

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, RELATING TO THE BOGGY  
3 CREEK IMPROVEMENT DISTRICT; GRANTING A  
4 PETITION TO AMEND THE BOUNDARIES OF THE  
5 BOGGY CREEK IMPROVEMENT DISTRICT, AS  
6 INITIATED BY THE DISTRICT'S BOARD OF  
7 SUPERVISORS; AMENDING ORDINANCE NO.  
8 0805191002 TO EXPAND THE DISTRICT BY  
9 APPROXIMATELY 41 ACRES, THE DISTRICT BEING  
10 GENERALLY LOCATED NORTH OF THE OSCEOLA  
11 COUNTY BORDER, EAST OF BOGGY CREEK RD.,  
12 SOUTH OF ORLANDO INTERNATIONAL AIRPORT, AND  
13 WEST OF NARCOOSSEE RD.; PROVIDING FOR  
14 SEVERABILITY, CORRECTION OF SCRIVENER'S  
15 ERRORS, AND AN EFFECTIVE DATE.  
16

17 **WHEREAS**, pursuant to Chapter 190, Florida Statutes, the City Council of the  
18 City of Orlando, Florida (the "Orlando City Council"), established on November 26, 2001,  
19 the Boggy Creek Improvement District (the "district") by that certain city ordinance  
20 bearing a document number of 011126701 (the "establishing ordinance"); and  
21

22 **WHEREAS**, on February 24, 2003, the Orlando City Council adopted that certain  
23 city ordinance bearing a document number of 030224703 (the "2003 ordinance"), which  
24 ordinance amended the establishing ordinance to expand the original boundaries of the  
25 district to enlarge the area of the district by about 389 acres of land (from about 991  
26 acres to about 1,380.379 acres), such ordinance being requested by the Board of  
27 Supervisors of the Boggy Creek Improvement District; and  
28

29 **WHEREAS**, on February 13, 2006, the Orlando City Council adopted that certain  
30 city ordinance bearing a document number of 0602131003 (the "2006 ordinance"), which  
31 ordinance amended the 2003 ordinance to further amend the boundaries of the district to  
32 reduce the area of the district by about 419 acres of land (from about 1,380 acres to  
33 about 961 acres), such ordinance being requested by the Board of Supervisors of the  
34 Greenway Improvement District; and  
35

36 **WHEREAS**, on May 19, 2008, the Orlando City Council adopted that certain city  
37 ordinance bearing a document number of 0805191002 (the "2008 ordinance"), which  
38 ordinance amended the 2006 ordinance to further amend the boundaries of the district to  
39 result in a net addition to the district of about 124 acres of land (from about 961 acres to  
40 about 1,085.185 acres), such ordinance being requested by the Board of Supervisors of  
41 the Greenway Improvement District; and  
42

43 **WHEREAS**, the district's Board of Supervisors (the "petitioner"), having obtained  
44 written consent to a further adjustment of the district's external boundaries by the owners  
45 of one-hundred percent (100%) of the owners of the real property to be now subtracted,  
46 in part, and added, in part, to the district, submitted to the city on July 22, 2016, a

*Petition to Amend the Boundaries of the Boggy Creek Improvement District* (the "petition"), and thereby petitioned the Orlando City Council to again adjust the external boundaries of the district in accordance with the petition by amending the 2008 ordinance pursuant to section 190.046, Florida Statutes; and

**WHEREAS**, a public hearing has been conducted by the Orlando City Council on September dd, 2016, in accordance with the requirements and procedures of section 190.046(1), Florida Statutes, and all other applicable requirements and procedures of the Florida Statutes and the Code of the City of Orlando, Florida (the "Orlando City Code"), and 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 said duly noticed public hearing; and

**WHEREAS**, upon consideration of the record established at that hearing, the City Council determined and found as follows:

1. That the statements within the petition were true and correct; and
2. That the proposed net expansion of the district's boundaries is not inconsistent with any applicable element or portions of the adopted City of Orlando comprehensive plan, as amended, or any applicable elements of the state comprehensive plan; and
3. That the area of land within the proposed district is of sufficient size, is sufficiently contiguous to be developable as one functional interrelated community; and
4. That the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district; and
5. That the community development services and facilities of the district will be compatible with the capacity and uses of existing local and regional community development services and facilities; and
6. That the area that will be served by the district is amenable to separate special-district government.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AS FOLLOWS:**

**SECTION 1. AUTHORITY.** This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes.

**SECTION 2. FINDINGS.** The foregoing recitals, determinations, and findings are true and correct and are incorporated herein, adopted hereby, and made a part hereof.

**SECTION 3. GRANT OF PETITION.** Pursuant to Chapter 190, Florida Statutes, the *Petition to Amend the Boundaries of the Boggy Creek Improvement District* submitted by the district's Board of Supervisors on July 22, 2016, is hereby granted, said petition being attached to this ordinance as Exhibit A.

**SECTION 4. AMENDING THE 2008 ORDINANCE AND AMENDING THE DISTRICT'S EXTERNAL BOUNDARIES.** Pursuant to Chapter 190, Florida Statutes, and the petition submitted by the district's Board of Supervisors, the 2008 ordinance is hereby amended to result in a net expansion of the external boundaries of the Boggy Creek Improvement District. Henceforth the external boundaries of the district shall be as described and depicted in Exhibit B attached hereto and incorporated herein.

**SECTION 5. SCRIVENER'S ERROR.** The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

**SECTION 6. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION 7. REPEAL.** All ordinances or parts of ordinances previously adopted and conflicting with this ordinance are hereby repealed.

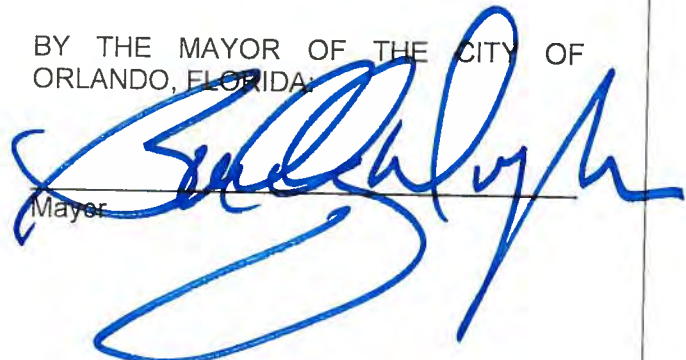
**SECTION 8. EFFECTIVE DATE.** This ordinance takes effect immediately upon adoption.

**DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this 6 day of October, 2016.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this 10 day of October, 2016.

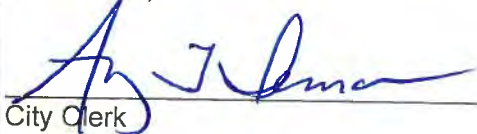
**DONE, THE SECOND READING, HEARING, AND ENACTED ON FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this 24 day of October, 2016.

BY THE MAYOR OF THE CITY OF  
ORLANDO, FLORIDA:



Mayor

ATTEST, BY THE CLERK OF THE  
CITY COUNCIL OF THE CITY OF  
ORLANDO, FLORIDA:



City Clerk

**Amy T. Iennaco**

Print Name

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
CITY OF ORLANDO, FLORIDA:



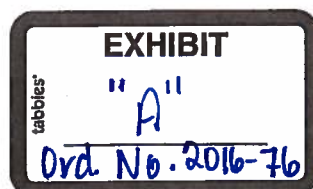
City Attorney, Chief Assistant

**Kyle Shephard**

Print Name

\*\*[Remainder of page intentionally left blank.]\*\*

**PETITION TO AMEND THE  
BOUNDARIES OF THE BOGGY  
CREEK IMPROVEMENT  
DISTRICT  
(2016)**



**BEFORE THE CITY OF ORLANDO**

**PETITION TO AMEND THE BOUNDARIES OF THE  
BOGGY CREEK IMPROVEMENT DISTRICT**

Petitioner, the Boggy Creek Improvement District, a unit of special-purpose local government established pursuant to the provisions of Chapter 190, *Florida Statutes*, and City of Orlando Ordinance No. 011126701, and located entirely within the boundaries of the City of Orlando, Florida (hereafter "District"), hereby petitions the City of Orlando City Council, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, and specifically section 190.046, *Florida Statutes*, to adopt an amendment to Ordinance Nos. 011126701, 030224703, 0602131003, and 0805191002 to amend the boundaries of the District. This is the fourth boundary amendment for the District. In support of this petition, the District states:

1. Basis for Petition. This boundary amendment is necessitated by changes in the development plan, including but not limited to locating the development of similar, adjacent residential products within one community development district instead of two and making the District boundaries consistent with current wetland delineations.

2. Location and Size. The District is located entirely within the City of Orlando, Florida ("City"). **Exhibit 1** depicts the general location of the existing District. The District currently covers approximately 1085.023 acres of land. The current metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2**. The general location of and the metes and bounds descriptions for the lands to be added to the District (the "Expansion Parcel"), consisting of approximately 45.673 acres, and the lands to be contracted

from the District (the "Contraction Parcel"), consisting of approximately 4.639 acres, are set forth in **Exhibit 3**. The amendment will result in a net addition of approximately 41.034 acres. A sketch and metes and bounds description of the external boundaries of the District incorporating the requested amendment is set forth in **Exhibit 4** (the "Amended District"). The Amended District meets the acreage requirements of section 190.046(1)(f)2., *Florida Statutes*. After amendment, the District will encompass a total of approximately 1126.057 acres. There are no parcels within the Amended District that are to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to amend the boundaries of the District from the owners of one hundred percent of property subject to the proposed amendment. This consent is contained in **Exhibit 5**. The favorable action of the Board of Supervisors of the District also constitutes consent for all of the landowners within the District pursuant to section 190.046(1)(g), *Florida Statutes*, as is evidenced by the District's Resolution 2016-02, and submission of this Petition. Resolution 2016-02 is attached hereto as **Exhibit 6**.

4. Future Land Uses. The designation of future general distribution, location, and extent of the public and private land uses proposed for the Amended District by the future land use plan element of the local Comprehensive Plan and the Southeast Orlando Sector Plan are shown on **Exhibit 7**. Amendment of the District in the manner proposed is consistent with the adopted local Comprehensive Plan.

5. District facilities and services. The District presently intends to construct, acquire or install the improvements or provide facilities or services to the Expansion Parcel, described in more detail in **Exhibit 8** which sets forth, based on available data, the estimated construction costs of the facilities that the District presently plans to provide from approximately 2016

through 2025. Actual construction timetables and expenditures may vary, due in part to the effects of future changes in economic conditions upon costs such as labor, services, materials, interests rates and market conditions. No facilities or services are currently provided by the District to the Expansion Parcel.

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

7. This petition to amend the boundaries of the Boggy Creek Improvement District should be granted for the following reasons:

a. Amendment of the District and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the effective local Comprehensive Plan.

b. The area of land within the Amended District is part of a planned community. The Amended District will continue to be of sufficient size and sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. Existence of the Amended 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 Amended District. The Amended District is the best alternative for delivering community development services and facilities to the area within the District without imposing an additional burden on the general population of

the local general-purpose government. Amendment of the District to develop a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the Amended District will not be incompatible with the capacity and use of existing local and regional community development services and facilities.

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

WHEREFORE, Petitioner respectfully requests the City Council of the City of Orlando, Florida to:

a. schedule a public hearing in accordance with the requirements of section 190.046(1)(c), *Florida Statutes*;

b. grant the petition and amend Ordinance Nos. 011126701, 030224703, 0602131003, and 0805191002 to amend the boundaries of the District pursuant to Chapter 190, *Florida Statutes*.

*[remainder of page intentionally left blank]*

RESPECTFULLY SUBMITTED, as of the 22<sup>nd</sup> day of July, 2016.

