

***BRIGHTWATER COMMUNITY
DEVELOPMENT DISTRICT***

Advanced Meeting Package

***Board of Supervisor
Regular Meeting***

***Wednesday,
January 22, 2020***

11:00 a.m.

***Hyatt Place Fort Myers
at the Forum
2600 Champion Ring Road
Fort Myers FL 33905***

Note: The Advanced Meeting Package is a working document and thus all materials are considered **DRAFTS** prior to presentation and Board acceptance, approval or adoption.

BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT AGENDA

District Board of Supervisors	Mike Lawson Doug Draper Lori Price Christie Ray	Chairman Vice Chairman Assistant Secretary Assistant Secretary
District Manager	Paul Cusmano	DPFG
District Attorney	John Vericker	Straley Robin Vericker
District Engineer	Tonja Stewart	Stantec Consulting Services, Inc.

All cellular phones and pagers must be turned off during the meeting.

The District Agenda is comprised of six different sections:

The first section which is called **Audience Questions and Comments**. The Audience Comment portion of the agenda is where individuals may comment on matters that concern the District. Each individual is limited to three (3) minutes for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Administrative Matters** and contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Business Matters**. The business matters section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. Agendas can be reviewed by contacting the Manager's office at (813) 374-9104 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting. The fourth section is called **Staff Reports**. This section allows the District Manager and Maintenance Supervisor to update the Board of Supervisors on any pending issues that are being researched for Board action. The fifth section which is called **Audience Comments on Other Items** provides members of the Audience the opportunity to comment on matters of concern to them that were not addressed during the meeting. The same guidelines used during the first audience comment section will apply here as well. The final section is called **Supervisor Requests**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 374-9104, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

District: **BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT**

Date of Meeting: Wednesday, January 22nd, 2020
Time: 11:00 AM
Location: Hyatt Place Fort Myers at the Forum
2600 Champion Ring Road
Fort Myers, Florida 33905

Dial-in Number: 563-999-2099
Guest Access Code: 686859#

Agenda

I. Roll Call

Mike Lawson - Chairman Doug Draper – Vice Chair
Lori Price – Assist. Secretary Christie Ray – Assist. Secretary

II. Consent Agenda

- A. Consideration and Approval of the August 28, 2019 Regular Meeting Minutes Exhibit 1
- B. Acceptance of the August - December 2019 Financial Statements Exhibit 2

III. Business Matters

- A. Consideration and Adoption of Resolution 2020-01 Declaring Special Assessments Exhibit 3
 - 1. Master Special Assessment Methodology Report dated January 10, 2020
 - 2. Report of District Engineer dated October 15, 2019
- B. Consideration and Adoption of Resolution 2020-02 Setting a Public Hearing for Imposing a Special Assessment Exhibit 4

IV. Administrative Matters

- A. Ratify PO's and contracts Exhibit 5

V. Staff Reports

- A. District Manager
- B. District Attorney
- C. District Engineer

VI. Supervisors Requests

VII. Audience Comments – New Business – (limited to 3 minutes per individual for non-agenda items)

VIII. Adjournment

EXHIBIT 1.

1 **MINUTES OF MEETING**
2 **BRIGHTWATER**
3 **COMMUNITY DEVELOPMENT DISTRICT**
4

5 The Meeting of the Board of Supervisors of the Brightwater Community Development District was
6 held on Wednesday, August 28, 2019 at 11:00 a.m. at Holiday Inn Express & Suites, 3427 Forum
7 Boulevard, Fort Myers, Florida 33905.
8

9 **FIRST ORDER OF BUSINESS – Roll Call**

10 Mr. Cusmano called the meeting to order and conducted roll call.

11 Present and constituting a quorum were:

12 Mike Lawson	Board Supervisor, Chairman
13 Doug Draper	Board Supervisor, Vice Chairman
14 Lori Price	Board Supervisor, Assistant Secretary

15 Also present were:

16 Paul Cusmano	District Manager, DPFM Management & Consulting LLC
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17

18 *The following is a summary of the discussions and actions taken at the August 28, 2019 Brightwater CDD*
19 *Board of Supervisors Meeting.*
20

21 **SECOND ORDER OF BUSINESS – Audience Comments**

22 There being none, the next item followed.

23 **THIRD ORDER OF BUSINESS – Consent Agenda**

- 24 A. Approval of the Minutes from the May 29, 2019 Regular Meeting
25 B. Acceptance of the May, June & July 2019 Financial Statements

26 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board approved 27 Exhibits A & B of the Consent Agenda for the Brightwater Community Development District.
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28 **FOURTH ORDER OF BUSINESS – Business Matters**

- 29 A. Fiscal Year 2019-2020 Budget Public Hearing
30 1. Open Public Hearing

31 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board opened the 32 FY 2019-2020 Budget Public Hearing for the Brightwater Community Development District.

