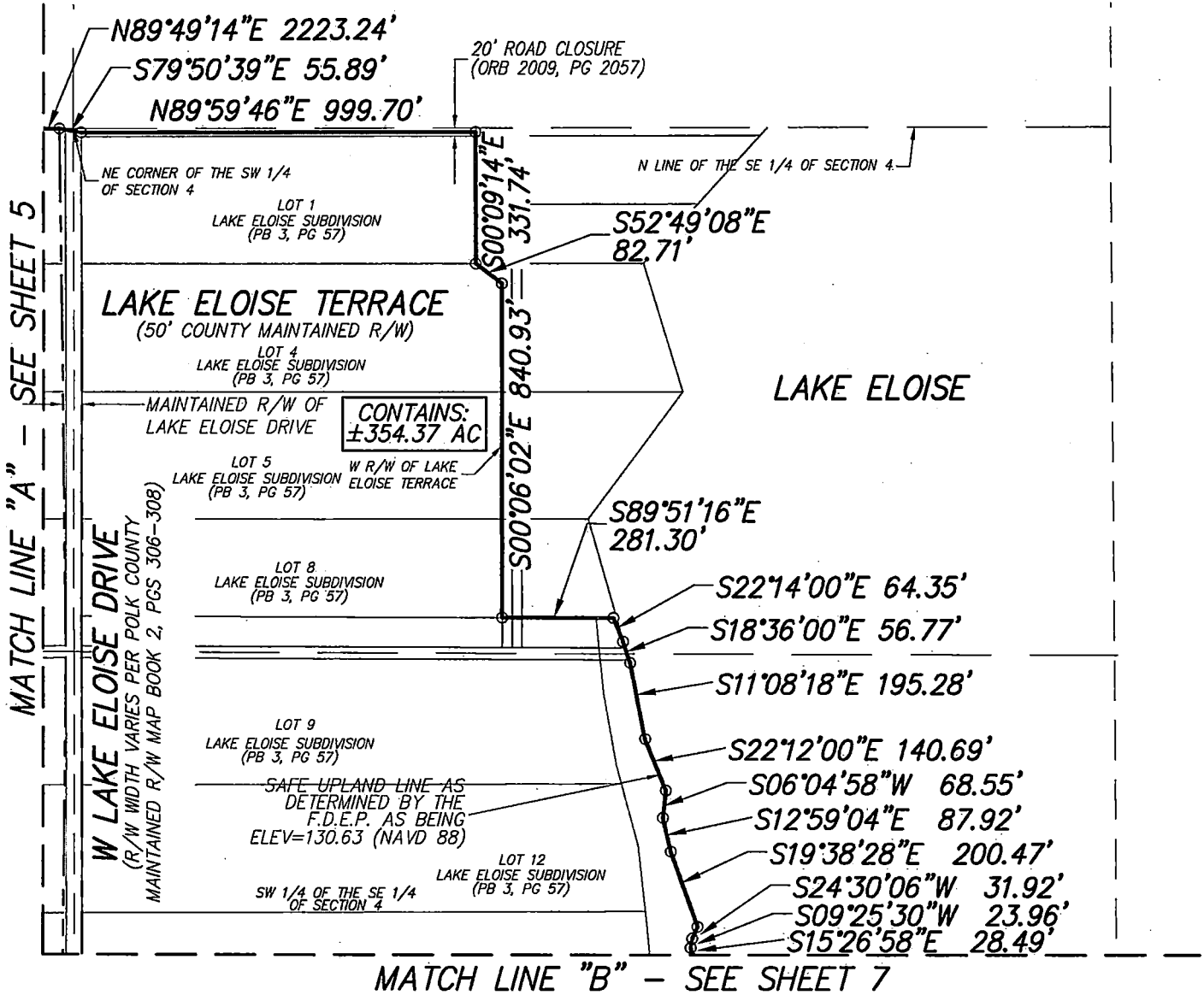
PROJ: 50138736  
 DRAWN BY: MRP  
 CHECKED BY: WDD



# EXHIBIT 2



1 INCH = 400 FEET



MATCH LINE "B" - SEE SHEET 7

SHEET 6 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



# Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

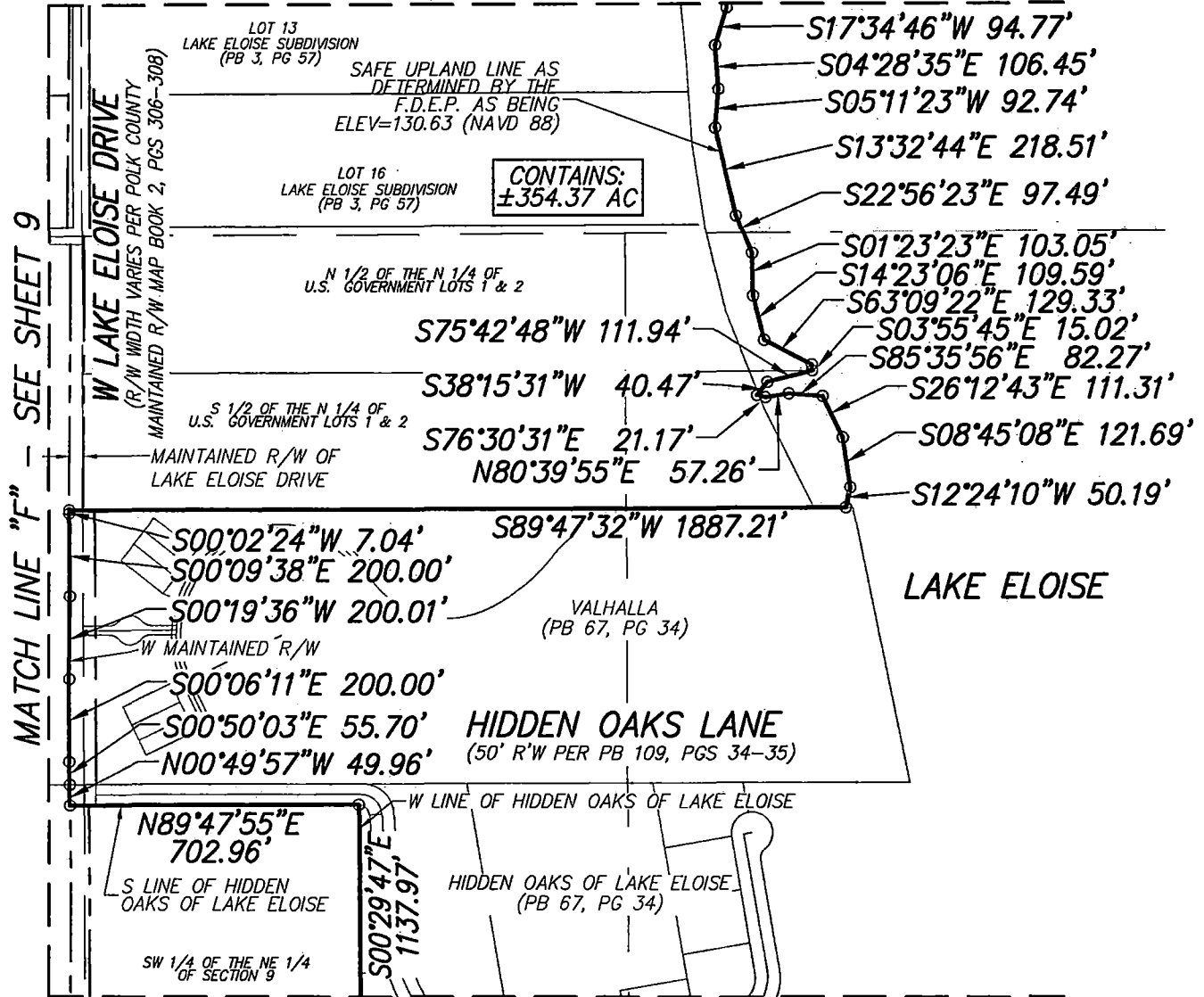
PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD