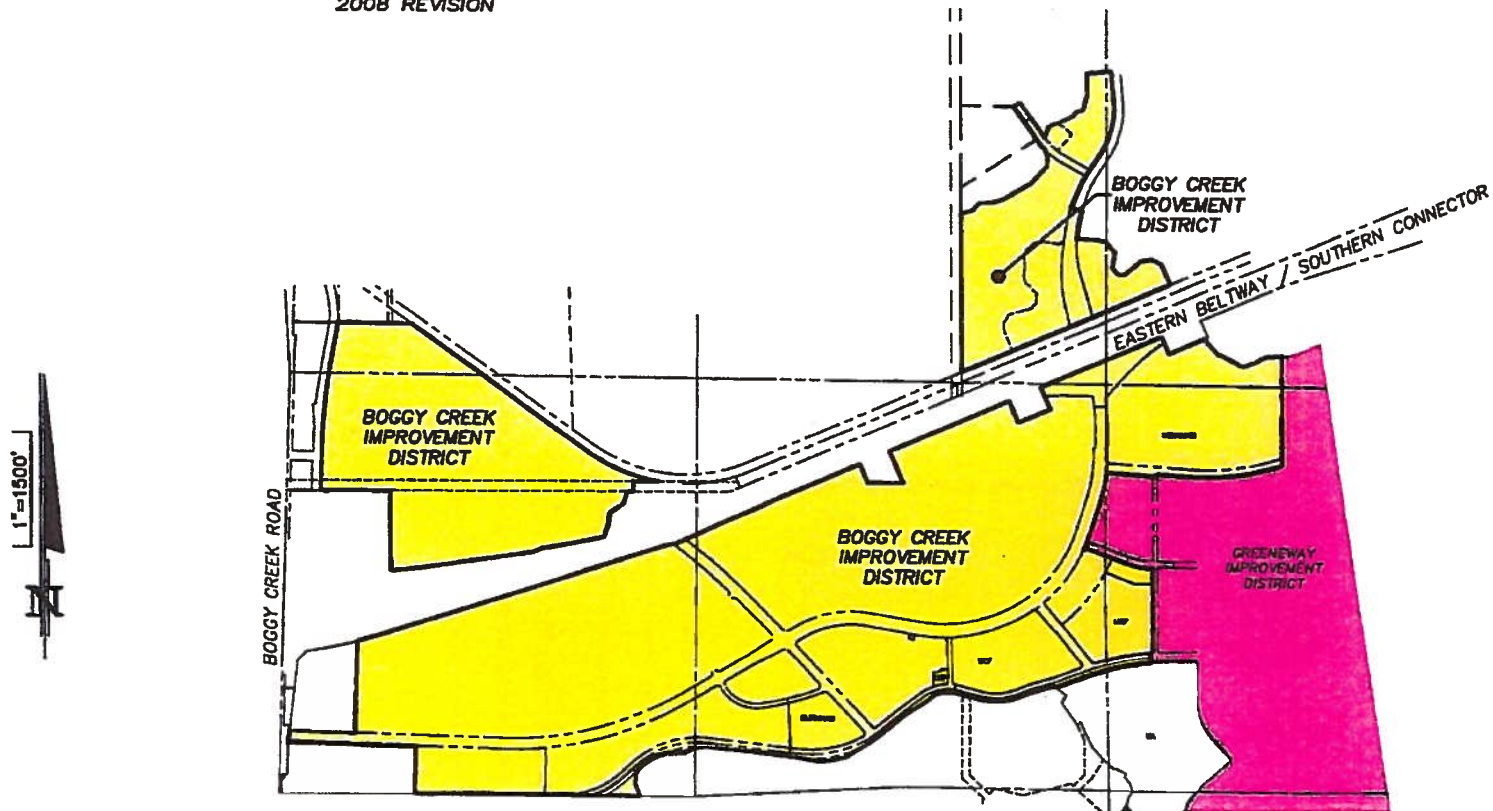
HOPPING GREEN & SAMS, P.A.

By: Tucker F. Mackie  
Tucker F. Mackie  
Florida Bar No. 0041023  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301  
(850) 222-7500 (telephone)

District Counsel for Petitioner  
Boggy Creek Improvement District

# **EXHIBIT 1**

**BOGGY CREEK IMPROVEMENT DISTRICT**  
2008 REVISION



April 4, 2008



**DONALD W. MCINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4088  
CERTIFICATE OF AUTHORIZATION NO. 1888

Printed: Fri 04-Apr-2008 10:00PM  
P:\Projects\18187\18187.dwg (1500) - 18187-0008-Boggy Revision.dwg

## **EXHIBIT 2**

BOGGY CREEK IMPROVEMENT DISTRICT  
(2008 Revision)

DESCRIPTION:

PART A

That part of Sections 23, 24, 25, 26 and 27 Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southeast corner of the Southeast 1/4 of said Section 26; thence N89°17'38"W along the South line of the Southeast 1/4 of said Section 26 for a distance of 371.16 feet; thence N43°43'49"E, 229.28 feet; thence N30°56'19"E, 288.27 feet; thence N47°29'38"W, 18.00 feet; thence N40°26'49"W, 200.13 feet; thence N26°23'48"W, 360.97 feet; thence S27°24'00"W, 61.96 feet; thence N34°54'59"W, 352.22 feet; thence N25°05'40"E, 127.07 feet; thence N56°41'49"W, 169.62 feet to the POINT OF BEGINNING; thence N56°41'49"W, 55.83 feet; thence S75°02'30"W, 242.11 feet; thence S68°38'50"W, 385.25 feet; thence N89°12'59"W, 200.64 feet; thence N78°41'22"W, 371.10 feet; thence N73°22'47"W, 79.91 feet; thence N84°23'32"W, 223.73 feet; thence S49°37'58"W, 224.15 feet; thence S57°54'58"W, 315.66 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence N89°36'24"W along said South line for a distance of 2015.30 feet to the Southeast corner of the Southwest 1/4 of said Section 27; thence N89°55'36"W along the South line of the Southwest 1/4 of said Section 27 for a distance of 896.00 feet to the Southeast corner of Commercial Parcel No. 2 within Exhibit A of lands recorded in Official Records Book 4797, Page 3447, of the Public Records of Orange County, Florida; thence N01°41'54"E along the East line of said Commercial Parcel No. 2 for a distance of 629.33 feet to the Northeast corner thereof; thence N88°18'06"W along the North line of said Commercial Parcel No. 2 for a distance of 1639.65 feet to the East right-of-way line of Boggy Creek Road, as recorded in Official Records Book 4345, Page 3237, of said Public Records; thence N06°38'30"E along said East right-of-way line, 140.52 feet to the Southwest corner of Commercial Parcel No. 1 within said Exhibit A of Official Records Book 4797, Page 3447, of said Public Records; thence S88°18'06"E along the South line of said Commercial Parcel No. 1 for a distance of 842.53 feet to the Southeast corner thereof; thence N01°41'54"E along the East line of said Commercial Parcel No. 1 for a distance of 1195.70 feet to the Southerly Limited Access Right-of-way Line of State Road No. 417, as recorded in said Official Records Book 4345, Page 3237, of said Public Records, and to a point on a non-tangent curve concave Northwesterly having a radius of 7733.81 feet and a chord bearing of N73°39'02"E; thence run the following courses and distances along said Southerly Limited Access Right-of-way Line: Easterly along the arc of said curve through a central angle of 04°07'38" for a distance of 557.10 feet to the point of tangency; N71°35'13"E, 3673.57 feet; N81°59'44"E, 104.10 feet; N64°34'47"E, 295.19 feet; N64°34'50"E, 464.20 feet; N66°42'23"E,

500.03 feet; N23°17'37"W, 10.00 feet; N66°42'23"E, 1347.33 feet; S23°17'37"E, 262.49 feet; N89°50'52"E, 462.22 feet; N23°17'37"W, 444.14 feet; N66°42'23"E, 1700.09 feet; S23°17'37"E, 305.02 feet; N66°42'23"E, 450.02 feet; N23°17'37"W, 305.02 feet; N66°42'23"E, 1700.09 feet; S23°17'37"E, 240.01 feet; N66°42'23"E, 509.08 feet to the Southerly line of Conservation Easement "A", as described in Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly line: S29°31'07"E, 70.44 feet; S42°12'14"E, 73.75 feet; S42°08'54"E, 119.27 feet; S69°22'47"E, 71.65 feet; S61°37'09"E, 113.52 feet; S60°38'59"E, 125.68 feet to the point of curvature of a curve concave Northerly having a radius of 100.00 feet and a chord bearing of S86°29'19"E; thence Easterly along the arc of said curve through a central angle of 51°40'41" for a distance of 90.20 feet to the point of tangency; N67°40'20"E, 76.59 feet; N80°12'06"E, 40.27 feet; N58°04'57"E, 111.70 feet; N70°11'18"E, 70.62 feet; N86°25'04"E, 113.81 feet; N83°01'49"E, 71.09 feet; thence departing said Southerly line run S00°00'00"E, 1439.13 feet; thence S72°10'43"W, 55.07 feet to the point of curvature of a curve concave Northerly having a radius of 3030.00 feet and a chord bearing of S83°10'38"W; thence Westerly along the arc of said curve through a central angle of 21°59'50" for a distance of 1163.29 feet to the point of tangency; thence N85°49'28"W, 410.79 feet; thence S00°00'00"W, 30.08 feet; thence N85°49'28"W, 615.18 feet to the point of curvature of a curve concave Southeasterly having a radius of 40.00 feet and a chord bearing of S50°44'40"W; thence Southwesterly along the arc of said curve through a central angle of 86°51'45" for a distance of 60.64 feet to the point of reverse of a curve concave Westerly having a radius of 1825.00 feet and a chord bearing of S12°31'09"W; thence Southerly along the arc of said curve through a central angle of 10°24'44" for a distance of 331.65 feet to the point of tangency; thence S17°43'31"W, 499.71 feet to the point of curvature of a curve concave Westerly having a radius of 1976.87 feet and a chord bearing of S20°42'03"W; thence Southerly along the arc of said curve through a central angle of 05°57'03" for a distance of 205.33 feet to the point of cusp of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of N67°41'48"E; thence Easterly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the point of tangency; thence S68°16'58"E, 532.64 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of S79°08'29"E; thence Easterly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; thence N90°00'00"E, 33.30 feet; thence S00°00'00"W, 1096.59 feet to the point of curvature of a curve concave Northwesterly having a radius of 40.00 feet and a chord bearing of S42°31'46"W; thence Southwesterly along the arc of said curve through a central angle of 85°03'33" for a distance of 59.38 feet to a non-tangent line; thence S04°56'27"E, 120.00 feet to a point on a non-tangent curve concave Southerly having a radius of 3190.00 feet and a chord bearing of S77°24'55"W; thence Westerly along the arc of said curve through a central angle of 15°17'16" for a distance of 851.16 feet to the point of tangency; thence S69°46'17"W, 396.18 feet to the point of curvature of a curve concave Northerly having a radius of 744.00 feet and a chord bearing of S71°32'08"W; thence Westerly along the arc of said curve through a central angle of 03°31'42" for a distance of 45.82 feet to the POINT OF BEGINNING.

## PART B

That portion of Section 22, Township 24 South, Range 30 East, Orange County, Florida, lying south of the City of Orlando/Greater Orlando Aviation Authority Order of Taking (being taken

under Case No. 91-4738 in Official Records Book 4318, Page 3458, Public Records of Orange County, Florida) and South of Lots 38 and 39, ORLANDO KISSIMMEE FARMS, according to the plat thereof as recorded in Plat Book O, Page 75, Public Records of Orange County, Florida; LESS the Eastern Beltway/Southern Connector right-of-way conveyed to Orlando-Orange County Expressway Authority in Official Records Book 4345, Page 3237, and LESS the Orlando Utilities Commission Railroad Right-of-way (120' wide right-of-way).

TOGETHER WITH: That portion of Section 27, Township 24 South, Range 30 East, Orange County, Florida, lying south of the City of Orlando/Greater Orlando Aviation Authority Order of Taking (being taken under Case No. 91-692 in Official Records Book 4277, Page 2265, and under Case No. 91-4738 in Official Records Book 4318, Page 3458, Public Records of Orange County, Florida); LESS that portion for the Eastern Beltway/Southern Connector right-of-way conveyed to Orlando-Orange County Expressway Authority in Official Records Book 4345, Page 3237, and less the Orlando Utilities Commission Railroad Right-of-way (120' wide right-of-way); LESS that portion lying South of said Eastern Beltway/Southern Connector right-of-way.