- 33 2. Review Budget
34 3. Audience Comments
35 4. Close Public Hearing

36 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board closed
37 the Fiscal Year 2019-2020 Public Hearing for the Brightwater Community Development District.

38 5. Consideration and Adoption of Resolution 2019-05 Adopting the FY 2019-2020 Budget
39 ➤ Budget Funding Agreement

40 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board adopted
41 Resolution 2019-05, adopting the Fiscal Year 2019-2020 Budget Public Hearing for the Brightwater
42 Community Development District.

43 B. Consideration and Adoption of FY 2019-10 FY 2020 Meeting Dates, Time and Location

44 On a MOTION by Mr. Lawson, SECONDED by Mr. Draper, WITH ALL IN FAVOR, the Board adopted
45 the Fiscal Year 2019-06 Meeting Dates, Time and Location for the Brightwater Community Development
46 District.

47 **FIFTH ORDER OF BUSINESS – Staff Reports**

- 48 A. District Manager
- 49 B. District Counsel
- 50 C. District Engineer

51 **SIXTH ORDER OF BUSINESS – Supervisor Requests**

52 There being none, the next item followed.

53 **SEVENTH ORDER OF BUSINESS – Adjournment**

54 Mr. Cusmano asked for final questions, comments, or corrections before adjourning the meeting.
55 There being none, Mr. Lawson made a motion to adjourn the meeting.

56 On a MOTION by Mr. Lawson, SECONDED by Ms. Price, WITH ALL IN FAVOR, the Board adjourned
57 the meeting for the Brightwater Community Development District.

58 **Each person who decides to appeal any decision made by the Board with respect to any matter considered*
59 *at the meeting is advised that person may need to ensure that a verbatim record of the proceedings is made,*
60 *including the testimony and evidence upon which such appeal is to be based.*

61
62 **Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed**
63 **meeting held on _____.**
64

65

66

67

68

69

Signature

Signature

70

Printed Name

Printed Name

71

72 **Title:** **Secretary** **Assistant Secretary**

Title: **Chairman** **Vice Chairman**

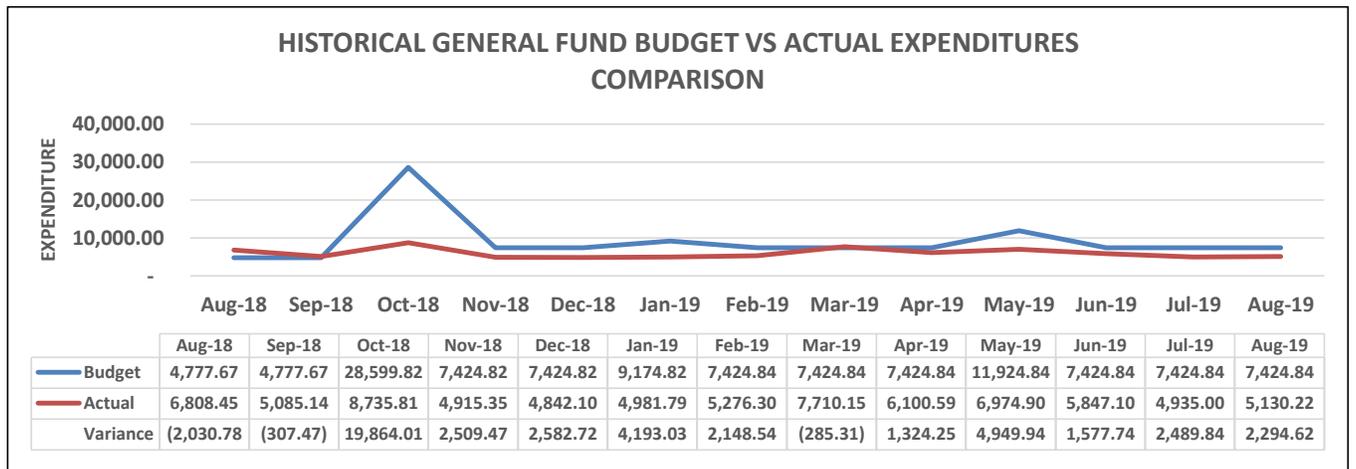
EXHIBIT 2.