# EXHIBIT 2

1 INCH = 400 FEET

MATCH LINE "B" - SEE SHEET 6



MATCH LINE "C" - SEE SHEET 8  
SHEET 7 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEET 1 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

## SKETCH OF DESCRIPTION

-OF-

### HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



## Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104

WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

### FORESTAR REAL ESTATE GROUP

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

Drawing name: S:\Employee\Mike Phillips\Autosave\AcPublish\12616\Lake Eloise\_CDD\_sursketch.dwg Sheet 7 May 10, 2021 7:40am by: mphilips

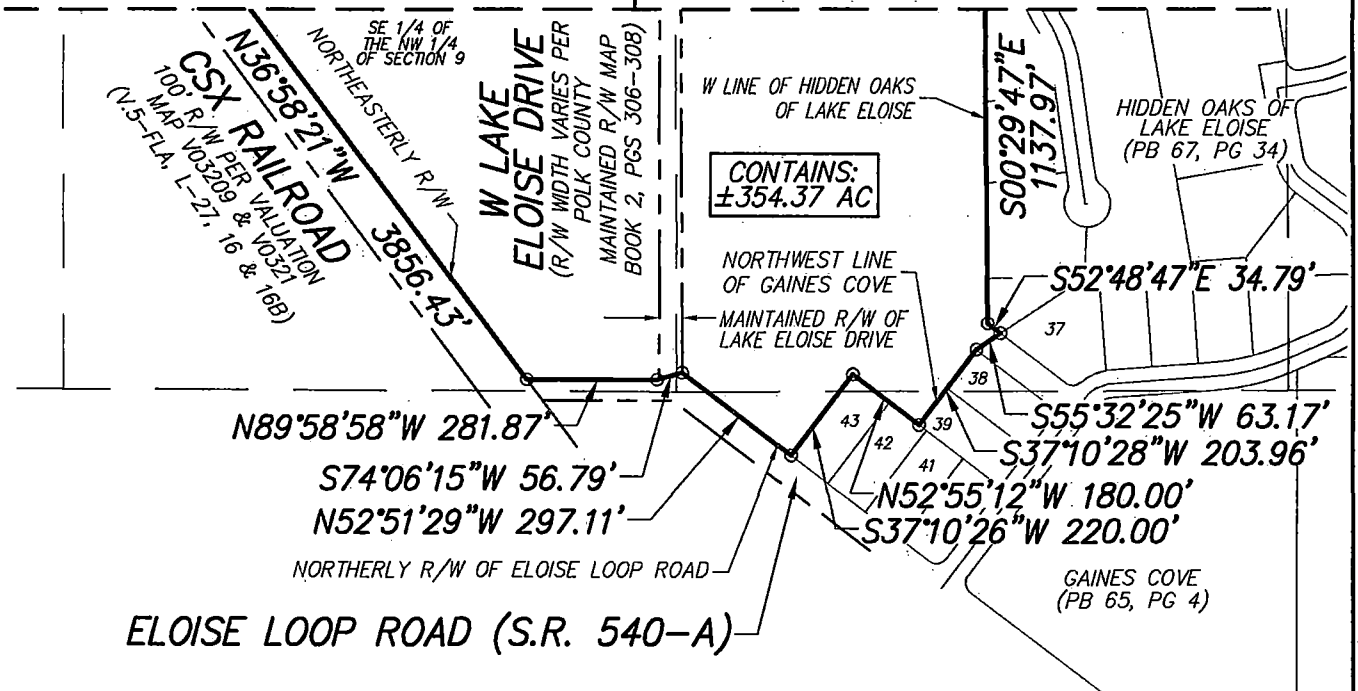
# EXHIBIT 2



1 INCH = 400 FEET

MATCH LINE "D" - SEE SHEET 9

MATCH LINE "C" - SEE SHEET 7



SHEET 8 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

## SKETCH OF DESCRIPTION

-OF-

### HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



## Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

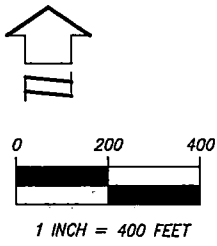
PREPARED FOR:

### FORESTAR REAL ESTATE GROUP

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

# EXHIBIT 2



**CROTON ROAD**  
(R/W WIDTH VARIES PER  
MB 14, PG 26 & 27)  
PAVED ROAD

MATCH LINE "E" - SEE SHEET 5

S89°52'45"E 20.16'  
N00°08'53"W 37.70'

EASTERLY MAINTAINED RIGHT OF WAY LINE

L=177.43'  
R=60.00'  
Δ=169°25'56"  
CB=N05°24'17"E  
CH=119.49'

LOT 14  
LAKE ELOISE SUBDIVISION  
(PB 3, PG 57)

LOT 15  
LAKE ELOISE SUBDIVISION  
(PB 3, PG 57)

LOT 66  
WAHNETA FARM SUBDIVISION  
(PB 1, PGS 82A-82B)

CONTAINS:  
±354.37 AC

NW 1/4 OF THE NW 1/4  
OF SECTION 9

NE 1/4 OF THE NW 1/4  
OF SECTION 9

LOT 67  
WAHNETA FARM SUBDIVISION  
(PB 1, PGS 82A-82B)

N36°58'21"W 3856.43'  
NORTHEASTERLY R/W  
CSX RAILROAD  
100' R/W PER VALUATION  
MAP NO.3209 & V0321  
(N.S.-FLA. L-27, 16 & 18B)

SW 1/4 OF THE NW 1/4  
OF SECTION 9

MATCH LINE "D" - SEE SHEET 8  
SHEET 9 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

MATCH LINE "F" - SEE SHEET 7

Drawing name: S:\\_Employee\Mike Phillips\Autosave\Ac-Publish\12616\Lake Eloise\_CDD\_sursketch.dwg Sheet 9 May 10, 2021 7:40am by: mphilips

## SKETCH OF DESCRIPTION

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:  
**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD



# EXHIBIT 3

This instrument was prepared by and  
upon recording should be returned to:

HOPPING GREEN & SAMS, P.A.  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301

---

**Consent and Joinder of Landowner  
to the Establishment of a Community Development District  
[HARMONY ON LAKE ELIOSE COMMUNITY DEVELOPMENT DISTRICT]**

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

As an owner of lands that are intended to constitute all or a part of the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of a Community Development District that will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, whichever shall first occur. The undersigned further agrees that this consent shall be deemed to run with the Property and be binding upon the owner and its successors and assigns as to the Property or portions thereof.

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

[SIGNATURE PAGE TO FOLLOW]

Executed this 2 day of June, 2021.

FORESTAR (USA) REAL ESTATE GROUP INC.

Witnessed:

[Signature]  
Print Name: CARRIE SPENGLER

[Signature]  
Print Name: Alyse Gray Lewis

[Signature]  
By: James D. Allen  
Its: Executive Vice President & CFO

Texas  
STATE OF FLORIDA  
COUNTY OF Tarrant

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2<sup>nd</sup> day of June, 2021, by James D. Allen, as CFO of Forestar (USA) Real Estate Group, Inc. on its behalf. He  is personally known to me or  produced \_\_\_\_\_ as identification.