#### PART C

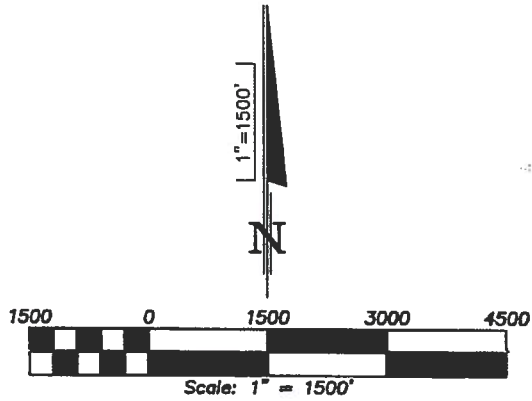
That part of Sections 23 and 24, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence  $N00^{\circ}14'36''E$  along the West line of the Southwest 1/4 of said Section 24 for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Railroad Right-of-way, said right-of-way, as recorded in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida, and the POINT OF BEGINNING; thence  $S66^{\circ}42'21''W$  along said Northerly right-of-way line, 2044.68 feet to the East line of a City of Orlando 135-foot wide Power Line Easement, as recorded in Official Records Book 1838, Page 953, of the Public Records of Orange County, Florida; thence  $N00^{\circ}01'26''W$  along said East line, 2081.96 feet; thence  $N75^{\circ}10'16''E$ , 146.86 feet; thence  $N43^{\circ}35'53''E$ , 90.13 feet; thence  $N39^{\circ}43'27''E$ , 45.16 feet; thence  $N86^{\circ}26'06''E$ , 187.29 feet; thence  $N74^{\circ}52'40''E$ , 123.31 feet; thence  $N60^{\circ}12'33''E$ , 422.15 feet; thence  $N42^{\circ}19'43''E$ , 42.43 feet; thence  $N41^{\circ}02'48''E$ , 286.01 feet; thence  $N05^{\circ}15'20''E$ , 39.82 feet; thence  $N01^{\circ}04'51''E$ , 80.56 feet; thence  $N18^{\circ}38'33''W$ , 101.30 feet to a point on a non-tangent curve concave Northeasterly having a radius of 1005.00 feet and a chord bearing of  $N38^{\circ}58'34''W$ ; thence Northwesterly along the arc of said curve through a central angle of  $10^{\circ}21'23''$  for a distance of 181.66 feet to the point of tangency and the Easternmost corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence  $N33^{\circ}47'53''W$  along the Northeasterly line of said Lot 1 for a distance of 529.41 feet; thence  $N56^{\circ}12'07''E$ , 100.00 feet; thence  $S33^{\circ}47'53''E$ , 529.41 feet to the point of curvature of a curve concave Northeasterly having a radius of 905.00 feet and a chord bearing of  $S35^{\circ}10'36''E$ ; thence Southeasterly along the arc of said curve through a central angle of  $02^{\circ}45'27''$  for a distance of 43.55 feet to a non-tangent line; thence  $N23^{\circ}11'55''E$ , 160.17 feet; thence  $N55^{\circ}00'29''E$ , 42.77 feet; thence  $N71^{\circ}12'07''E$ , 110.40 feet; thence  $N60^{\circ}00'59''E$ , 69.74 feet; thence  $N64^{\circ}25'40''E$ , 115.29 feet; thence  $N34^{\circ}44'31''E$ , 83.87 feet; thence  $N78^{\circ}19'40''E$ , 85.56 feet; thence

N14°45'41"E, 220.26 feet; thence N00°25'50"E, 276.70 feet; thence N85°42'44"E, 309.66 feet; thence S04°17'16"E, 424.22 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of S14°23'52"W; thence Southerly along the arc of said curve through a central angle of 37°22'17" for a distance of 704.43 feet to the point of tangency; thence S33°05'00"W, 208.63 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of S28°19'00"W; thence Southwesterly along the arc of said curve through a central angle of 09°32'00" for a distance of 359.41 feet to non-tangent line; thence S23°26'51"W, 258.93 feet; thence S73°17'12"E, 150.01 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of S10°51'37"W; thence Southerly along the arc of said curve through a central angle of 12°40'05" for a distance of 365.21 feet to a non-tangent line; thence S85°00'25"E, 369.25 feet; thence S39°54'33"E, 193.74 feet; thence S10°16'14"W, 201.57 feet; thence S37°35'26"E, 112.22 feet; thence S85°01'08"E, 89.57 feet; thence N49°41'35"E, 280.29 feet; thence N80°15'24"E, 142.51 feet; thence S61°29'24"E, 132.55 feet; thence S23°17'09"E, 292.91 feet to the aforesaid Northerly line of an Orlando Utilities Commission Railroad Right-of-way; thence S66°42'21"W along said Northerly line, 896.17 feet to the POINT OF BEGINNING.

All together containing 1085.023 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

## **EXHIBIT 3**



AREA SUMMARY  
BOGGY CREEK IMPROVEMENT DISTRICT

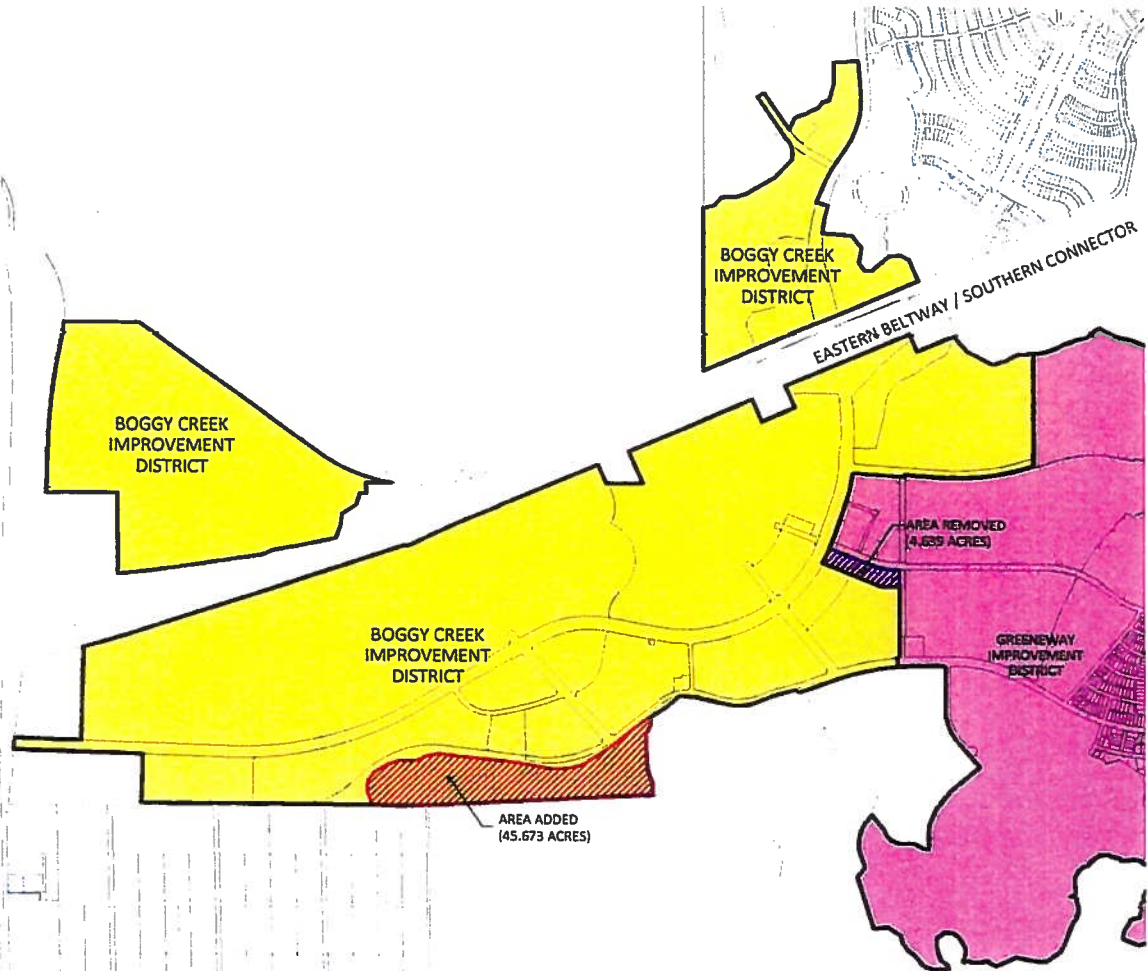
2008 - REVISION = 1085.023 ACRES  
AREA TO BE ADDED = 45.673 ACRES  
AREA TO BE REMOVED = 4.639 ACRES

1126.057 ACRES

SURVEY ADJUSTMENT = -0.014 ACRES

2016 - REVISION = 1126.043 ACRES

BOGGY CREEK IMPROVEMENT DISTRICT  
2016 REVISION



<p>PREPARED FOR:</p> <p><b>LAKE NONA</b></p> <p>BOGGY CREEK IMPROVEMENT DISTRICT</p>	<p><b>DONALD W. MCINTOSH ASSOCIATES, INC.</b> ENGINEERS 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4088 CERTIFICATE OF AUTHORIZATION NO. LB88</p>	<p>PLANNERS SURVEYORS</p>	<p>CHECKED BY: <u>PH</u> DATE: <u>01/23/08</u></p>	<p>SCALE 1" = 1500'</p>	<p>JOB NO. 58157</p>	<p>SHEET 1</p>	<p>OF 1</p>	REVISED SKETCH	REVISIONS
								PH	05/17/16
								PH	02/29/08
								PH	02/25/08
								PH	01/25/08
								DATE	BY
								DESCRIPTION	REVISIONS

LAKE NONA SOUTH  
WETLAND 34 GROWTH MANAGEMENT PLAN AMENDMENT PARCEL

DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

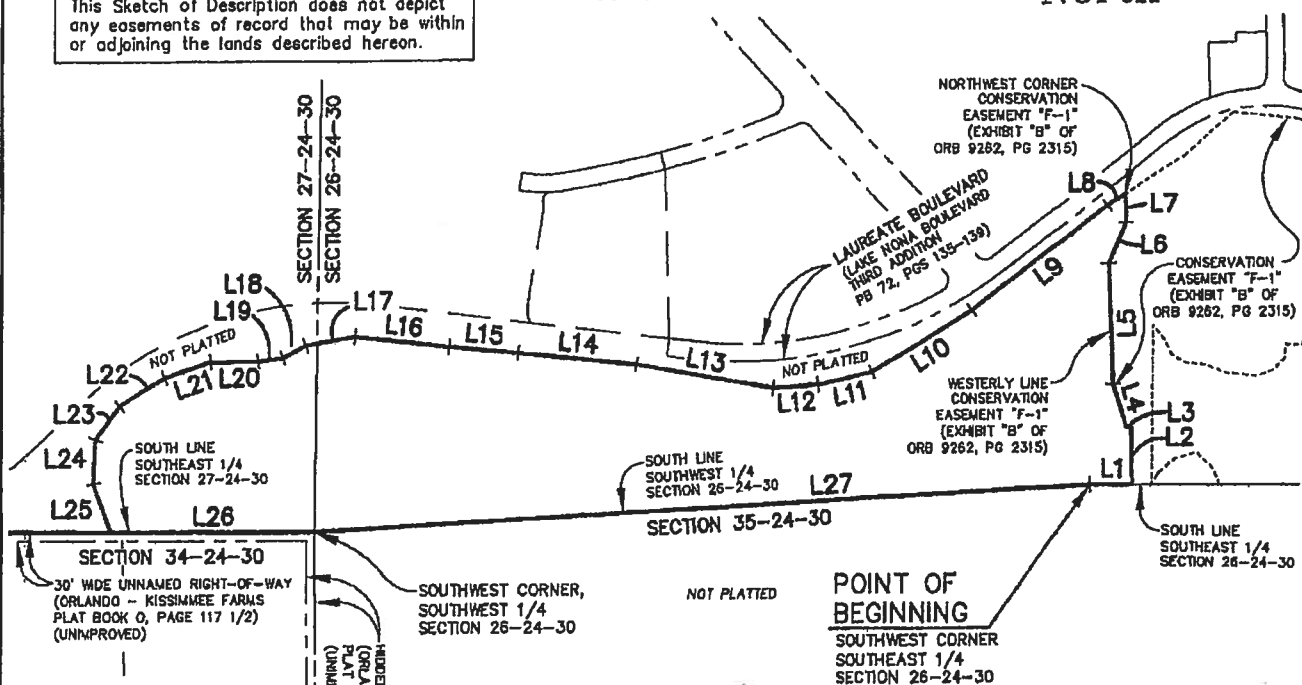
BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

# SKETCH OF DESCRIPTION

This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

600' 0 600'  
Scale: 1" = 600'



## LEGEND

- L1 LINE NUMBER (SEE TABLE)
- C1 CURVE NUMBER (SEE TABLE)
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- NT NON-TANGENT
- R/W RIGHT-OF-WAY
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG(S) PAGE(S)

SECTION 26-24-30 SECTION, TOWNSHIP, RANGE

SEE SHEET 2 FOR NOTES AND LEGAL DESCRIPTION

LINE TABLE			LINE TABLE			LINE TABLE		
NUMBER	BEARING	DISTANCE	NUMBER	BEARING	DISTANCE	NUMBER	BEARING	DISTANCE
L1	S89°17'38"E	145.98'	L11	S77°44'08"W	102.26'	L21	S71°00'52"W	166.25'
L2	N01°26'01"W	195.21'	L12	S86°18'27"W	159.50'	L22	S58°49'16"W	182.48'
L3	S89°00'26"W	15.99'	L13	N80°02'25"W	482.15'	L23	S35°57'38"W	139.02'
L4	N17°18'58"W	153.68'	L14	N84°06'48"W	406.49'	L24	S02°32'11"W	149.10'
L5	N02°08'03"W	412.45'	L15	N85°03'30"W	245.29'	L25	S19°37'33"E	173.93'
L6	N23°06'35"E	151.30'	L16	N83°27'52"W	335.33'	L26	S89°36'24"E	710.47'
L7	N01°26'01"W	98.06'	L17	S79°59'55"W	172.65'	L27	N86°57'30"E	2891.32'
L8	S57°54'58"W	74.64'	L18	S62°15'22"W	90.24'			
L9	S52°24'26"W	582.43'	L19	S82°45'52"W	86.46'			
L10	S58°44'09"W	401.34'	L20	S89°52'22"W	168.71'			