Brightwater CDD
Financial Report Summary General Fund & Construction Fund
8/31/2019

For The Period Ending :	GENERAL FUND 8/31/2019	CONSTRUCTION 8/31/2019
CASH BALANCE	\$ 252	\$ -
PLUS: ACCOUNTS RECEIVABLE	-	-
LESS: ACCOUNTS PAYABLE	(272)	-
NET CASH BALANCE	\$ (20)	\$ -

GENERAL FUND REVENUE AND EXPENDITURES (FY 2019 YTD):	8/31/2019 ACTUAL YEAR-TO-DATE	8/31/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE (YTD) COLLECTED	\$ 64,904	\$ 108,348	\$ (43,443)
EXPENDITURES (YTD)	(65,449)	(109,098)	43,649
NET OPERATING CHANGE	\$ (545)	\$ (750)	\$ 205
AVERAGE MONTHLY EXPENDITURES	\$ 5,950	\$ 9,918	\$ 3,968
PROJECTED EOY BASED ON AVERAGE	\$ 71,399	\$ 116,523	\$ 45,124

GENERAL FUND SIGNIFICANT FINANCIAL ACTIVITY:	8/31/2019 ACTUAL YEAR-TO-DATE	8/31/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE:			
DEVELOPER FUNDING	64,877	108,348	(43,471)
MISCELLANEOUS REVENUE	28	-	28
TOTAL REVENUES	64,904	108,348	(43,443)
EXPENDITURES:			
ADMINISTRATIVE EXPENDITURES	65,449	109,098	43,649
TOTAL EXPENDITURES	\$ 65,449	\$ 109,098	\$ 43,649

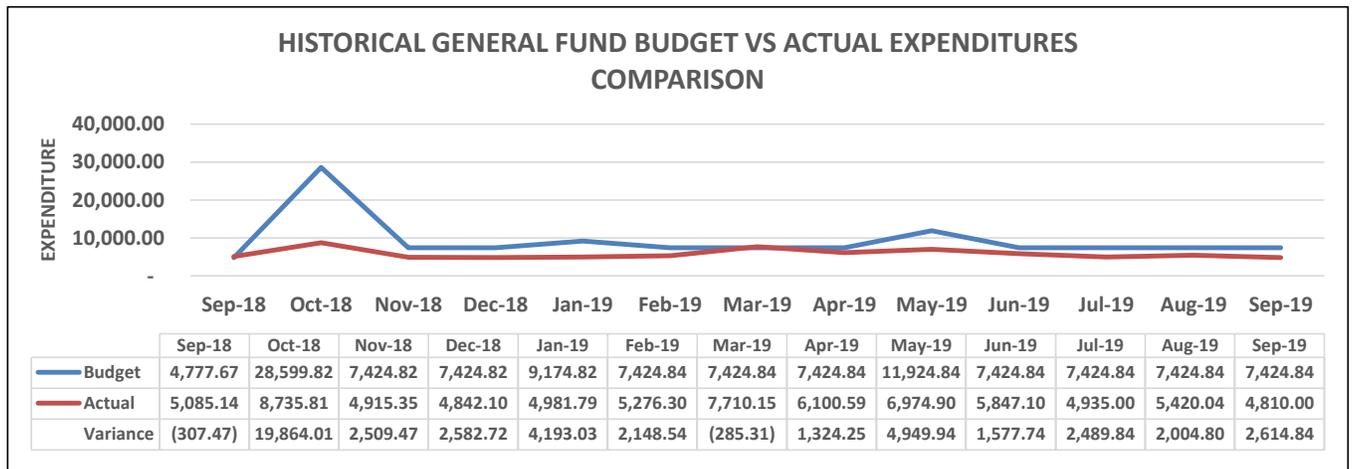


Brightwater CDD
Financial Report Summary General Fund & Construction Fund
9/30/2019

For The Period Ending :	GENERAL FUND 9/30/2019	CONSTRUCTION 9/30/2019
CASH BALANCE	\$ 192	\$ -
PLUS: ACCOUNTS RECEIVABLE	800	5,448
LESS: ACCOUNTS PAYABLE	(290)	(5,448)
NET CASH BALANCE	\$ 702	\$ -

GENERAL FUND REVENUE AND EXPENDITURES (FY 2019 YTD):	9/30/2019 ACTUAL YEAR-TO-DATE	9/30/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE (YTD) COLLECTED	\$ 70,726	\$ 116,523	\$ (45,796)
EXPENDITURES (YTD)	(70,549)	(116,523)	45,974
NET OPERATING CHANGE	\$ 177	\$ -	\$ 177
AVERAGE MONTHLY EXPENDITURES	\$ 5,879	\$ 9,710	\$ 3,831
PROJECTED EOY BASED ON AVERAGE	\$ 70,549	\$ 116,523	\$ 45,974

GENERAL FUND SIGNIFICANT FINANCIAL ACTIVITY:	9/30/2019 ACTUAL YEAR-TO-DATE	9/30/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE:			
DEVELOPER FUNDING	70,698	116,523	(45,825)
MISCELLANEOUS REVENUE	28	-	28
TOTAL REVENUES	70,726	116,523	(45,797)
EXPENDITURES:			
ADMINISTRATIVE EXPENDITURES	70,549	116,523	45,974
TOTAL EXPENDITURES	\$ 70,549	\$ 116,523	\$ 45,974