[Signature]  
Notary Public, State of Texas

Exhibit A: Legal Description

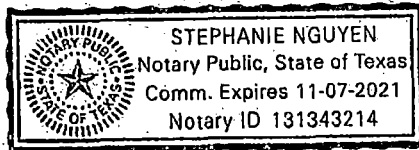
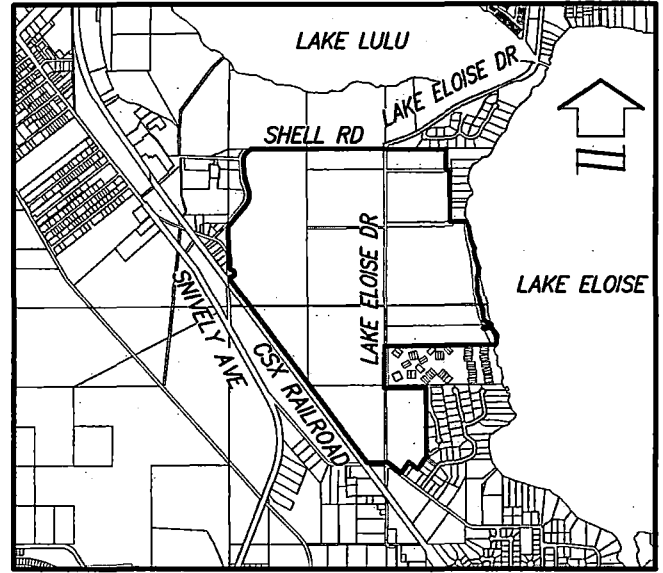


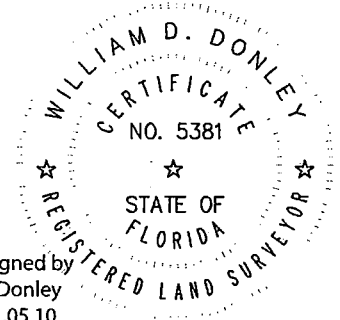
EXHIBIT 2



VICINITY MAP  
NOT TO SCALE

SURVEY NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM; WEST ZONE, NORTH AMERICAN DATUM (NAD) OF 1983; WITH 2011 ADJUSTMENT AND DERIVING A BEARING OF N89°49'14"E ALONG THE NORTH LINE OF THE SW 1/4 OF SECTION 4, TOWNSHIP 29 SOUTH, RANGE 26 EAST.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, ADJOINERS OR OTHER INSTRUMENTS OF RECORD.
3. THIS SKETCH OF DESCRIPTION MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE.
4. THIS IS NOT A BOUNDARY SURVEY.
5. THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062(3)
6. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY WILLIAM D. DONLEY, PSM 5381, ON 05/10/2021 PER FAC 5J-17.062(2).



William  
D Donley

Digitally signed by  
William D Donley  
Date: 2021.05.10  
08:00:50 -04'00'

WILLIAM D. DONLEY  
PROFESSIONAL SURVEYOR & MAPPER  
LICENSE NUMBER LS 5381  
DATE  
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 1 OF 9

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

FORESTAR REAL  
ESTATE GROUP

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

# EXHIBIT 2

## LEGAL DESCRIPTION:

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;

CONTINUED ON SHEET 3

SHEET 2 OF 9

(SEE SHEETS 4-9 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

# EXHIBIT 2

## LEGAL DESCRIPTION: CONTINUED FROM SHEET 2

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 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.

SHEET 3 OF 9

(SEE SHEETS 4-9 FOR SKETCH OF DESCRIPTION)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

**HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = N/A

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

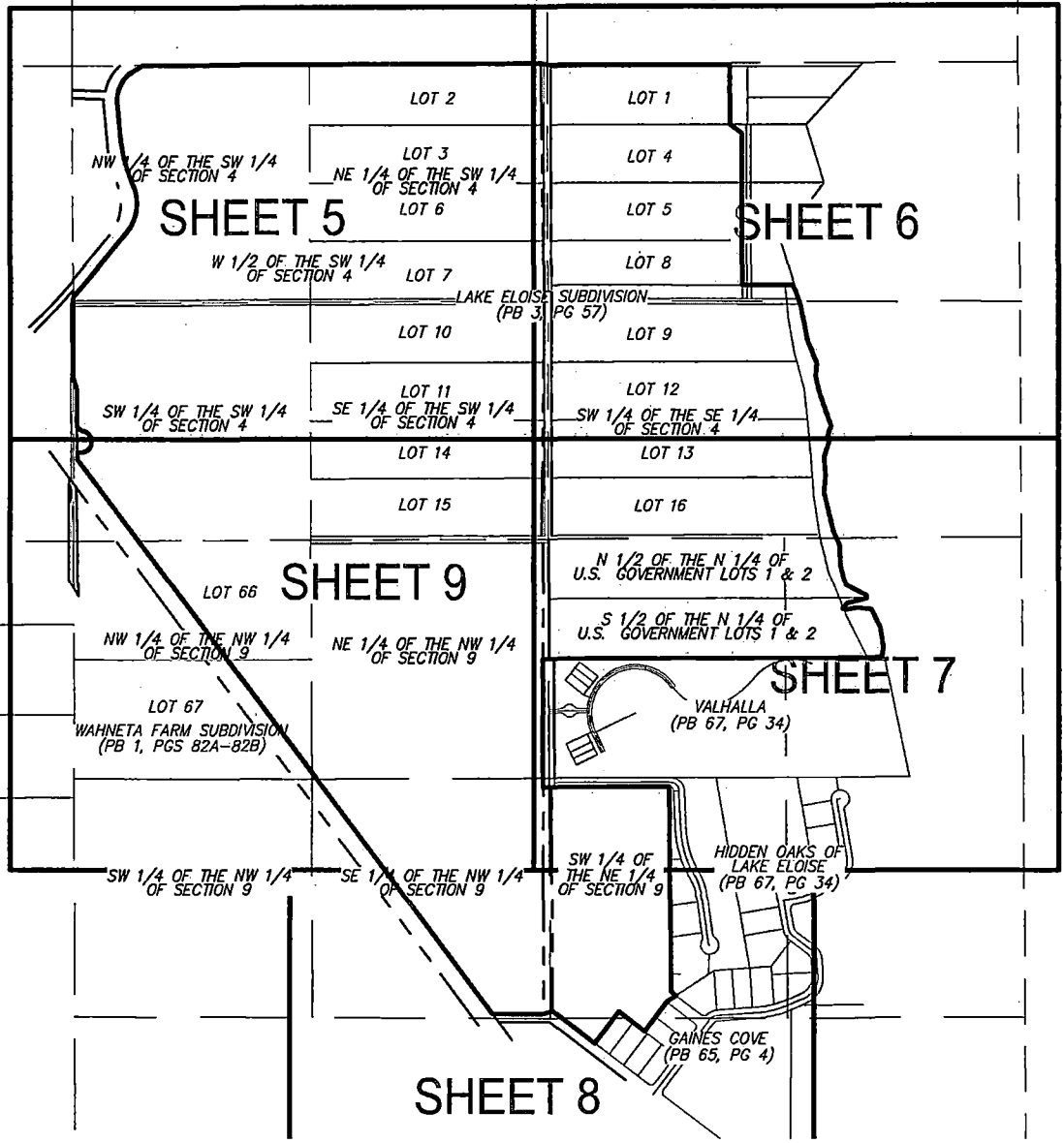
# EXHIBIT 2



1 INCH = 1000 FEET

## LEGEND:

- LINE BREAK
- ± MORE OR LESS
- PC POINT OF CURVATURE
- PRC POINT OF REVERSE CURVATURE
- PCC POINT OF COMPOUND CURVATURE
- PNT POINT OF NON-TANGENCY
- PT POINT OF TANGENCY
- R/W RIGHT OF WAY
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG(S) PAGE(S)
- DB DEED BOOK
- MB MAP BOOK
- L LENGTH
- R RADIUS
- Δ CENTRAL ANGLE
- CB CHORD BEARING
- CH CHORD LENGTH
- SF SQUARE FEET
- AC ACRES
- CHANGE IN DIRECTION
- CM CONCRETE MONUMENT
- ELEV ELEVATION
- F.D.E.P. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
- ID IDENTIFICATION
- IR IRON ROD
- NAVD88 NORTH AMERICAN VERTICAL DATUM 1988
- S.R. STATE ROAD




SHEET 4 OF 9

(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

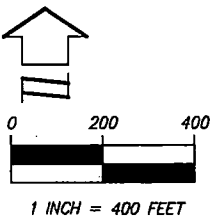
SKETCH OF DESCRIPTION  
 —OF—  
**HARMONY ON LAKE ELOISE  
 COMMUNITY DEVELOPMENT  
 DISTRICT**  
 SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST  
 POLK COUNTY FLORIDA

 **Dewberry**  
 131 WEST KALEY STREET  
 ORLANDO, FLORIDA 32806  
 PHONE: 321.354.9826 FAX: 407.648.9104  
 WWW.DEWBERRY.COM  
 CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:  
**FORESTAR REAL  
 ESTATE GROUP**  
 DATE: 04/06/2021  
 REV DATE:  
 SCALE 1" = 1000'  
 PROJ: 50138736  
 DRAWN BY: MRP  
 CHECKED BY: WDD

Drawing name: S:\Employee\Mike Phillips\Autosave\AcPublish\12616\Lake Eloise\_CDD\_sursketch.dwg Sheet 4 May 10, 2021 7:40am by: mphilips

# EXHIBIT 2

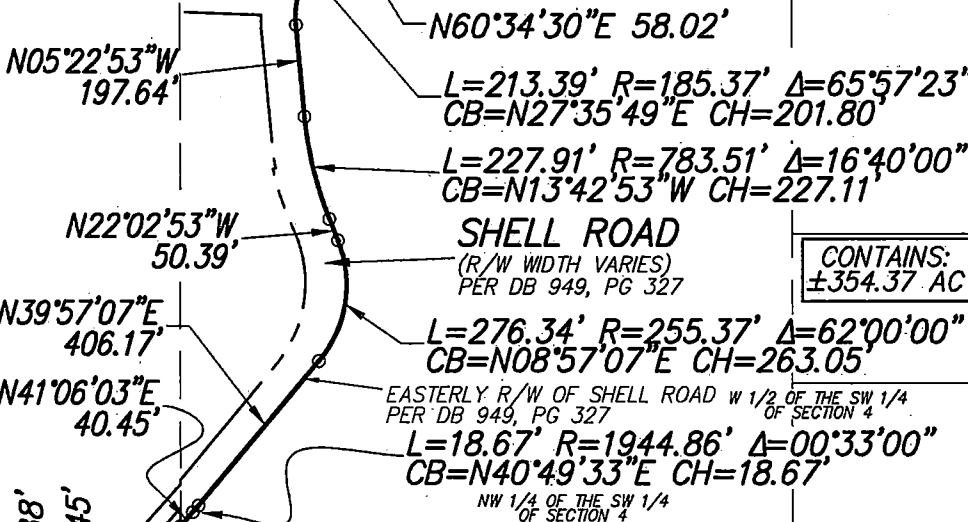


**POINT OF COMMENCEMENT**  
 NW CORNER OF THE  
 SW 1/4 OF SECTION 4  
 FOUND 4"X4" CM WITH  
 5/8" IR (NO ID)

(BEARING  
 BASIS)  
 N89°49'14"E  
 397.29'

**POINT OF BEGINNING**

N LINE OF THE SW 1/4 OF SECTION 4  
**SHELL ROAD**  
 PAVED ROAD  
 N89°49'14"E 2223.24'



LOT 2  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 3  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

NE 1/4 OF THE SW 1/4  
 OF SECTION 4

**CONTAINS:**  
 ±354.37 AC

LOT 6  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 7  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 10  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

LOT 11  
 LAKE ELOISE SUBDIVISION  
 (PB 3, PG 57)

SE 1/4 OF THE SW 1/4  
 OF SECTION 4

W LINE OF THE NW 1/4 OF THE SW  
 1/4 OF SECTION 4  
**CROTON ROAD**  
 (R/W WIDTH VARIES PER  
 MB 14, PG 26 & 27)  
 SW 1/4 OF  
 THE SW 1/4  
 OF SECTION 4

EASTERLY MAINTAINED R/W LINE  
 L=47.48' R=40.00' Δ=68°00'33"  
 CB=N45°18'24"W CH=44.74'  
 L=177.43' R=60.00' Δ=169°25'56"  
 CB=N05°24'17"E CH=119.49'

MATCH LINE "E" - SEE SHEET 9

MATCH LINE "A" - SEE SHEET 6

SHEET 5 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
 (SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION  
 -OF-  
**HARMONY ON LAKE ELOISE  
 COMMUNITY DEVELOPMENT  
 DISTRICT**

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY FLORIDA



131 WEST KALEY STREET  
 ORLANDO, FLORIDA 32806  
 PHONE: 321.354.9826 FAX: 407.648.9104  
 WWW.DEWBERRY.COM  
 CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:  
**FORESTAR REAL  
 ESTATE GROUP**

DATE: 04/06/2021  
 REV DATE:  
 SCALE 1" = 400'

PROJ: 50138736  
 DRAWN BY: MRP  
 CHECKED BY: WDD

Drawing name: S:\\_Employees\Mike Phillips\Autosave\AcPublish\_12616\Lake Eloise\_CDD\_sursketch.dwg Sheet 5 May 10, 2021 7:40am by: mphillips