PREPARED FOR:

Lake Nona Land Company, LLC

LAKE NONA SOUTH - WETLAND 34  
GROWTH MANAGEMENT PLAN - AMENDMENT PARCEL



**DONALD W. MCINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB58

DONALD W. MCINTOSH ASSOCIATES, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB68

Scott Grossman May 09, 2014  
Florida Registered Surveyor and Mapper  
Certificate No. 5048  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DRAWN BY: PH  
DATE: 5/2014

CHECKED BY: SG  
DATE: 5/2014

JOB NO.  
29180.007

SCALE  
1"=600'

SHEET 1  
OF 2



# SKETCH OF DESCRIPTION

## DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.48 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

## NOTES:

- This is not a survey.
- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Bearings based on the South line of the Southeast 1/4 of Section 26, Township 24 South, Range 30 East, as being S89°17'38"E (an assumed meridian)
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.
- No title opinion or abstract of matters affecting title or boundary to the subject property or those of adjoining land owners have been provided. It is possible there are deeds of record, unrecorded deeds or other instruments which could affect the boundaries or use of the subject property.
- This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

## PREPARED FOR:

**Lake Nona Land Company, LLC**

LAKE NONA SOUTH - WETLAND 34  
GROWTH MANAGEMENT PLAN - AMENDMENT PARCEL



**DONALD W. MCINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>29180.007</u>	SCALE <u>N/A</u>	SHEET <u>2</u> OF <u>2</u>
DATE: <u>5/2014</u>	DATE: <u>5/2014</u>			

LAKE NONA SOUTH PARCEL  
CDD TRANSFER PARCEL  
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENEWAY IMPROVEMENT DISTRICT

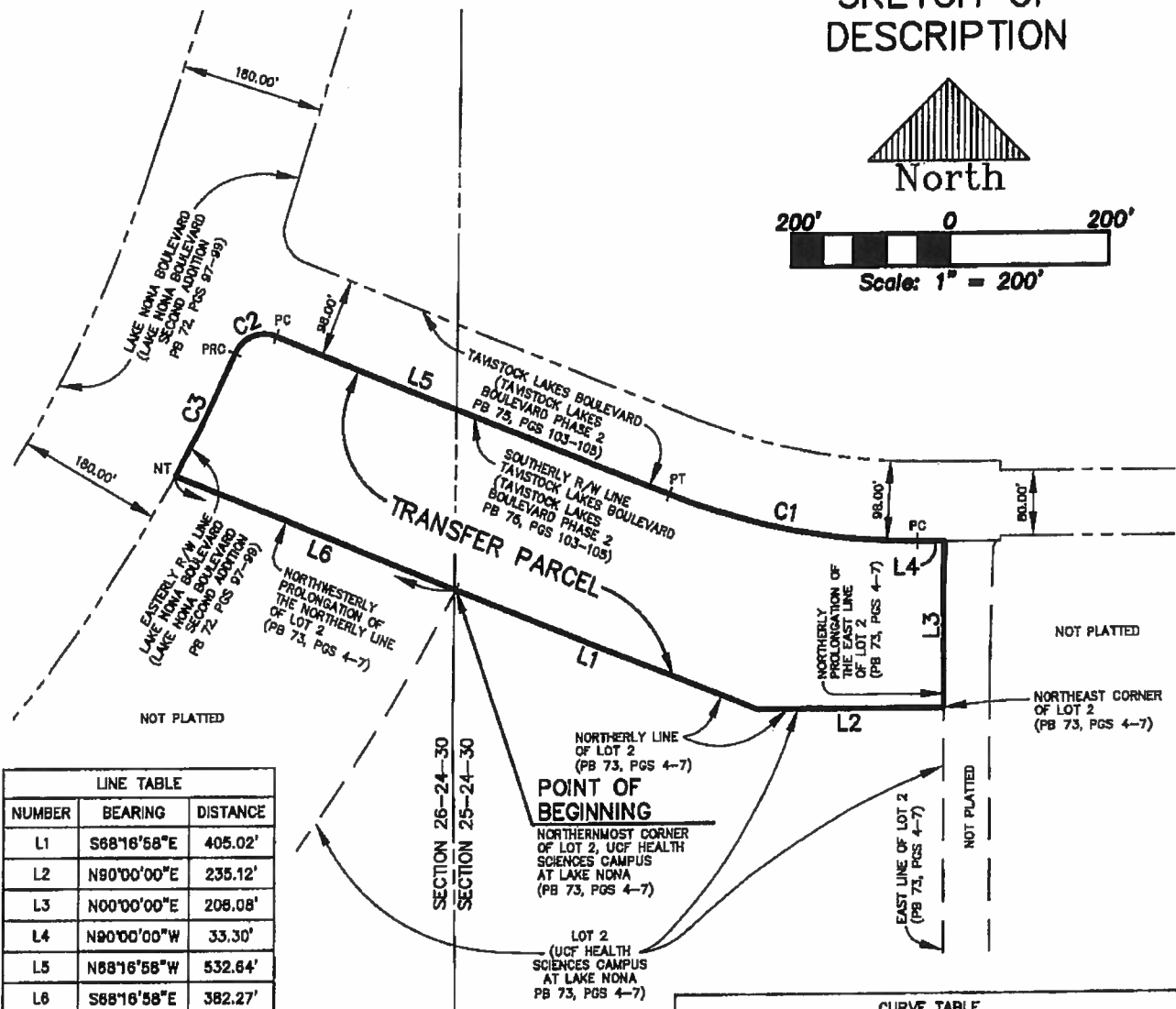
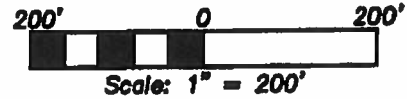
DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

# SKETCH OF DESCRIPTION



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S68°16'58"E	405.02'
L2	N80°00'00"E	235.12'
L3	N00°00'00"E	208.08'
L4	N90°00'00"W	33.30'
L5	N88°16'58"W	532.64'
L6	S68°16'58"E	382.27'

This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

CURVE TABLE					
NUMBER	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	848.00'	21°43'02"	320.67'	318.75'	N79°08'29"W
C2	40.00'	88°02'28"	61.46'	55.59'	S67°41'48"W
C3	1978.87'	4°52'08"	188.00'	167.94'	S28°08'39"W

SEE SHEET 1 FOR SKETCH  
SEE SHEET 2 FOR NOTES, LEGEND AND LEGAL DESCRIPTION

PREPARED FOR:  
**LAKE NONA LAND COMPANY, LLC**

LAKE NONA SOUTH  
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENWAY IMPROVEMENT DISTRICT

DATE	BY	DESCRIPTION



**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

DONALD W. McINTOSH ASSOCIATES, INC.  
CERTIFICATE OF AUTHORIZATION NO. LB68

Scott Grossman March 16, 2016  
Florida Registered Surveyor and Mapper  
Certificate No. 5048  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DRAWN BY: PH	CHECKED BY: SG	JOB NO.	SCALE	SHEET
DATE: 3/2016	DATE: 3/2016	16028.001	1"=200'	1
				OF 2

## SKETCH OF DESCRIPTION

### DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

### NOTES:

- This is not a survey.
- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Bearings based on the Northerly line of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, Plat Book 73, Pages 4-7, Public Records of Orange County, Florida, being S68°16'58"E, per plat.
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership or other instruments of record by this firm.
- No title opinion or abstract of matters affecting title or boundary to the subject property or those of adjoining land owners have been provided. It is possible there are deeds of record, unrecorded deeds or other instruments which could affect the boundaries or use of the subject property.
- This Sketch of Description does not depict any easements of record that may be within or adjoining the lands described hereon.

### LEGEND

L1 LINE NUMBER (SEE TABLE)  
C1 CURVE NUMBER (SEE TABLE)  
R/W RIGHT-OF-WAY  
PB PLAT BOOK  
PG(S) PAGE(S)  
PC POINT OF CURVATURE  
PT POINT OF TANGENCY  
NT NON-TANGENT  
PRC POINT OF REVERSE CURVATURE

SEE SHEET 1 FOR SKETCH

### PREPARED FOR:

**LAKE NONA LAND COMPANY, LLC**

LAKE NONA SOUTH  
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENWAY IMPROVEMENT DISTRICT



**DONALD W. McINTOSH ASSOCIATES, INC.**  
**ENGINEERS PLANNERS SURVEYORS**

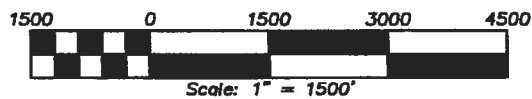
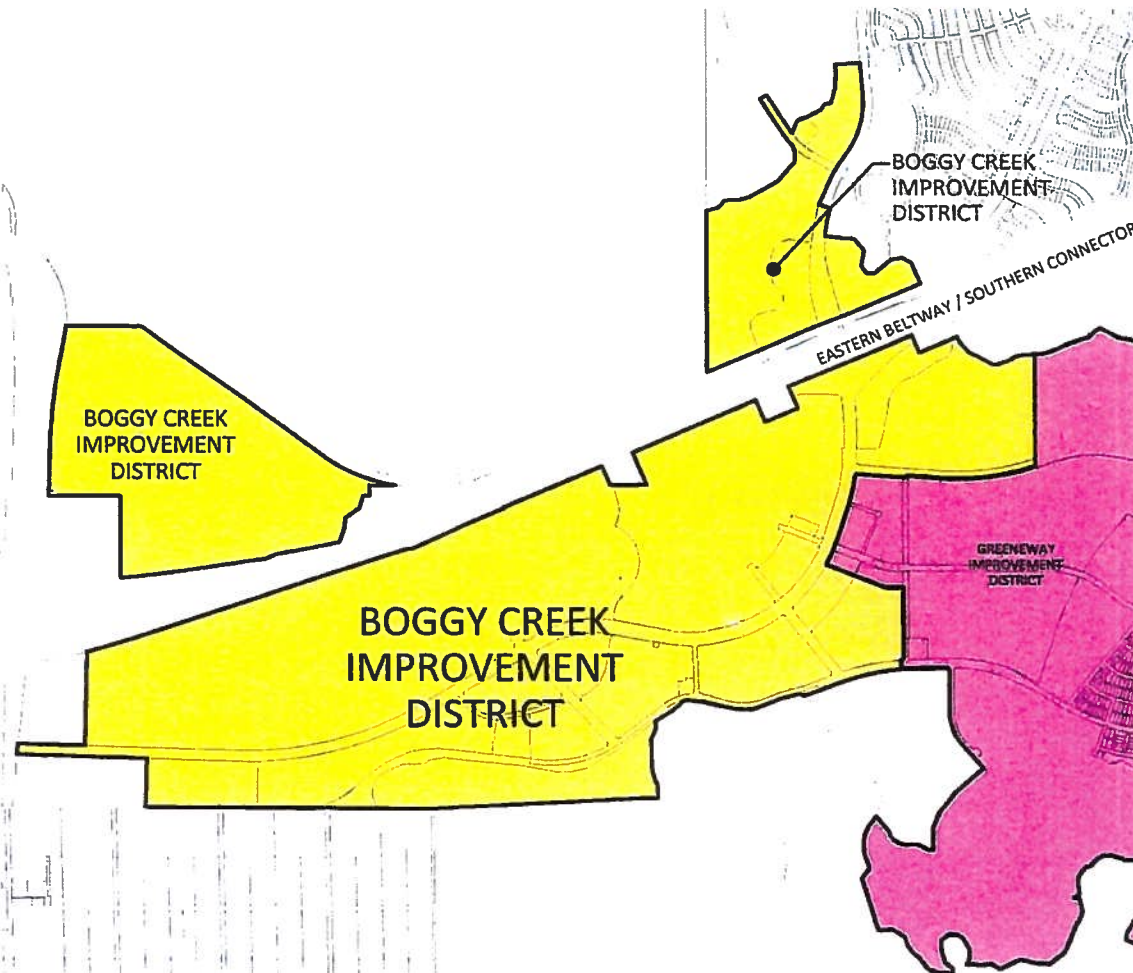
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

DRAWN BY: <u>PH</u>	CHECKED BY: <u>SG</u>	JOB NO. <u>16028.001</u>	SCALE <u>N/A</u>	SHEET <u>2</u>
DATE: <u>3/2016</u>	DATE: <u>3/2016</u>			OF <u>2</u>