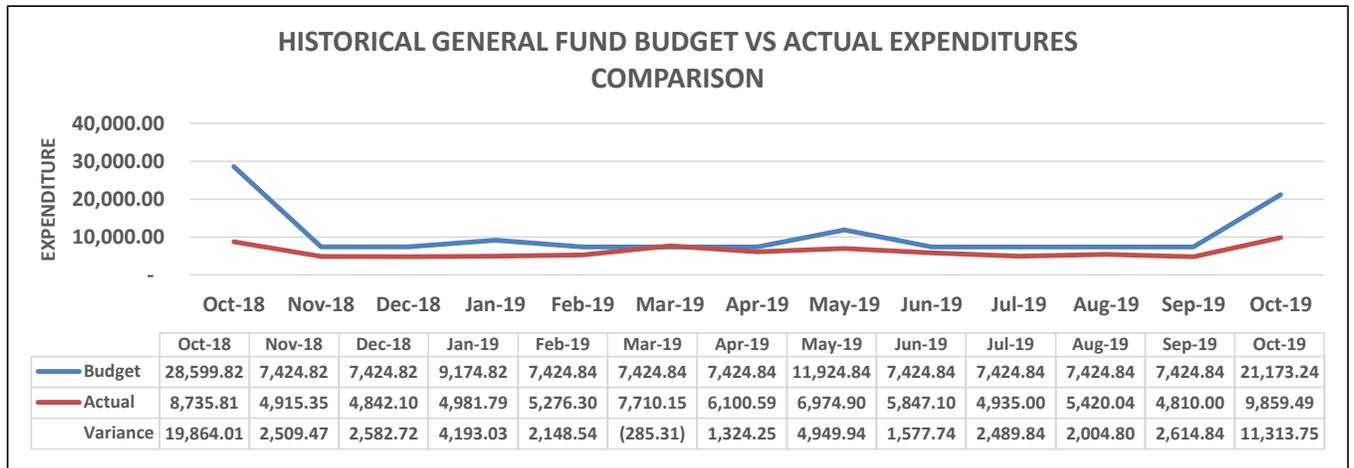


Brightwater CDD
Financial Report Summary General Fund & Construction Fund
10/31/2019

For The Period Ending :	GENERAL FUND	CONSTRUCTION
	10/31/2019	10/31/2019
CASH BALANCE	\$ 297	\$ -
PLUS: ACCOUNTS RECEIVABLE	4,804	6,479
LESS: ACCOUNTS PAYABLE	(4,929)	(6,479)
NET CASH BALANCE	\$ 172	\$ -

GENERAL FUND REVENUE AND EXPENDITURES (FY 2019 YTD):	10/31/2019 ACTUAL YEAR-TO-DATE	10/31/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE (YTD) COLLECTED	\$ 9,844	\$ -	\$ 9,844
EXPENDITURES (YTD)	(9,859)	(21,173)	11,314
NET OPERATING CHANGE	\$ (16)	\$ (21,173)	\$ 21,157
AVERAGE MONTHLY EXPENDITURES	\$ 9,859	\$ 21,173	\$ 11,314
PROJECTED EOY BASED ON AVERAGE	\$ 118,314	\$ 234,873	\$ 116,559

GENERAL FUND SIGNIFICANT FINANCIAL ACTIVITY:	10/31/2019 ACTUAL YEAR-TO-DATE	10/31/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE:			
DEVELOPER FUNDING	9,844	-	9,844
MISCELLANEOUS REVENUE	-	-	-
TOTAL REVENUES	9,844	-	9,844
EXPENDITURES:			
ADMINISTRATIVE EXPENDITURES	9,859	11,590	1,730
PHYSICAL ENVIRONMENT EXPENDITURE	-	9,583	9,583
TOTAL EXPENDITURES	\$ 9,859	\$ 21,173	\$ 11,314