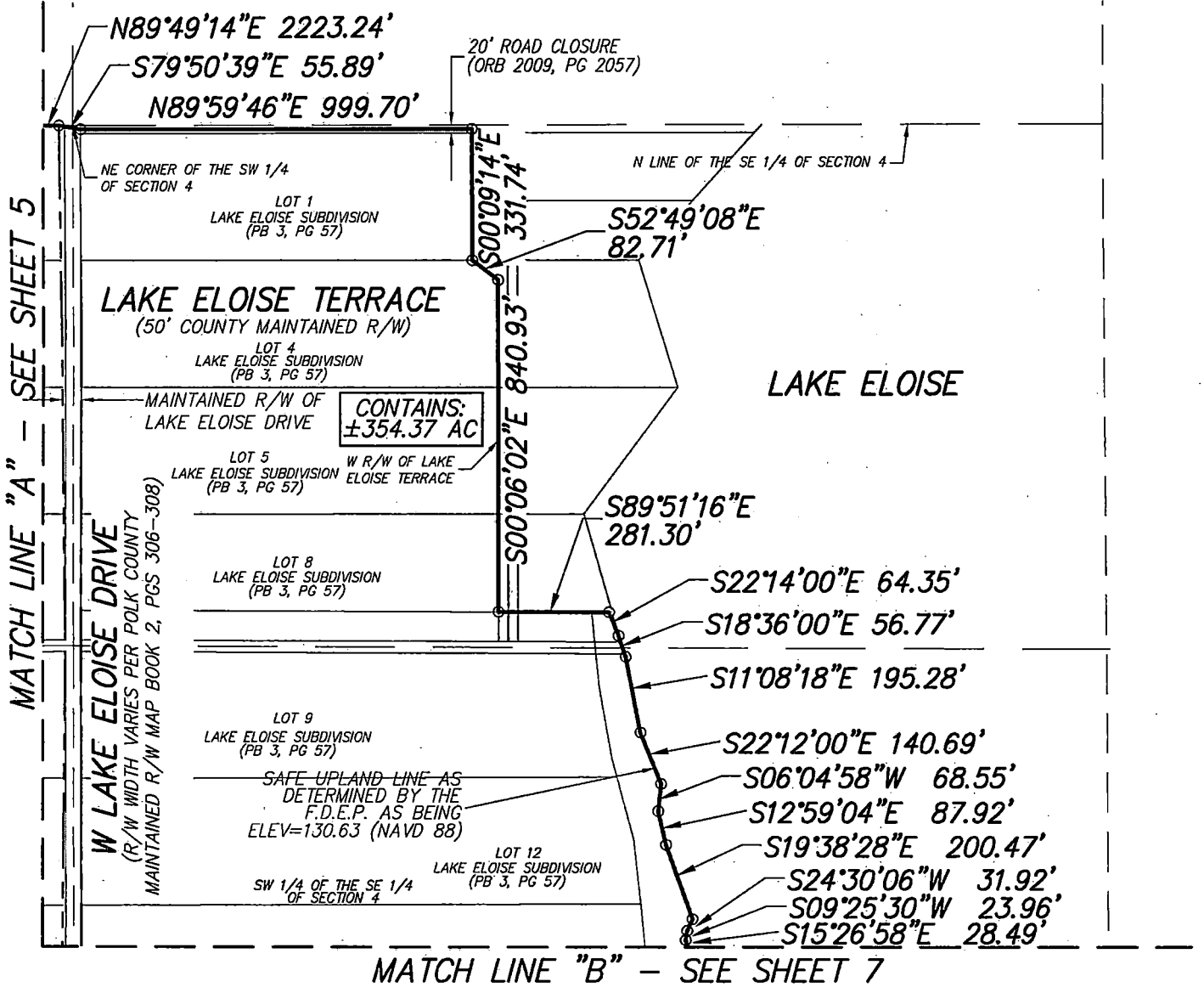




# EXHIBIT 2



1 INCH = 400 FEET



SHEET 6 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

## SKETCH OF DESCRIPTION

-OF-

### HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



# Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

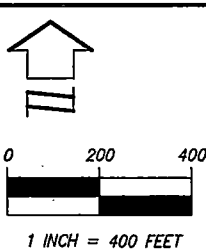
CERTIFICATE OF AUTHORIZATION No. LB 8011

PREPARED FOR:

**FORESTAR REAL  
ESTATE GROUP**

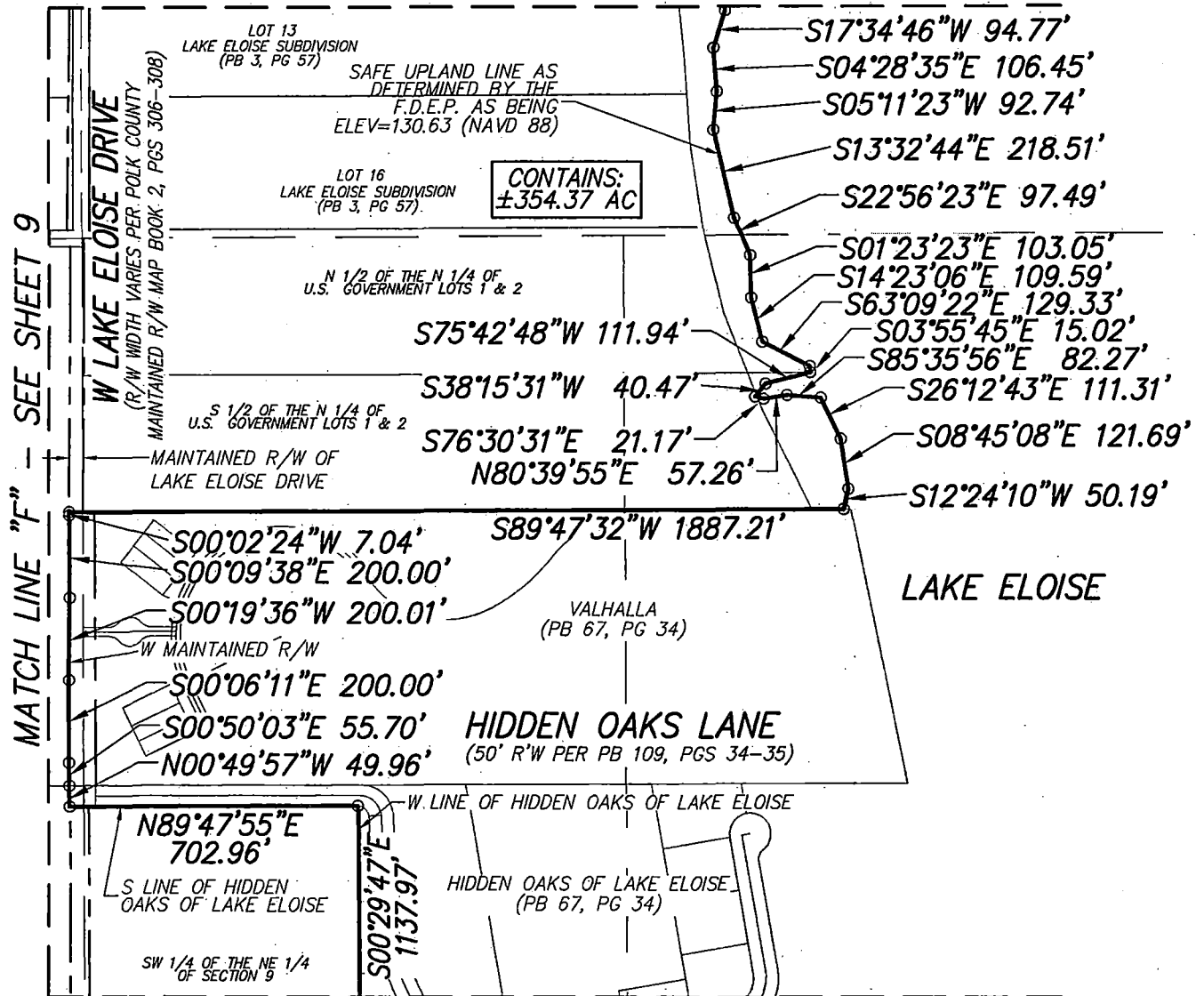
DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD



# EXHIBIT 2

MATCH LINE "B" - SEE SHEET 6



MATCH LINE "C" - SEE SHEET 8  
SHEET 7 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEET 1 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION  
- OF -  
HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



## Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:  
FORESTAR REAL  
ESTATE GROUP