## **EXHIBIT 4**

# BOGGY CREEK IMPROVEMENT DISTRICT

2016 REVISION

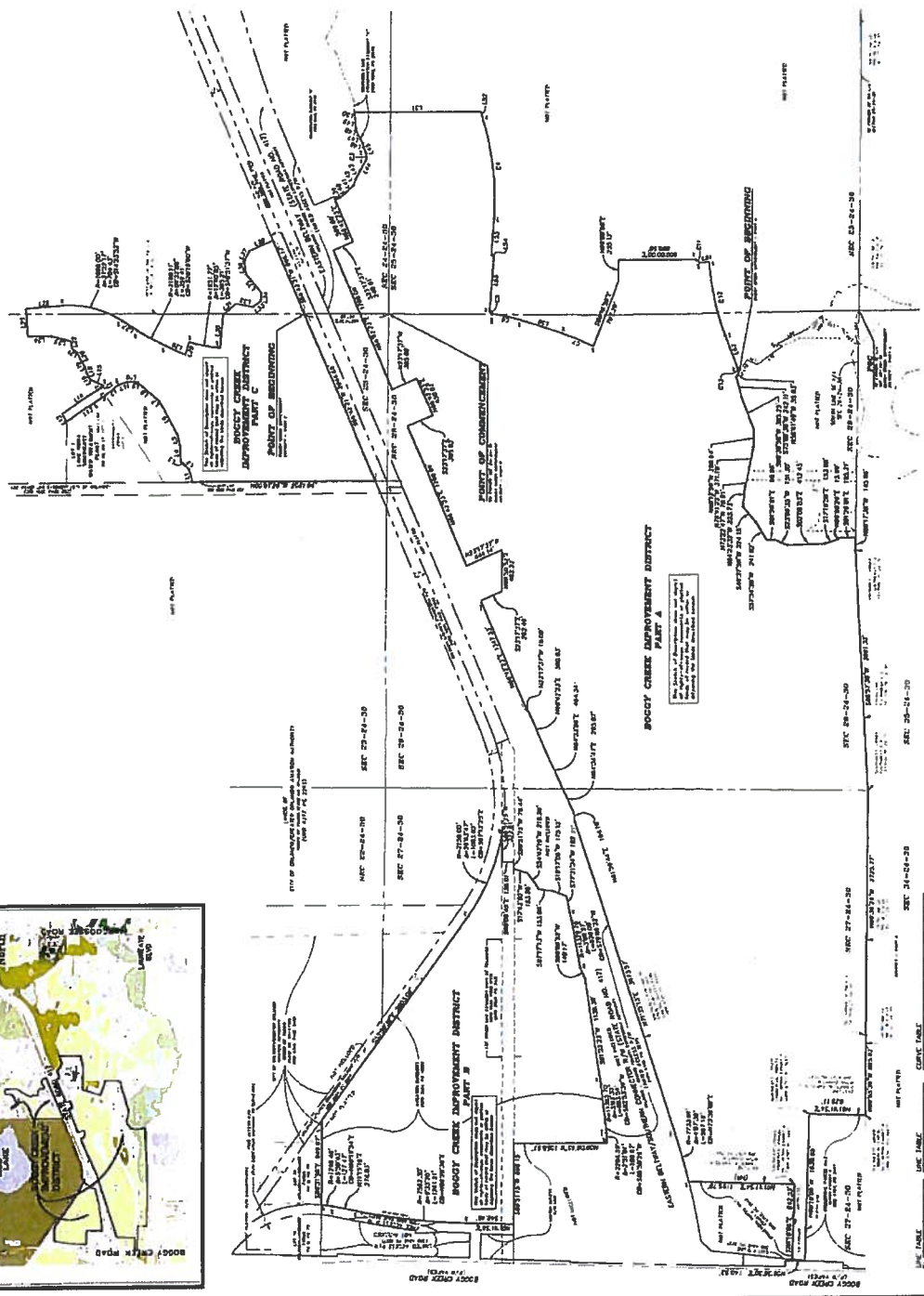


MAY 17, 2016



**DONALD W. McINTOSH ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068  
CERTIFICATE OF AUTHORIZATION NO. LB68

# SKETCH OF DESCRIPTION



NO.	DESCRIPTION	DATE
1	...	...
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NO.	DESCRIPTION	DATE
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NO.	DESCRIPTION	DATE
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NO.	DESCRIPTION	DATE
1	...	...
2	...	...
3	...	...
4	...	...
5	...	...

NO.	DESCRIPTION	DATE
1	...	...
2	...	...
3	...	...
4	...	...
5	...	...

## **EXHIBIT 5**

**Consent of Landowner to Addition of, and Exclusion From, Lands within  
the Boggy Creek Improvement District, a Community Development District**

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

The undersigned understands and acknowledges that the Boggy Creek Improvement District, ("Petitioner" or "District") intends to submit a petition to amend its boundaries in accordance with the provisions of Chapter 190, *Florida Statutes*. The District intends to amend its boundaries to add the lands described in the **Exhibit A** (the "Expansion Parcel") and to exclude the lands described in **Exhibit B** (the "Contraction Parcel").

As a landowner, as defined by Chapter 190, *Florida Statutes*, of the Expansion Parcel and Contraction Parcel, the undersigned understands and acknowledges that pursuant to the provisions of section 190.046, *Florida Statutes*, the Petitioner is required to include the written consent of one hundred percent (100%) of the owners of the lands to be added to or removed from the District.

The undersigned hereby consents to the addition of the Expansion Parcel within the District and further consents to the exclusion of the Contraction Parcel from the District. The undersigned further agrees to execute any documentation necessary or convenient to evidence this consent during the application process for the amendment of the boundaries of the District.

The undersigned acknowledges that the consent will remain in full force and effect until the District is amended or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, the same consent in substantially this form.

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 by the officer executing this instrument.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Executed this 18<sup>th</sup> day of May, 2016.

**LAKE NONA LAND COMPANY, LLC**

Witnessed:

Dorothy Torres  
Print Name: Dorothy Torres

Gailyn P. Anderson  
Print Name: Gailyn Anderson

By: [Signature] 12-11  
Name: James L Zboril MR  
Title: President

STATE OF Florida  
COUNTY OF Orange

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared James L. Zboril, President of Lake Nona Land Company, LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Orange and State of Florida this 18<sup>th</sup> day of May, 2016.



[Signature]  
Notary Public

Personally known: ✓

Produced Identification: \_\_\_\_\_

Type of Identification: \_\_\_\_\_

**Exhibit A:** Legal Description of Expansion Parcel

**Exhibit B:** Legal Description of Contraction Parcel

EXHIBIT A

LAKE NONA SOUTH  
WETLAND 34 GROWTH MANAGEMENT PLAN AMENDMENT PARCEL

DESCRIPTION:

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT B

LAKE NONA SOUTH PARCEL  
CDD TRANSFER PARCEL  
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENEWAY IMPROVEMENT  
DISTRICT

DESCRIPTION:

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

## **EXHIBIT 6**

**RESOLUTION NO. 2016-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY CREEK IMPROVEMENT DISTRICT DIRECTING THE CHAIRMAN AND ALL DISTRICT STAFF TO FILE A PETITION WITH THE CITY OF ORLANDO, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Boggy Creek Improvement District ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* (the "Act"), by the City of Orlando, Florida ("City") by passage of an ordinance bearing document number 011126701, as amended by ordinances bearing document numbers 030224703, 0602131003, and 0805191002, each effectively amending the boundaries of the District (collectively, the "Ordinance"); and

**WHEREAS**, pursuant to the Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roads, roadway, drainage collection and water management systems, bridges, water supply and distribution systems, wastewater and reuse systems, recreational facilities, street-lighting systems, and open space and conservation areas; and

**WHEREAS**, the District presently consists of 1085 acres, more or less, as more fully described in the Ordinance; and

**WHEREAS**, the primary landowner within the District, Lake Nona Land Company, LLC, a Florida limited liability company ("Developer"), and its affiliates are presently developing real property within and adjacent to the District; and

**WHEREAS**, the Developer has approached the District and requested the District petition to amend its boundaries to contract the property described in the attached **Exhibit A** and add the property set forth in **Exhibit B**, in an effort to facilitate development of the overall lands as a functionally interrelated community and to promote compact and economical development of lands; and

**WHEREAS**, the proposed amendment to the District's boundaries would result in a net addition of 41.034 acres, more or less, and is within the amendment size restrictions contained within Section 190.046(1), *Florida Statutes*; and

**WHEREAS**, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

**WHEREAS**, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

**WHEREAS**, the area of land that will lie in the amended boundaries of the District is amenable to separate special district government; and

**WHEREAS**, the Board has determined that the proposed amendment would increase the developable/assessable acreage of the District and would therefore spread costs and expenses associated with the construction, acquisition, and maintenance of planned infrastructure improvements and services, thereby reducing the cost to future individual property owners; and

**WHEREAS**, in order to seek a boundary amendment pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District Staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

**WHEREAS**, the retention of any necessary consultants and the work to be performed by District Staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

**WHEREAS**, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

**WHEREAS**, the District desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, *Florida Statutes*, which processes include the preparation of a petition to the City of Orlando, the holding of a local hearing in accordance with Section 190.046(1), *Florida Statutes*, and such other actions as are necessary in furtherance of the boundary amendment process.

**NOW, THEREFORE, BE IT RESOLVED BY THE  
BOARD OF SUPERVISORS OF THE BOGGY  
CREEK IMPROVEMENT DISTRICT:**

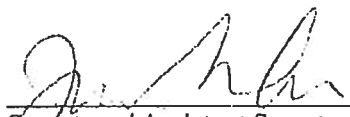
**SECTION 1.** The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

**SECTION 2.** The Board hereby directs the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of a petition and related materials with the City of Orlando to seek the amendment of the District's boundaries to contract the property described in the attached **Exhibit A** and add the property set forth in **Exhibit B**, pursuant to Chapter 190, *Florida Statutes*, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes*, for the amendment of the District's boundaries.

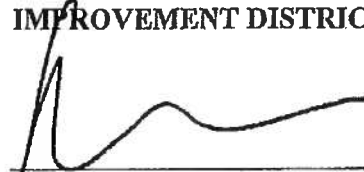
**SECTION 3.** This Resolution shall become effective upon its passage.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of March, 2016.

ATTEST:

  
Secretary / Assistant Secretary

**BOGGY CREEK  
IMPROVEMENT DISTRICT**

  
Chairman, Board of Supervisors

**Exhibit A**

**Contraction Parcel**

**LAKE NONA SOUTH PARCEL  
CDD TRANSFER PARCEL  
BOGGY CREEK IMPROVEMENT DISTRICT TO GREENEWAY IMPROVEMENT  
DISTRICT**

**DESCRIPTION:**

That part of Sections 25 and 26, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

BEGIN at the Northernmost corner of Lot 2, UCF HEALTH SCIENCES CAMPUS AT LAKE NONA, according to the plat thereof, as recorded in Plat Book 73, Pages 4 through 7, of the Public Records of Orange County, Florida; thence S68°16'58"E along the Northerly line of said Lot 2 for a distance of 405.02 feet; thence N90°00'00"E along said Northerly line, 235.12 feet to the Northeast corner of said Lot 2; thence N00°00'00"E along the Northerly prolongation of the East line of said Lot 2 for a distance of 206.08 feet to the Southerly right-of-way line of Tavistock Lakes Boulevard, according to the plat of TAVISTOCK LAKES BOULEVARD PHASE 2, as recorded in Plat Book 75, Pages 103 through 105, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly right-of-way line: N90°00'00"W, 33.30 feet to the point of curvature of a curve concave Northerly having a radius of 846.00 feet and a chord bearing of N79°08'29"W; thence Westerly along the arc of said curve through a central angle of 21°43'02" for a distance of 320.67 feet to the point of tangency; N68°16'58"W, 532.64 feet to the point of curvature of a curve concave Southerly having a radius of 40.00 feet and a chord bearing of S67°41'48"W; thence Westerly along the arc of said curve through a central angle of 88°02'28" for a distance of 61.46 feet to the Easterly right-of-way line of Lake Nona Boulevard, according to the plat of LAKE NONA BOULEVARD SECOND ADDITION, as recorded in Plat Book 72, Pages 97 through 99, of the Public Records of Orange County, Florida and the point of reverse curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S26°06'39"W; thence departing said Southerly right-of-way line run Southwesterly along said Easterly right-of-way line and along the arc of said curve through a central angle of 04°52'08" for a distance of 168.00 feet to a non-tangent line and to the Northwesterly prolongation of the aforesaid Northerly line of Lot 2; thence departing said Easterly right-of-way line run S68°16'58"E along said Northwesterly prolongation of the aforesaid Northerly line of Lot 2 for a distance of 382.27 feet to the POINT OF BEGINNING.