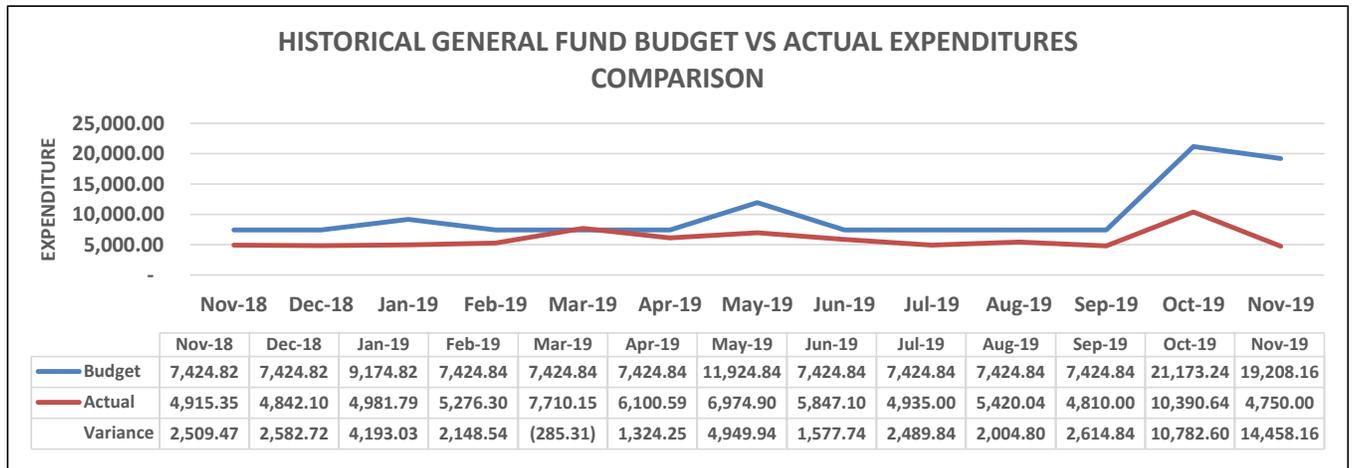


Brightwater CDD
Financial Report Summary General Fund & Construction Fund
11/30/2019

For The Period Ending :	GENERAL FUND 11/30/2019	CONSTRUCTION 11/30/2019
CASH BALANCE	\$ 298	\$ -
PLUS: ACCOUNTS RECEIVABLE	712	2,100
LESS: ACCOUNTS PAYABLE	(712)	(2,100)
NET CASH BALANCE	\$ 298	\$ -

GENERAL FUND REVENUE AND EXPENDITURES (FY 2019 YTD):	11/30/2019 ACTUAL YEAR-TO-DATE	11/30/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE (YTD) COLLECTED	\$ 15,141	\$ -	\$ 15,142
EXPENDITURES (YTD)	(15,141)	(40,381)	25,241
NET OPERATING CHANGE	\$ 1	\$ (40,381)	\$ 40,382
AVERAGE MONTHLY EXPENDITURES	\$ 7,570	\$ 20,191	\$ 12,620
PROJECTED EOY BASED ON AVERAGE	\$ 90,844	\$ 234,873	\$ 144,029

GENERAL FUND SIGNIFICANT FINANCIAL ACTIVITY:	11/30/2019 ACTUAL YEAR-TO-DATE	11/30/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE:			
DEVELOPER FUNDING	15,141	-	15,141
MISCELLANEOUS REVENUE	2	-	2
TOTAL REVENUES	15,141	-	15,142
EXPENDITURES:			
ADMINISTRATIVE EXPENDITURES	15,141	21,215	6,074
PHYSICAL ENVIRONMENT EXPENDITURES	-	19,167	19,167
TOTAL EXPENDITURES	\$ 15,141	\$ 40,381	\$ 25,241



Brightwater CDD
Financial Report Summary - General Fund & Construction Fund
12/31/2019

For The Period Ending :	GENERAL FUND 12/31/2019	CONSTRUCTION 12/31/2019
CASH BALANCE	\$ 298	\$ 2,100
PLUS: ACCOUNTS RECEIVABLE	5,650	-
LESS: ACCOUNTS PAYABLE	(4,922)	(2,100)
NET CASH BALANCE	\$ 1,026	\$ -

GENERAL FUND REVENUE AND EXPENDITURES (FY 2020 YTD):			
	12/31/2019 ACTUAL YEAR-TO-DATE	12/31/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE (YTD) COLLECTED	\$ 20,791	\$ 58,160	\$ (37,367)
EXPENDITURES (YTD)	(20,063)	(58,160)	38,097
NET OPERATING CHANGE	\$ 729	\$ -	\$ 729
AVERAGE MONTHLY EXPENDITURES	\$ 6,688	\$ 19,387	\$ 12,699
PROJECTED EOY BASED ON AVERAGE	\$ 80,251	\$ 234,873	\$ 154,622

GENERAL FUND SIGNIFICANT FINANCIAL ACTIVITY:			
	12/31/2019 ACTUAL YEAR-TO-DATE	12/31/2019 BUDGET YEAR-TO-DATE	FAVORABLE (UNFAVORABLE) VARIANCE
REVENUE:			
DEVELOPER FUNDING	20,791	58,160	(37,369)
MISCELLANEOUS REVENUE	2	-	2
TOTAL REVENUES	20,791	58,160	(37,367)
EXPENDITURES:			
ADMINISTRATIVE EXPENDITURES	20,063	29,409	9,347
PHYSICAL ENVIRONMENT EXPENDITURES	-	28,750	28,750
TOTAL EXPENDITURES	\$ 20,063	\$ 58,160	\$ 38,097