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

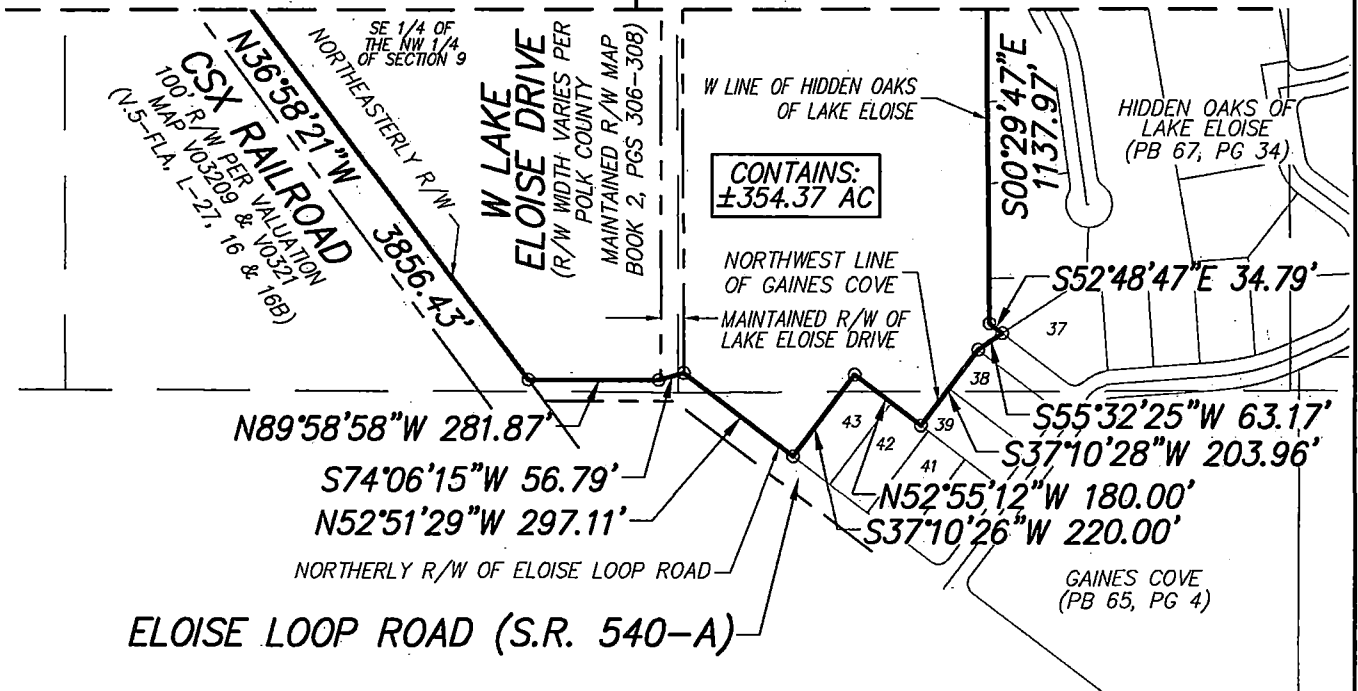
# EXHIBIT 2



1 INCH = 400 FEET

MATCH LINE "D" - SEE SHEET 9

MATCH LINE "C" - SEE SHEET 7



SHEET 8 OF 9

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

## SKETCH OF DESCRIPTION

-OF-

### HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



# Dewberry

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806  
PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM  
CERTIFICATE OF AUTHORIZATION No. LB 8011

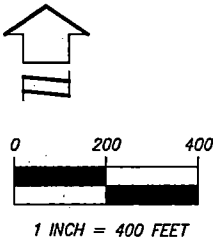
PREPARED FOR:

FORESTAR REAL  
ESTATE GROUP

DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'

PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

# EXHIBIT 2



**CROTON ROAD**  
(R/W WIDTH VARIES PER  
MB 14, PG 26 & 27)  
PAVED ROAD

MATCH LINE "E" - SEE SHEET 5

S89°52'45"E 20.16'  
N00°08'53"W 37.70'

EASTERLY MAINTAINED RIGHT OF WAY LINE

L=177.43'  
R=60.00'  
Δ=169°25'56"  
CB=N05°24'17"E  
CH=119.49'

LOT 14  
LAKE ELOISE SUBDIVISION  
(PB 3, PG 57)

LOT 15  
LAKE ELOISE SUBDIVISION  
(PB 3, PG 57)

LOT 66  
WAHNETA FARM SUBDIVISION  
(PB 1, PGS 82A-82B)

CONTAINS:  
±354.37 AC

NW 1/4 OF THE NW 1/4  
OF SECTION 9

NE 1/4 OF THE NW 1/4  
OF SECTION 9

LOT 67  
WAHNETA FARM SUBDIVISION  
(PB 1, PGS 82A-82B)

N36°58'21"W 3856.43'  
NORTHEASTERLY R/W  
CSX RAILROAD  
100' R/W PER VALUATION  
MAP V03209 & V0321  
(V-5-FLA, L-27, 16 & 18B)

SW 1/4 OF THE NW 1/4  
OF SECTION 9

MATCH LINE "D" - SEE SHEET 8  
SHEET 9 OF 9

MATCH LINE "F" - SEE SHEET 7

SEE SHEET 4 FOR LEGEND/ABBREVIATIONS  
(SEE SHEETS 2-3 FOR DESCRIPTION OF SKETCH)

SKETCH OF DESCRIPTION ONLY. THIS IS NOT A SURVEY.

SKETCH OF DESCRIPTION

-OF-

HARMONY ON LAKE ELOISE  
COMMUNITY DEVELOPMENT  
DISTRICT

SECTIONS 4 & 9, TOWNSHIP 29 SOUTH, RANGE 26 EAST

POLK COUNTY

FLORIDA



**Dewberry**

131 WEST KALEY STREET  
ORLANDO, FLORIDA 32806

PHONE: 321.354.9826 FAX: 407.648.9104  
WWW.DEWBERRY.COM

CERTIFICATE OF AUTHORIZATION NO. LB 8011

PREPARED FOR:

FORESTAR REAL  
ESTATE GROUP

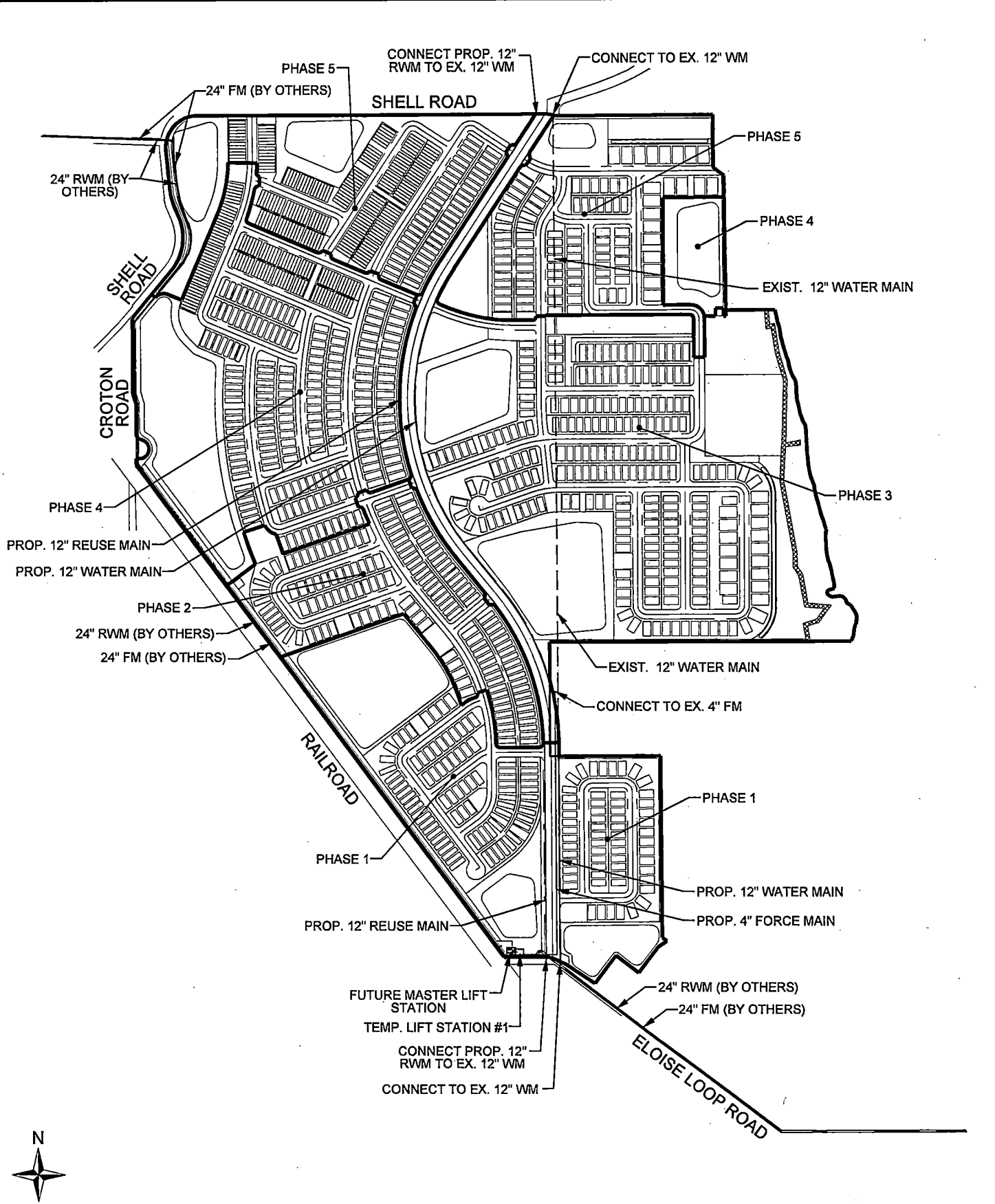
DATE: 04/06/2021  
REV DATE:  
SCALE 1" = 400'


PROJ: 50138736  
DRAWN BY: MRP  
CHECKED BY: WDD

# EXHIBIT 4

Q:\HALECCDD\_50138736\CAD\CIVIL\EXISTING\2021\HALE CDD Utility.dgn

3:53:05 PM



	TYPE: EXHIBIT	<b>HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT</b>	<b>EXISTING UTILITY SYSTEM &amp; PROPOSED CONNECTIONS</b>
	DATE: APRIL 2021		
	PROJECT NO.: 50138736		
	DRAWN BY: SKH		
	CHECKED BY: NPS		
SCALE: 1" = 800'	800 NORTH MAGNOLIA AVENUE - SUITE 1000 - ORLANDO, FLORIDA 32803 407-843-5120 - ENGINEERING BUSINESS - 8794		
SHEET: 1 OF 1			

# EXHIBIT 5

**Lake Eloise Phases 1-5**

**Proposed Facilities**

Stormwater System	\$7,503,265
Sanitary Sewer	\$3,552,481
Water Distribution System	\$2,534,530
Reclaim Distribution System	\$1,745,143
Electrical Conduit	\$1,614,375
Landscape/ Hardscape/Irrigation	\$2,608,885
On-Site Public Roadway Improvements	\$7,377,471
Off-Site Public Roadway Improvements	\$550,000
Contingency 15%	\$4,122,922
Total	\$31,609,072
Consultant Fees	\$2,206,625
<b>Grand Total</b>	<b>\$33,815,697</b>

Fine grading excluded

Amenity or pool excluded

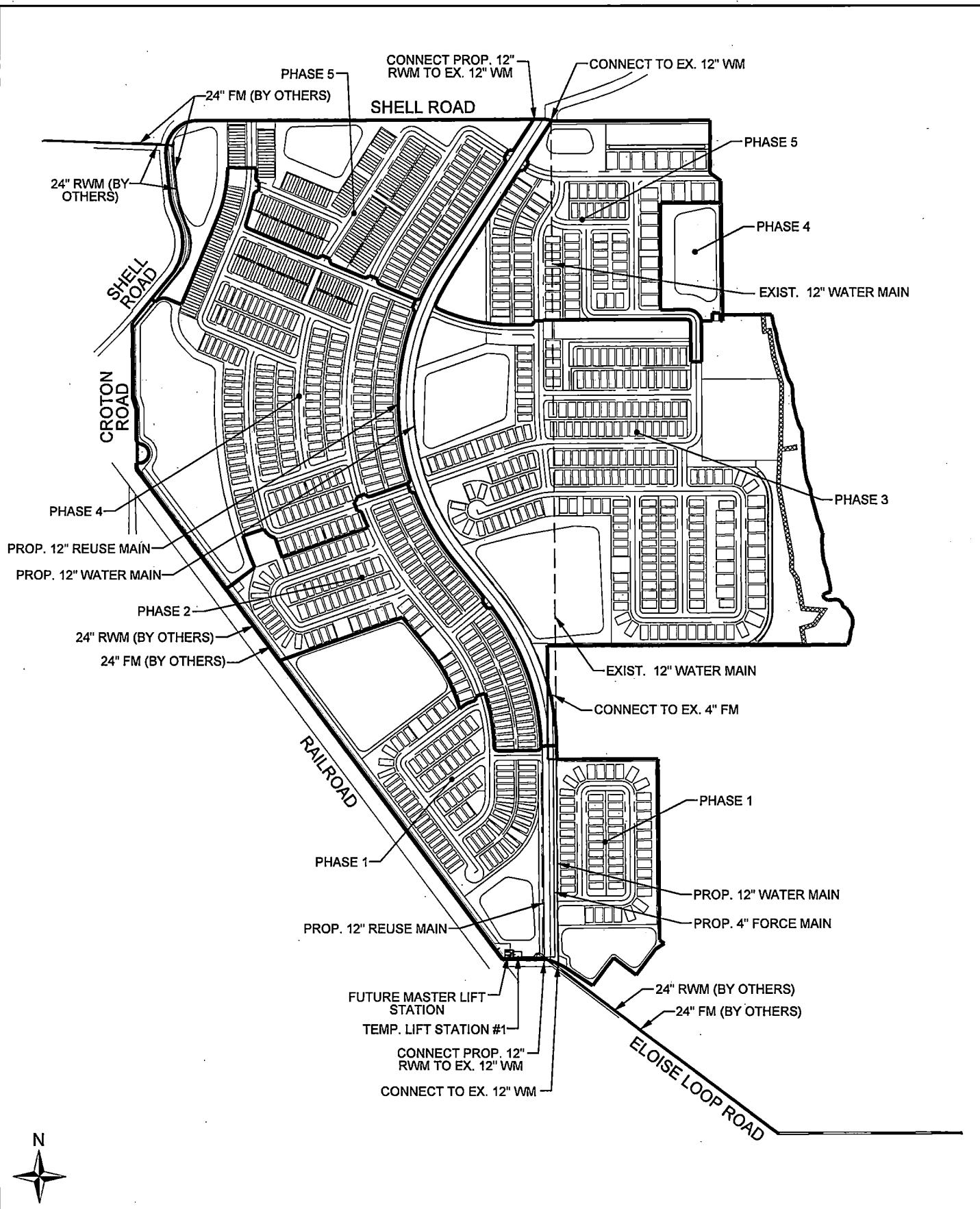
<b>Improvement</b>	<b>Financing Entity</b>	<b>Ownership and Operations Entity</b>
Stormwater System	CDD	CDD
Sanitary Sewer	CDD	City of Winter Haven
Water Distribution System	CDD	City of Winter Haven
Reclaim Distribution System	CDD	City of Winter Haven
Electrical Conduit	CDD	CDD
Landscape/Hardscape/Irrigation	CDD	CDD
On-Site Public Roadway Improvements	CDD	City of Winter Haven
Off-Site Public Roadway Improvements	CDD	City of Winter Haven