Containing 4.639 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

**Exhibit B**

**Additional Parcel**

**LAKE NONA SOUTH  
WETLAND 34 GROWTH MANAGEMENT PLAN AMENDMENT PARCEL**

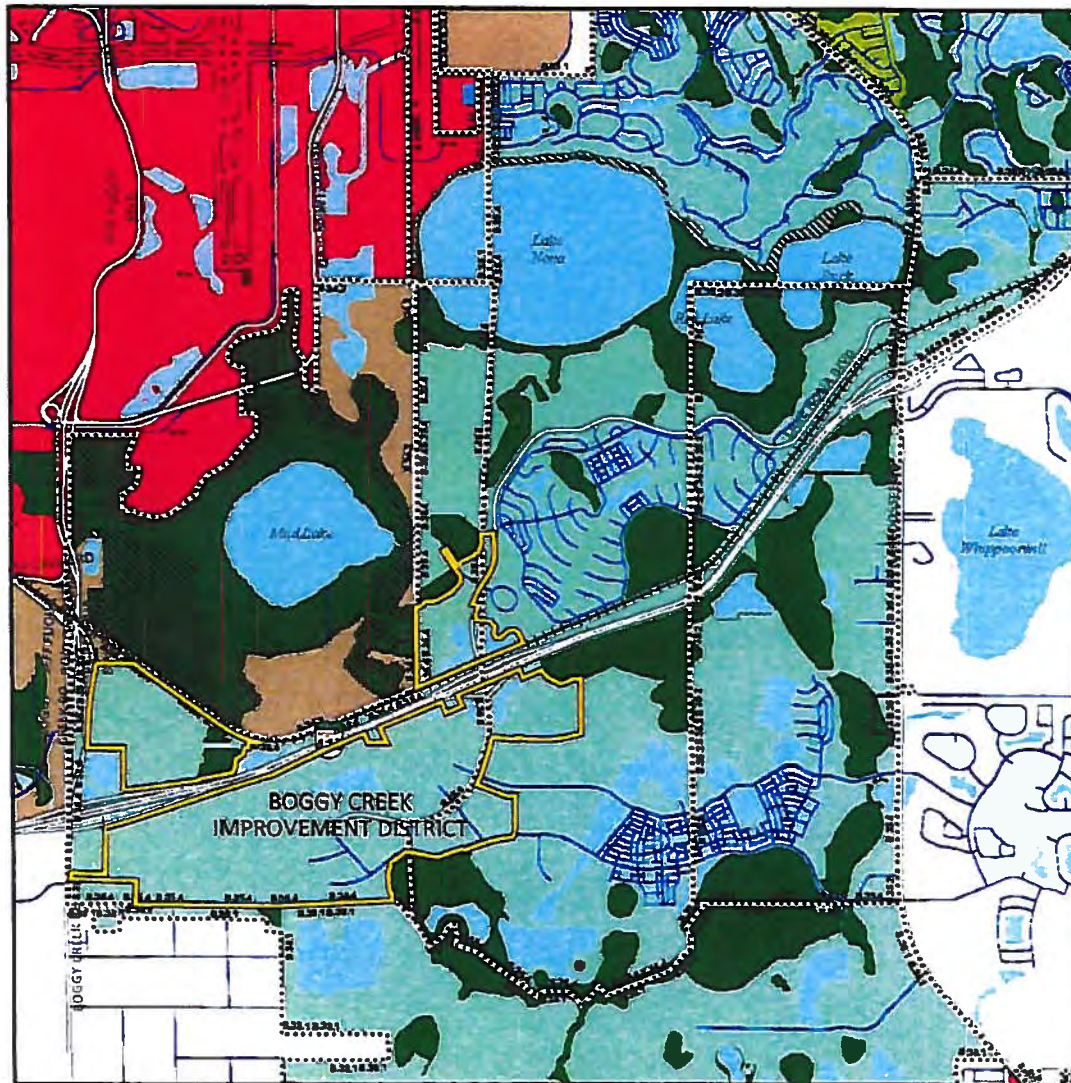
**DESCRIPTION:**

That part of Sections 26 and 27, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

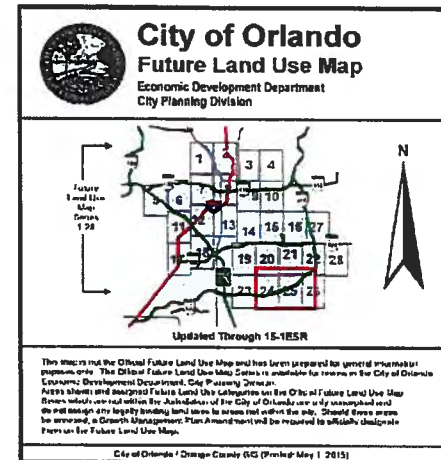
BEGIN at the Southwest corner of the Southeast 1/4 of said Section 26; thence S89°17'38"E along the South line of said Southeast 1/4 of Section 26 for a distance of 145.96 feet to the Westerly line of Conservation Easement "F-1", as described in Exhibit "B" of Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence departing said South line run the following courses and distances along said Westerly line: N01°26'01"W, 195.21 feet; S89°00'26"W, 15.99 feet; N17°18'59"W, 153.68 feet; N02°06'03"W, 412.45 feet; N23°06'35"E, 151.30 feet; N01°26'01"W, 98.06 feet to the Northwest corner of said Conservation Easement "F-1"; thence departing said Westerly line run S57°54'58"W, 74.64 feet; thence S52°24'26"W, 582.43 feet; thence S58°44'09"W, 401.34 feet; thence S77°44'08"W, 192.26 feet; thence S86°18'27"W, 159.50 feet; thence N80°02'25"W, 482.15 feet; thence N84°06'48"W, 406.49 feet; thence N85°03'30"W, 245.29 feet; thence N83°27'52"W, 335.33 feet; thence S79°59'55"W, 172.65 feet; thence S62°15'22"W, 90.24 feet; thence S82°45'52"W, 86.46 feet; thence S89°52'22"W, 168.71 feet; thence S71°00'52"W, 166.25 feet; thence S58°49'16"W, 182.48 feet; thence S35°57'38"W, 139.02 feet; thence S02°32'11"W, 149.10 feet; thence S19°37'33"E, 173.93 feet to the South line of the Southeast 1/4 of said Section 27; thence S89°36'24"E along said South line, 710.47 feet to the Southwest corner of the Southwest 1/4 of said Section 26; thence N86°57'30"E along the South line of said Southwest 1/4 of Section 26 for a distance of 2691.32 feet to the POINT OF BEGINNING.

Containing 45.673 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

## **EXHIBIT 7**



**BOGGY CREEK IMPROVEMENT DISTRICT**  
2016 REVISION



## Future Land Use Map LEGEND

	Residential Low Intensity Max: 12 DU/Acre and/or 0.30 FAR Min: None		Mixed Use Corridor Medium Intensity Max: 30 DU/Acre and/or 0.5 FAR Min: 15 DU/Acre
	Residential Medium Intensity Max: 30 DU/Acre and/or 0.30 FAR Min: 12 DU/Acre		Mixed Use Corridor High Intensity Max: 30 DU/Acre and/or 1.0 FAR Min: 30 DU/Acre and/or 0.4 FAR
	Residential High Intensity Max: 20 DU/Acre and/or 0.35 FAR Min: 30 DU/Acre		Neighborhood Activity Center Max: 30 DU/Acre and/or 0.3 FAR Min: 15 DU/Acre
	Mixed Use/Neighborhood Development Max: 12 DU/Acre and/or 0.4 FAR Min: None		Community Activity Center Max: 40 DU/Acre and/or 0.4 FAR Min: 20 DU/Acre and/or 0.35 FAR
	Office Low Intensity Max: 25 DU/Acre and/or 0.4 FAR Min: None		Urban Activity Center Max: 100 DU/Acre and/or 1.0 FAR Min: 30 DU/Acre and/or 0.5 FAR
	Office Medium Intensity Max: 40 DU/Acre and/or 0.5 FAR Min: 12 DU/Acre and/or 0.3 FAR		Metropolitan Activity Center Max: 200 DU/Acre and/or 2.0 FAR Min: 30 DU/Acre and/or 0.5 FAR
	Office High Intensity Max: 200 DU/Acre and/or 1.0 FAR Min: 30 DU/Acre and/or 0.5 FAR		Downtown Activity Center Max: 200 DU/Acre and/or 1.0 FAR Min: 30 DU/Acre and/or 0.5 FAR
	Industrial Max: 40 DU/Acre (1) and/or 0.7 FAR Min: 12 DU/Acre (1)		Urban Reserve Max: 1 DU/Acre and/or 0.05 FAR Min: None
	Airport Support District Med. Intensity See Govt 4 and Associated Overlay and Policies		Transitional Wildlife Habitat Overlay
	Airport Support District High Intensity See Govt 4 and Associated Overlay and Policies		Resource Protection Overlay
	Urban Village Governing by Adopted CMI Subarea Policy consistent with Future Land Use Policy 2.4.4		Growth Management Plan Subarea Policy (See Future Land Use Element)
	Public/Recreational & Institutional Min: None		Jurisdiction Boundary
	Lake/Conservation Min: 1 DU/Acre and/or 0.05 FAR Min: None		Notes/Definitions
	Conservation Max: 1 DU/Acre and/or 0.05 FAR Min: None		FAR: Floor Area Ratio DU: Dwelling Units OMP: Overlaid Management Plan

PREPARED BY DONALD W. MCINTOSH ASSOCIATES, INC.  
BASED ON INFORMATION FROM THE CITY OF ORLANDO WEBSITE.

## **EXHIBIT 8**



**DONALD W. MCINTOSH  
ASSOCIATES, INC.**

May 26, 2016

Re: Boggy Creek Improvement District  
2016 Proposed Boundary Amendment

To Whom It May Concern:

CIVIL ENGINEERS

LAND PLANNERS

SURVEYORS

We are the District Engineer for the Boggy Creek Improvement District. Based on the boundary amendments described and proposed in the Petition to Amend the Boundaries of the Boggy Creek Improvement District (2016), the District will not require additional or revised infrastructure from that currently existing or included in the approved *Amended and Restated Engineer's Report for Capital Improvements for Infrastructure* dated March 18, 2013 (the "Report"). Therefore, no additional costs to the District are anticipated in connection with the approval of the proposed boundary amendments. Enclosed herein, please find Table 1 included within the Report that identifies the components of the District's Capital Improvement Plan and the estimated cost of the provision of the same.

If you have any questions, please let me know.

Very truly yours,  
DONALD W. MCINTOSH ASSOCIATES, INC.  
District Engineer on behalf of the  
Boggy Creek Improvement District

John M. Florio, P.E.  
Executive Vice President

JMF/lt  
Enclosure

2200 Park Ave. North

Winter Park, FL

32789-2355

Fax 407-844-8318

407-844-4088

F:\Proj2003\23218\ENGAdmin\Cleo1268.docx

<http://www.dwna.com>

**TABLE 1**

**ENGINEER'S OPINION OF PROBABLE COST**  
**BOGGY CREEK IMPROVEMENT DISTRICT**  
**SUPPLEMENTAL ENGINEER'S REPORT SUMMARY**

**March 18, 2013**

<b>Component</b>	<b>Series 2010 Spent to Date<sup>(1)</sup></b>	<b>Anticipated Improvements Funded by 2013 Bonds</b>	<b>Proposed Future Improvements</b>	<b>Total Project</b>
Roadway/Stormwater/ Landscape <sup>(2,3,4)</sup>	\$30,600,000.00	\$11,020,000.00	\$17,865,000.00	\$59,485,000.00
Utilities	\$3,780,000.00	\$1,175,000.00	\$3,330,000.00	\$8,285,000.00
Conduit/Duct Bank System/Lighting	\$3,400,000.00	\$ 810,000.00	\$2,440,000.00	\$6,650,000.00
Contingency & Soft Costs	<u>\$1,720,000.00</u>	<u>\$3,495,000.00</u>	<u>\$7,165,000.00</u>	<u>\$12,380,000.00</u>
<b>Total:<sup>(5)</sup></b>	<b>\$39,500,000.00</b>	<b>\$16,500,000.00</b>	<b>\$30,800,000.00</b>	<b>\$86,800,000.00</b>

**Notes:**

(1) "Series 2010 Spent to Date" numbers are Requisitions approved as of March 1, 2013 and are rounded.

(2) Roadway/Stormwater/Landscape components include acquisition of some right-of-ways and/or pond tracts, subject to an MAI appraisal and Board approval.

(3) A series of interconnected multi-purpose trails / recreation areas are included as part of the overall project's landscape / hardscape and irrigation plans. The District intends to own and maintain all such improvements.

(4) "Stormwater" portion of projects includes roadway collection and transmission systems and master system outfalls.

(5) Improvements identified in the Capital Improvement Plan may be financed with proceeds of any series of Bonds or other available capital, subject to Board approval.

## **EXHIBIT 9**



**STATEMENT OF ESTIMATED  
REGULATORY COSTS  
ACCOMPANYING THE  
PETITION TO AMEND THE  
BOUNDARIES OF THE BOGGY  
CREEK IMPROVEMENT  
DISTRICT**

**March 31, 2016**

**Prepared by:**

**Fishkind & Associates, Inc.  
12051 Corporate Blvd.  
Orlando, Florida 32817**

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## STATEMENT OF ESTIMATED REGULATORY COSTS

### Boggy Creek Improvement District

March 31, 2016

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#### 1.0 Introduction

##### 1.1 Purpose and Scope

This statement of estimated regulatory costs (SERC) supports the petition to amend the boundaries of the Boggy Creek Improvement District (the "District"). The proposed boundary amendments will exclude 4.639 acres of land from the District's current boundaries ("Contraction Parcel") and add 45.673 acres of land ("Expansion Parcel"). The Expansion Parcel is not currently located within the boundaries of any Florida Special District. The Contraction Parcel will be annexed into the boundaries of the Greenway Improvement District contemporaneously with its contraction from the District. More details on the regulatory costs related to the Contraction Parcel can be found in the Statement of Estimated Regulatory Costs Accompanying the Petition to Amend the Boundaries of the Greenway Improvement District, dated March 31, 2016. The District proposes to provide infrastructure and community services to the lands within its boundaries as described more fully below.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. as follows (emphasis added):

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

##### 1.2 Overview of the District

Boggy Creek is one of three Improvement Districts located within a master-planned community known as the Lake Nona Planned Development (the

"Development") (additional districts include the Greenway Improvement District and the Myrtle Creek Improvement District). The Development was initiated by Lake Nona Property Holdings, LLC (the "Developer"). The District is predominantly located in that part of the Development known as "Lake Nona South", which is generally located to the south of State Road 417 east of Boggy Creek Road, west of Narcoossee Road, and north of the Osceola County line in the City of Orlando, Orange County, Florida.

The District was established to fund and/or acquire public infrastructure facilities and services serving the approximately 1,085 acres of property currently located within the District. The land within the District is planned to be developed into a mixed-use community including multi-family residences, retail and office space, one or more hotels, and other land uses. The District plans to provide localized infrastructure improvements and services to serve the land in the District and any offsite mitigation required by the Development Order. The District will fund the majority of its community infrastructure by issuing bonds from time to time secured by, among other things, proceeds of non-ad valorem special assessments levied on land within the District. The District would also provide community infrastructure, services, and facilities, along with their operations and maintenance, to the property to be annexed into the District.

### 1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (2015) 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 and 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.
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

**2.0 An economic analysis showing whether the amendment of the District's boundaries directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs**

Section 120.541(2)(a), F.S., requires an economic analysis showing whether the proposed amendment to the District's boundaries will directly

or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs exceeding \$1 million in the aggregate within 5 years after the boundary amendment occurs. The simple answer is that the proposed amendment to the District's boundaries will not have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs.

The proposed amendment to the District's boundaries is overwhelmingly likely to increase economic growth, job creation, employment, private sector investment, and business competitiveness. This is because the District will provide infrastructure improvements within and surrounding the District's boundaries, allowing for the development of the land within the District. The District's property owners will require goods and services. This new demand created by the District's property owners will increase economic growth, job creation, employment, private sector investment, and business competitiveness in the areas surrounding the District.

The District will have the ability to assess its property owners to pay for the installation, operation, and maintenance of its infrastructure improvements. However, such costs will not be in addition to, or unique to the District. The infrastructure improvements to be funded by the District would be required to support development, regardless of the District's existence. Improvement districts such as the proposed District can fund their infrastructure improvements with long-term bond financing that typically carries more favorable terms than other sources of funding. Thus, the costs related to the installation of the public infrastructure serving the planned new development will not be increased due to the existence of the District.

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

As noted above, the land to be annexed into the District is approximately 45.673 acres. This parcel will likely be the only land substantially affected by the proposed boundary amendment. Approval of the proposed amendment would place this parcel's landowners under the jurisdiction of the proposed District and subject them to District assessments.

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

**4.1 Impact on State and Local Revenues**

State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the amendment of the District's boundaries. The City of Orlando (the "City") is the government having jurisdiction over the proposed boundary amendment, pursuant to Section 190.005(2), F.S. The State will incur no costs in reviewing the petition to amend the District's boundaries and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the District's boundary amendment will be minimal, if any. The required annual reports the District must file with the State are outlined in the attached Appendix. However, as the District currently exists, the District must already file all of these reports. Thus, there will be no additional reporting or monitoring costs on the part of the State related to the District's boundary amendment. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.412, F.S, the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

Orange County

The costs to Orange County (the "County") due to the amendment of the District's boundaries will be modest, if any. The City of Orlando (the "City") is the government having jurisdiction over the proposed boundary amendment, pursuant to Section 190.005(2), F.S. Thus, the County will incur no costs in reviewing the petition to amend the District's boundaries and the County will not be required to hold any public hearings on the matter.

City of Orlando

The City staff will process, analyze, and conduct public hearing(s) on the petition to amend the District's boundaries. These activities will absorb the

time of the City staff and City Commissioners. However, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Fifth, the petitioner may be required by the City to pay a filing fee to compensate the City for any advertising expense occurred and for the time City staff spends analyzing the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to amend the District's boundaries.

The annual costs to the City, related to the continued existence of the District, are also minimal and within the control of the City. The District will be an independent unit of local government. The only annual costs incurred by the City on behalf of the District will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City. However, as noted above, the District already exists and no new reporting activity will be required as a result of the District's boundary amendment.

#### 4.2 Impact on State and Local Revenue

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 community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the County, or the City. By State law, the 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 required to comply with the requirements of the ordinance amending the District's boundaries.

The District's Board of Supervisors ("Board") has adopted a capital improvement program ("CIP"), which outlines the public infrastructure needed to serve development within the District. A summary of the components and costs of the District's CIP is found in Table 1, below.

**Table 1. CIP Components & Estimated Costs**

<u>Category</u>	<u>Est. Cost</u>
Roadways, Stormwater, & Landscaping	\$59,485,000
Utilities	\$8,285,000
Conduit, Duct Bank System, & Lighting	\$6,650,000
Contingency & Soft Costs	<u>\$12,380,000</u>
<b>Total</b>	<b>\$86,800,000</b>

The District has previously issued its Series 2013 Special Assessment Revenue Bonds ("Series 2013 Bonds"). The Series 2013 Bonds were issued to both: a) refinance the District's previous Series 2010 Special Assessment Revenue Bonds, and b) to raise new funds for the continued implementation of the District's CIP. Table 2 provides a summary of the District's Series 2013 Bonds.

**Table 2. Boggy Creek Improvement District  
Series 2013 Bonds Details**

<u>Bond Fund</u>	<u>Series 2010 Tender Amount</u>	<u>New Money Issuance Amount</u>	<u>Series 2013 Bonds Total</u>
Original Issue Discount	\$755,290	\$312,832	\$1,068,122
Construction Fund	\$0	\$14,963,985	\$14,963,985
Debt Service Reserve	\$2,891,213	\$1,102,013	\$3,993,226
Underwriter's Discount	\$493,189	\$204,273	\$697,461
Costs of Issuance	\$131,883	\$56,897	\$188,780
Accrued Interest	\$1,227,353	\$0	\$1,227,353
Net Cost of Series 2010 Redemption	<u>\$34,676,074</u>	<u>\$0</u>	<u>\$34,676,074</u>
<b>Par</b>	<b>\$40,175,000</b>	<b>\$16,640,000</b>	<b>\$56,815,000</b>

To secure the repayment of the Series 2013 Bonds, the District has levied special assessments on all properties within the boundaries of the existing District. These Series 2013 Bonds assessments will likely be re-levied and extended to cover the new parcel to be annexed into the District. Thus, the District assessments for the development planned for the Expansion Parcel will likely be similar to the existing assessments, outlined in Table 3 below.

**Table 3. Series 2013 Bonds Assessments**

<u>Category</u>	<u>Series 2013 Bonds Principal Debt/ Unit</u>	<u>Series 2013 Bonds Net Annual Assessment/ Unit</u>	<u>Series 2013 Bonds Gross Annual Assessment/Unit*</u>
<u>Residential</u>	<u>per Unit</u>	<u>per Unit</u>	<u>per Unit</u>
Multi-Family Units	\$8,882	\$623.87	\$653.27
<u>Hotel</u>	<u>per Room</u>	<u>per Room</u>	<u>per Room</u>
Hotel (Rooms)	\$11,103	\$779.84	\$816.58
<u>Commercial/Medical</u>	<u>per Sq.Ft.</u>	<u>per Sq.Ft.</u>	<u>per Sq.Ft.</u>
Retail (Sq.Ft.)	\$18.50	\$1.30	\$1.36
Office (Sq.Ft.)	\$14.80	\$1.04	\$1.09
Flex (Office/Warehouse) (Sq.Ft.)	\$9.25	\$0.65	\$0.68
Medical Office (Sq.Ft.)	\$18.50	\$1.30	\$1.36
Hospital (Sq.Ft.)	\$18.50	\$1.30	\$1.36
Medical Research/Campus (Sq.Ft.)	\$12.34	\$0.87	\$0.91

\*Includes a 0.5% allowance for the fees of the Orange County Property Appraiser and Tax Collector, together with a 4.0% allowance for the statutory early payment discount, for a total 4.5% gross-up.

Landowners within the District, including the owners of the Expansion Parcel, will be required to pay non-ad valorem assessments levied by the District to secure the repayment of the District's bond debt. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Tables 2 and 3 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed.

Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer provided infrastructure and facilities. Along these same lines, District imposed assessments for operations and maintenance cost are similar to what would be charged in any event by a property owner's association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the cost and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, the decision of new purchasers to acquire property within the District is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal services taxing unit (MSTU), a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

**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 no adverse impact on small businesses because of the amendment to the District's boundaries. If anything, the impact will be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

As noted above, there will be no adverse impact on the City due to the amendment of the District's boundaries. The District will provide infrastructure facilities and services to the Expansion Parcel. These facilities and services will help make this property developable. Development of the property within the District will increase the value of this

property and, consequently, increase the property taxes that accrue to the City. These increased property taxes (along with other direct and indirect revenues accruing to the City as a result of the development of the land within the District) will offset any new staff, facilities, or equipment the City adds to provide services to the property owners within the District.

#### **7.0 Any additional useful information.**

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

Finally, it is useful to reflect upon the question of whether the District is the best alternative to provide community facilities and services to the lands to be annexed into the District. As an alternative to the District, the County could approve a dependent special district for the area, such as an MSBU or a special taxing district under Chapter 170 of the Florida Statutes. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the proposed District.

However, unlike the District, the alternatives would require the County to continue to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. With a District, residents and renters within the District would have a focused unit of government under their direct control. The District can then be more responsive to resident needs without disrupting other County responsibilities.

Another alternative to the District would be for the Developer to provide the infrastructure and to use a property owners association (POA) for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA a District can impose and collect its assessments along with other property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government. Therefore, unlike the POA the District must abide by all governmental rules and regulations.

Fishkind & Associates, Inc. ("Fishkind") certifies that this SERC meets the requirements for a SERC as set out in Section 120.541, F.S.

Fishkind has drafted more than 100 SERCs. Below is a listing of some of the Districts for which we have prepared SERCs.