# EXHIBIT 6

Q:\HALECCDD\_50138736\CAD\CIVIL\EXISTING\30-24LE\_CDD\_Utility.dgn

3:53:05 PM



	TYPE: EXHIBIT	<b>HARMONY ON LAKE ELOISE COMMUNITY DEVELOPMENT DISTRICT</b>	<b>EXISTING UTILITY SYSTEM &amp; PROPOSED CONNECTIONS</b>
	DATE: APRIL 2021		
	PROJECT NO.: 50138736		
	DRAWN BY: SKH		
	CHECKED BY: NPS		
SCALE: 1" = 800'	800 NORTH MAGNOLIA AVENUE - SUITE 1000 - ORLANDO, FLORIDA 32803		
SHEET: 1 OF 1	407-843-5120 - ENGINEERING BUSINESS - 8794		

# EXHIBIT 7

HARMONY ON LAKE  
ELOISE  
COMMUNITY DEVELOPMENT DISTRICT

Statement  
of  
Estimated Regulatory Costs

June 25, 2021



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.whassociates.com](http://www.whassociates.com)

## **STATEMENT OF ESTIMATED REGULATORY COSTS**

### **1.0 Introduction**

#### **1.1 Purpose and Scope**

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Harmony on Lake Eloise Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 354.37 +/- acres of land located within City of Winter Haven, Polk County, Florida (the "City") and is projected to contain approximately 1,163 residential dwelling units, which will make up the Harmony on Lake Eloise development. The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) as follows:

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

#### **1.2 Overview of the Harmony on Lake Eloise Community Development District**

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 1,163 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Hawthorne Mill North.

#### **1.3 Requirements for Statement of Estimated Regulatory Costs**

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

- (a) An economic analysis showing whether the rule directly or indirectly:
1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
  2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or
  3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.
- (e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Winter Haven, according to Census 2010, has a population of 33,874 and according to the Census 2020, has a population of 48,917; therefore, it is not defined as a small City for the purposes of this requirement.)
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

**2.0 An economic analysis showing whether the ordinance directly or indirectly:**

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

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

**2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 354.37 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 1,163 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the

private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

**2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will insure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

**2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The establishment of the District will not increase any regulatory costs of the State or the City by virtue that the District will be one of many already existing similar districts within the State and also one of a many already existing similar districts in the City. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the City to offset any expenses that the City may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the service



and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of their debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District.

**3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.**

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) City and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. City of Winter Haven

The City and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the City. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the City as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 354.37 +/- acre master planned residential development currently anticipated to contain a total of approximately 1,163 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 4,071 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

**4.0 A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state or local revenues.**

The City is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

**4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance**

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of the City of Winter Haven. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

## City of Winter Haven, Florida

The proposed land for the District is located within the City of Winter Haven, Polk County, Florida and consists of less than 2,500 acres. The City and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the City will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the City already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the City, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City, or any monitoring expenses the City may incur if it establishes a monitoring program for this District.

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

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

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government. By Florida law, debts of the District are strictly its own responsibility.

### **5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.**

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$33,815,697. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

**Table 1**

**HARMONY ON LAKE ELOISE COMMUNITY  
DEVELOPMENT DISTRICT  
Proposed Facilities and Services**

<b>FACILITY</b>	<b>FUNDED</b>	<b>OWNED BY</b>	<b>MAINTAINED BY</b>
Stormwater System	CDD	CDD	CDD
Sanitary Sewer	CDD	City	City
Water Distribution System	CDD	City	City
Reclaim Distribution System	CDD	City	City
Undergrounding of Electric Conduit	CDD	CDD	CDD
Landscape/Hardscape/Irrigation	CDD	CDD	CDD
On-Site Public Roadways	CDD	City	City
Off-Site Public Roadways	CDD	City	City

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, City or its dependent districts, or City management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as cities, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Table 2

**HARMONY ON LAKE ELOISE COMMUNITY  
DEVELOPMENT DISTRICT  
Estimated Costs of Construction**

CATEGORY	COST
Stormwater System	\$7,503,265
Sanitary Sewer	\$3,552,481
Water Distribution System	\$2,534,530
Reclaim Distribution System	\$1,745,143
Undergrounding of Electric Conduit	\$1,614,375
Landscape/Hardscape/Irrigation	\$2,608,885
On-Site Public Roadways	\$7,377,471
Off-Site Public Roadways	\$550,000
Contingency	\$4,122,922
Professional Fees	\$2,206,625
<b>Total</b>	<b>\$33,815,697</b>

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

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

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage

necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

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

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

City of Winter Haven has a population of 33,874 according to the Census 2010 and 48,917 according to the Census 2020, both conducted by the United States Census Bureau and is therefore not defined as a "small" City according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Harmony on Lake Eloise development will not produce any marginal effects that would be different from those that would have occurred if the Harmony on Lake Eloise development was developed without a community development district established for it by the City.

**7.0 Any additional useful information.**

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

In relation to the question of whether the proposed Harmony on Lake Eloise Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the City could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Harmony on Lake Eloise development. First, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Harmony on Lake Eloise development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, then the residents and landowners of the Harmony on Lake Eloise development would take their grievances and desires to the City Commission meetings.

Third, any debt of an independent CDD is strictly that District's responsibility. While it may be technically true that the debt of a City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low cost funds from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

**8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.**

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Harmony on Lake Eloise Community Development District.

**APPENDIX A  
LIST OF REPORTING REQUIREMENTS**

REPORT	FL. STATUE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing



# EXHIBIT 8

**AUTHORIZATION OF AGENT**

This letter shall serve as a designation of Jere Earlywine of Hopping Green & Sams, P.A., to act as agent for Petitioner, Forestar (USA) Real Estate Group Inc., with regard to any and all matters pertaining to the Petition to the Board of City Commissioners of the City of Winter Haven, Florida, to Establish the Harmony on Lake Eloise Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

**FORESTAR (USA) REAL ESTATE GROUP INC.**

Witnessed:

[Signature]  
Print Name: CAROL SPENWART

[Signature]  
Print Name: ALYSSA GRAY LEWIS

[Signature]  
By: James D. Allen  
Its: Executive Vice President & CFO

STATE OF Texas  
COUNTY OF Tarrant

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 2nd day of June, 2021, by James D. Allen as CFO of Forestar (USA) Real Estate Group Inc. on its behalf. He  is personally known to me or  produced as identification.

[Signature]  
Notary Public, State of Texas