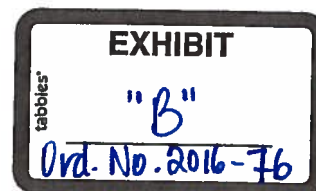
- New Port Tampa Bay Improvement District in Tampa
- Highlands Community Development District in Hillsborough County
- Lakewood Ranch Stewardship District in Manatee County
- Babcock Ranch Community Independent Special District in Charlotte County
- Urban Orlando Improvement District in Orlando
- Palazzo Del Lago Improvement District in Orange County
- Winter Garden Village at Fowler Groves Improvement District in Winter Garden
- Midtown Orlando Improvement District in Orange County
- The Tradition "Family" of Improvement Districts in Port St. Lucie

**APPENDIX**

**LIST OF District REPORTING REQUIREMENTS**

REPORT	FLORIDA STATUTE SECTION	DATE
Annual Financial Audit	218.39	9 months after end of fiscal year
Annual Financial Report (AFR)	218.32	Within 45 days after delivery of audit
Financial Disclosure Form 1	112.3145	By July 1
Public Depositor	280.17	By November 30
Proposed Budget	190.008	By June 15
Adopted Budget	190.008	By October 1
Public Facilities Report	189.415	Initial report within 1 year of creation, updates every 7 years
Public Meetings Schedule	189.417	Beginning of fiscal year
Notice of Bond Issuance	218.38	Within 120 days after delivery
Registered Agent	189.416	30 days after first Board Meeting
Notice of Establishment	190.0485	30 days after formation
Creation Documents	189.418	30 days after adoption
Notice of Public Finance	190.009	After financing

BOGGY CREEK IMPROVEMENT DISTRICT  
(2016 Revision)



DESCRIPTION:

PART A

That part of Sections 23, 24, 25, 26 and 27 Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southeast corner of the Southeast 1/4 of said Section 26; thence N89°17'38"W along the South line of the Southeast 1/4 of said Section 26 for a distance of 371.16 feet; thence N43°43'49"E, 229.28 feet; thence N30°56'19"E, 288.27 feet; thence N47°29'38"W, 18.00 feet; thence N40°26'49"W, 200.13 feet; thence N26°23'48"W, 360.97 feet; thence S27°24'00"W, 61.96 feet; thence N34°54'59"W, 352.22 feet; thence N25°05'40"E, 127.07 feet; thence N56°41'49"W, 169.62 feet to the POINT OF BEGINNING; thence N56°41'49"W, 55.83 feet; thence S75°02'30"W, 242.11 feet; thence S68°38'50"W, 385.25 feet; thence N89°12'59"W, 200.64 feet; thence N78°41'22"W, 371.10 feet; thence N73°22'47"W, 79.91 feet; thence N84°23'32"W, 223.73 feet; thence S49°37'58"W, 224.15 feet; thence S57°54'58"W, 241.02 feet; thence S01°26'01"E, 98.06 feet; thence S23°06'35"W, 151.30 feet; thence S02°06'03"E, 412.45 feet; thence S17°18'59"E, 153.68 feet; thence N89°00'26"E, 15.99 feet; thence S01°26'01"E, 195.21 feet to the aforesaid South line of the Southeast 1/4 of said Section 26; thence N89°17'38"W along said South line, 145.96 feet to the Southwest corner of said Southeast 1/4 of Section 26; thence S86°57'30"W along the South line of the Southwest 1/4 of said Section 26 for a distance of 2691.32 feet to the Southwest corner of said Southwest 1/4 of Section 26; thence N89°36'24"W along the South line of the Southeast 1/4 of said Section 27 for a distance of 2725.77 feet to the Southeast corner of the Southwest 1/4 of said Section 27; thence N89°55'36"W along the South line of the Southwest 1/4 of said Section 27 for a distance of 895.92 feet to the Southeast corner of Commercial Parcel No. 2 described in Exhibit A of lands recorded in Official Records Book 4797, Page 3447, of the Public Records of Orange County, Florida; thence N01°41'54"E along the East line of said Commercial Parcel No. 2 for a distance of 629.11 feet to the Northeast corner thereof; thence N88°18'06"W along the North line of said Commercial Parcel No. 2 for a distance of 1639.65 feet to the East right-of-way line of Boggy Creek Road, as recorded in Official Records Book 4345, Page 3237, of the Public Records of Orange County, Florida; thence N06°38'30"E along said East right-of-way line, 140.52 feet to the Southwest corner of Commercial Parcel No. 1 described in said Exhibit A of Official Records Book 4797, Page 3447, of said Public Records; thence S88°18'06"E along the South line of said Commercial Parcel No. 1 for a distance of 842.53 feet to the Southeast corner thereof; thence N01°41'54"E along the East line of said Commercial Parcel No. 1 for a distance of 1195.70 feet to the Southerly limited access right-of-way Line of State Road No. 417, as recorded in said Official Records Book 4345, Page 3237, of the Public Records of Orange County, Florida, and to a point on a non-tangent curve concave Northwesterly having a radius of 7733.81 feet and a chord bearing of N73°39'02"E; thence run the following courses and distances along said Southerly limited access right-of-way line: Easterly along the arc of said curve through a central angle of 04°07'38" for a distance of 557.10 feet to the point of tangency; N71°35'13"E, 3673.57 feet; N81°59'44"E, 104.10 feet; N64°34'47"E, 295.07 feet; N64°33'06"E,

464.34 feet; N66°42'23"E, 500.03 feet; N23°17'37"W, 10.00 feet; N66°42'23"E, 1347.33 feet; S23°17'37"E, 262.49 feet; N89°50'52"E, 462.22 feet; N23°17'37"W, 444.14 feet; N66°42'23"E, 1700.09 feet; S23°17'37"E, 305.02 feet; N66°42'23"E, 450.02 feet; N23°17'37"W, 305.02 feet; N66°42'23"E, 1700.09 feet; S23°17'37"E, 240.01 feet; N66°42'23"E, 509.08 feet to the Southerly line of Conservation Easement "A", as described in Official Records Book 9262, Page 2315, of the Public Records of Orange County, Florida; thence run the following courses and distances along said Southerly line: S29°31'07"E, 70.44 feet; S42°12'14"E, 73.75 feet; S42°08'54"E, 119.27 feet; S69°22'47"E, 71.65 feet; S61°37'09"E, 113.52 feet; S60°38'59"E, 125.68 feet to the point of curvature of a curve concave Northerly having a radius of 100.00 feet and a chord bearing of S86°29'19"E; thence Easterly along the arc of said curve through a central angle of 51°40'41" for a distance of 90.20 feet to the point of tangency; N67°40'20"E, 76.59 feet; N80°12'06"E, 40.27 feet; N58°04'57"E, 111.70 feet; N70°11'18"E, 70.62 feet; N86°25'04"E, 113.81 feet; N83°01'49"E, 71.09 feet; thence departing said Southerly line run S00°00'00"E, 1439.13 feet; thence S72°10'43"W, 55.07 feet to the point of curvature of a curve concave Northerly having a radius of 3030.00 feet and a chord bearing of S83°10'38"W; thence Westerly along the arc of said curve through a central angle of 21°59'50" for a distance of 1163.29 feet to the point of tangency; thence N85°49'28"W, 410.79 feet; thence S00°00'00"W, 30.08 feet; thence N85°49'28"W, 615.18 feet to the point of curvature of a curve concave Southeasterly having a radius of 40.00 feet and a chord bearing of S50°44'40"W; thence Southwesterly along the arc of said curve through a central angle of 86°51'45" for a distance of 60.64 feet to the point of reverse of a curve concave Westerly having a radius of 1825.00 feet and a chord bearing of S12°31'09"W; thence Southerly along the arc of said curve through a central angle of 10°24'44" for a distance of 331.65 feet to the point of tangency; thence S17°43'31"W, 499.71 feet to the point of curvature of a curve concave Northwesterly having a radius of 1976.87 feet and a chord bearing of S23°08'07"W; thence Southwesterly along the arc of said curve through a central angle of 10°49'12" for a distance of 373.32 feet to a non-tangent line; thence S68°16'58"E, 787.29 feet; thence N90°00'00"E, 235.12 feet; thence S00°00'00"E, 890.50 feet to the point of curvature of a curve concave Northwesterly having a radius of 40.00 feet and a chord bearing of S42°31'46"W; thence Southwesterly along the arc of said curve through a central angle of 85°03'33" for a distance of 59.38 feet to a non-tangent line; thence S04°56'27"E, 120.00 feet to a point on a non-tangent curve concave Southerly having a radius of 3190.00 feet and a chord bearing of S77°24'55"W; thence Westerly along the arc of said curve through a central angle of 15°17'16" for a distance of 851.16 feet to the point of tangency; thence S69°46'17"W, 396.18 feet to the point of curvature of a curve concave Northerly having a radius of 744.00 feet and a chord bearing of S71°32'08"W; thence Westerly along the arc of said curve through a central angle of 03°31'42" for a distance of 45.82 feet to the POINT OF BEGINNING.

## PART B

That portion of Section 22, Township 24 South, Range 30 East, Orange County, Florida, lying south of the City of Orlando/Greater Orlando Aviation Authority Order of Taking (being taken under Case No. 91-4738 in Official Records Book 4318, Page 3458, Public Records of Orange County, Florida) and South of Lots 38 and 39, ORLANDO KISSIMMEE FARMS, according to the plat thereof as recorded in Plat Book O, Page 75, Public Records of Orange County, Florida; LESS the Eastern Beltway/Southern Connector right-of-way conveyed to Orlando-Orange

County Expressway Authority in Official Records Book 4345, Page 3237, and LESS the Orlando Utilities Commission Railroad Right-of-way (120' wide right-of-way).

TOGETHER WITH: That portion of Section 27, Township 24 South, Range 30 East, Orange County, Florida, lying south of the City of Orlando/Greater Orlando Aviation Authority Order of Taking (being taken under Case No. 91-692 in Official Records Book 4277, Page 2265, and under Case No. 91-4738 in Official Records Book 4318, Page 3458, Public Records of Orange County, Florida); LESS that portion for the Eastern Beltway/Southern Connector right-of-way conveyed to Orlando-Orange County Expressway Authority in Official Records Book 4345, Page 3237, and less the Orlando Utilities Commission Railroad Right-of-way (120' wide right-of-way); LESS that portion lying South of said Eastern Beltway/Southern Connector right-of-way.

#### PART C

That part of Sections 23 and 24, Township 24 South, Range 30 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence N00°14'36"E along the West line of the Southwest 1/4 of said Section 24 for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Railroad Right-of-way, said right-of-way, as recorded in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida, and the POINT OF BEGINNING; thence S66°42'21"W along said Northerly right-of-way line, 2044.68 feet to the East line of a City of Orlando 135-foot wide Power Line Easement, as recorded in Official Records Book 1838, Page 953, of the Public Records of Orange County, Florida; thence N00°01'26"W along said East line, 2081.96 feet; thence N75°10'16"E, 146.86 feet; thence N43°35'53"E, 90.13 feet; thence N39°43'27"E, 45.16 feet; thence N86°26'06"E, 187.29 feet; thence N74°52'40"E, 123.31 feet; thence N60°12'33"E, 422.15 feet; thence N42°19'43"E, 42.43 feet; thence N41°02'48"E, 286.01 feet; thence N05°15'20"E, 39.82 feet; thence N01°04'51"E, 80.56 feet; thence N18°38'33"W, 101.30 feet to a point on a non-tangent curve concave Northeasterly having a radius of 1005.00 feet and a chord bearing of N38°58'34"W; thence Northwesterly along the arc of said curve through a central angle of 10°21'23" for a distance of 181.66 feet to the point of tangency and the Easternmost corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence N33°47'53"W along the Northeasterly line of said Lot 1 for a distance of 529.41 feet; thence N56°12'07"E, 100.00 feet; thence S33°47'53"E, 529.41 feet to the point of curvature of a curve concave Northeasterly having a radius of 905.00 feet and a chord bearing of S35°10'36"E; thence Southeasterly along the arc of said curve through a central angle of 02°45'27" for a distance of 43.55 feet to a non-tangent line; thence N23°11'55"E, 160.17 feet; thence N55°00'29"E, 42.77 feet; thence N71°12'07"E, 110.40 feet; thence N60°00'59"E, 69.74 feet; thence N64°25'40"E, 115.29 feet; thence N34°44'31"E, 83.87 feet; thence N78°19'40"E, 85.56 feet; thence N14°45'41"E, 220.26 feet; thence N00°25'50"E, 276.70 feet; thence N85°42'44"E, 309.66 feet; thence S04°17'16"E, 424.22 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of S14°23'52"W; thence Southerly along the arc of said curve through a central angle of 37°22'17" for a distance of 704.43 feet to the point of

tangency; thence S33°05'00"W, 208.63 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of S28°19'00"W; thence Southwesterly along the arc of said curve through a central angle of 09°32'00" for a distance of 359.41 feet to non-tangent line; thence S23°26'51"W, 258.93 feet; thence S73°17'12"E, 150.01 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of S10°51'37"W; thence Southerly along the arc of said curve through a central angle of 12°40'05" for a distance of 365.21 feet to a non-tangent line; thence S85°00'25"E, 369.25 feet; thence S39°54'33"E, 193.74 feet; thence S10°16'14"W, 201.57 feet; thence S37°35'26"E, 112.22 feet; thence S85°01'08"E, 89.57 feet; thence N49°41'35"E, 280.29 feet; thence N80°15'24"E, 142.51 feet; thence S61°29'24"E, 132.55 feet; thence S23°17'09"E, 292.91 feet to the aforesaid Northerly line of an Orlando Utilities Commission Railroad Right-of-way; thence S66°42'21"W along said Northerly line, 896.17 feet to the POINT OF BEGINNING.

All together containing 1126.043 acres more or less and being subject to any rights-of-way, restrictions and easements of record.