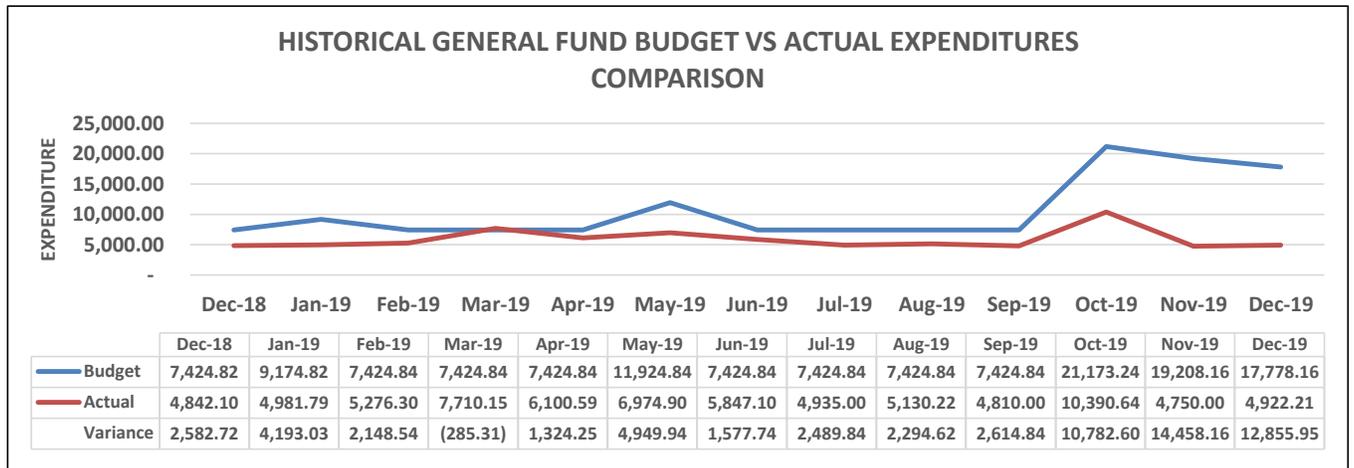


EXHIBIT 3.

RESOLUTION NO. 2020-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THE PUBLIC IMPROVEMENTS WHICH COST IS TO BE DEFRAIDED IN WHOLE OR IN PART BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE PUBLIC IMPROVEMENTS TO BE DEFRAIDED IN WHOLE OR IN PART BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; AUTHORIZING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE ADVISABILITY AND PROPRIETY OF SAID ASSESSMENTS AND THE RELATED IMPROVEMENTS; PROVIDING FOR NOTICE OF SAID PUBLIC HEARING; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (the “**Board**”) of the Brightwater Community Development District (the “**District**”) has determined to construct and/or acquire certain public improvements (the “**Project**”) set forth in the plans and specifications as described in the Report of the District Engineer dated October 15, 2019, which is available for review at the offices of DPFM Management & Consulting, LLC located at 15310 Amberly Drive, Suite 175, Tampa, Florida 33647 (the “**District Office**”); and

WHEREAS, the Board finds that it is in the best interest of the District to pay the cost of the Project by imposing, levying, and collecting special assessments pursuant to Chapters 170 and 190, Florida Statutes (the “**Assessments**”); and

WHEREAS, the District is empowered by Chapter 190, Uniform Community Development Act, and Chapter 170, Supplemental Alternative Method of Making Local and Municipal Improvements, of Florida Statutes, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain the Project and to impose, levy, and collect the Assessments; and

WHEREAS, the District hereby determines that benefits will accrue to the property improved, the amount of those benefits, and that the Assessments will be made in proportion to the benefits received as set forth in the District’s Master Special Assessment Methodology Report dated January 10, 2020 (the “**Assessment Report**”) incorporated by reference as part of this Resolution and on file at the District Office; and

WHEREAS, the District hereby determines that the Assessments to be levied will not exceed the benefits to the property improved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT THAT:

1. The foregoing recitals are hereby incorporated as the findings of fact of the Board.
2. Assessments shall be levied to defray a portion of the cost of the Project.
3. The nature of the Project generally consists of master improvements consisting of roads, water management and control, water supply, sewer and wastewater management, electrical power, landscaping, hardscaping and irrigation, all as described more particularly in the plans and specifications on file at the District Office which are by specific reference incorporated herein and made part hereof.
4. The general locations of the Project are as shown on the plans and specifications referred to above.
5. The estimated cost of the Project as stated in the Engineer's Report is approximately \$29,197,700 (hereinafter referred to as the "**Estimated Cost**").
6. As stated in the Assessment Report, the Assessments will defray approximately \$44,560,000 of the expenses, which includes the Estimated Cost, plus financing related costs, capitalized interest, a debt service reserve and contingency, all which shall be financed by the District's proposed bonds, in one or more series.
7. The manner in which the Assessments shall be made is based upon an allocation of the benefits among the parcels or real property benefited by the Project as set forth in the Assessment Report. As provided in further detail in the Assessment Report, the Assessments will be levied initially on a per acre basis since the Project increases the value of all the lands within the District. On and after the date benefited lands within the District are specifically platted, the Assessments as to platted lots will be levied in accordance with the Assessment Report. Until such time that all benefited lands within the District are specifically platted, the manner by which the Assessments will be imposed on unplatted lands shall be on a per acre basis in accordance with the Assessment Report.
8. In the event the actual cost of the Project exceeds the Estimated Cost, such excess shall also be paid by the District from its general revenues if available or additional assessments or contributions from other entities.
9. The Assessments shall be levied in accordance with the Assessment Report referenced above on all lots and lands, within the District, which are adjoining and contiguous or bounding and abutting upon the Project or specially benefited thereby and further designated by the assessment plat hereinafter provided for.
10. There is on file at the District Office an assessment plat showing the expansion area to be assessed, with the plans and specifications describing the Project and the Estimated Cost, all of which shall be open to inspection by the public.

11. The Chairman of the Board has caused the District Manager to prepare a preliminary assessment roll which shows the lots and lands assessed, the amount of benefit to and the assessment against each lot or parcel of land and the number of annual installments into which the assessment is divided. The preliminary assessment roll is part of the Assessment Report which is on file at the District Office.

12. In accordance with the Assessment Report and commencing with the year in which the District is obligated to make payment of a portion of the Estimated Cost of the Project acquired by the District, the Assessments shall be paid in not more than thirty annual installments payable at the same time and in the same manner as are ad-valorem taxes and as prescribed by Chapter 197, Florida Statutes; provided, however, that in the event the non ad-valorem assessment method of collecting the Assessments is not available to the District in any year, or the District determines not to utilize the provision of Chapter 197, F.S. the Assessments may be collected as is otherwise permitted by law.

PASSED AND ADOPTED THIS 22ND DAY OF JANUARY, 2020.

Attest:

**Brightwater Community
Development District**

Paul Cusmano
Assistant Secretary

Michael Lawson
Chair of the Board of Supervisors

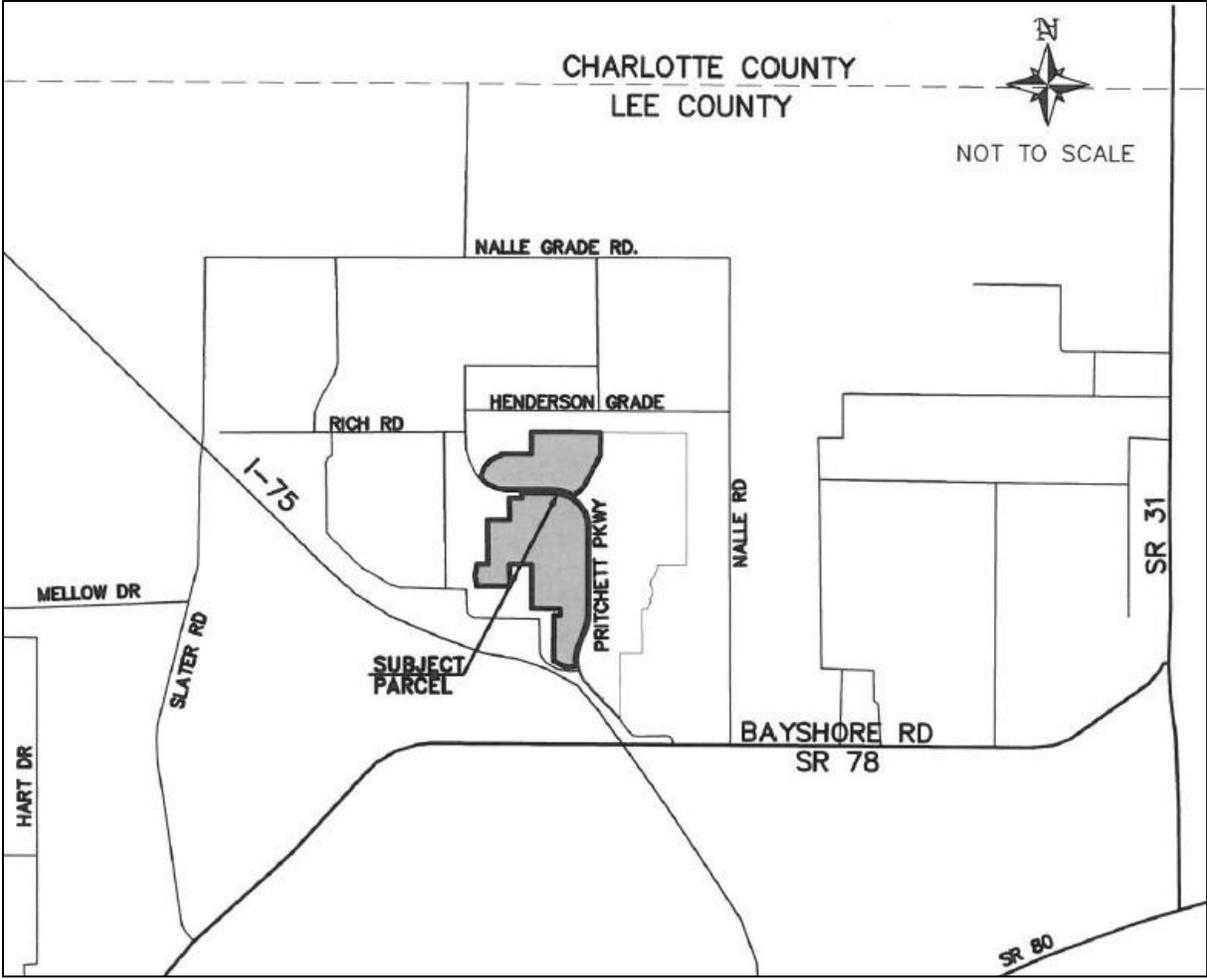
Attachments:

Master Special Assessment Methodology Report dated January 10, 2020

Master Report of the District Engineer dated October 15, 2019

**BRIGHTWATER
COMMUNITY DEVELOPMENT DISTRICT**

**MASTER SPECIAL ASSESSMENT METHODOLOGY REPORT
FOR THE ISSUANCE OF CAPITAL IMPROVEMENT REVENUE BONDS**



January 10, 2020

Prepared by

DPFG Management & Consulting LLC
250 International Parkway, Suite 280
Lake Mary, FL 32746

**BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT
MASTER SPECIAL ASSESSMENT METHODOLOGY REPORT**

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THE DISTRICT

General

The petition to establish the Brightwater Community Development District (the “**CDD**” or “**District**”) was approved by the Board of County Commissioners of Lee County (the “**County**”) on January 16, 2018 and the District was subsequently created by Ordinance 18-02. The District encompasses 340.29 acres within the County.

Purpose

The District is a local unit of special-purpose government established pursuant to, and existing in accordance with, Chapter 190, Florida Statutes (the “**Act**”). Pursuant to the Act, the District was created for the purpose of delivering certain community development services and facilities within its jurisdiction, including the design, acquisition and/or construction of certain public infrastructure improvements consisting of, but not limited to, roadways, water, sewer and wastewater, reclaimed water and irrigation systems, storm water management, community amenities, landscaping improvements, signage and lighting, electrical power and professional services and fees, as further described in the District Engineer’s Report, prepared by Stantec, dated October 15, 2019 (the “**Project**”).

Methodology Reports

This report provides a master assessment methodology for analyzing the benefits derived from the Project and determining the fair and equitable allocation of such benefits through the levy of special assessments on property within the District to fund all or portions of the Project. It is designed to conform to the requirements of Chapters 170 and 190, Florida Statutes, with respect to special assessments. The District plans to issue bonds to finance portions of the Project as development progresses. The District will deliver a supplemental assessment methodology report associated with each bond issuance describing the phase of the development and improvements to be funded.

PROJECT FINANCING AND BENEFIT ALLOCATION

To advance development of the land in the District, the District plans to finance the construction of the Project thru the issuance of multiple series of bonds. The bonds will be secured by and payable from the levy of special assessments collected from property that benefits from the public improvements constructed with proceeds from the bond issues. The amount of the special assessment is based on mathematical formulas that consider benefit from the bond funded infrastructure.

Infrastructure Project

The Project contains improvements that benefit all assessable units within the District (the “**Improvements**”). Accordingly, the Special Assessments levied in connection with the Master Improvements will be levied on all planned units in the District. The Project is estimated to cost approximately \$29.20 million. A summary of the estimated costs of the Project, as shown in the Engineer’s Report, is set forth in the following table.

Table 1 - Estimated Project Costs

Improvement Category	Total
Engineering Design, Permitting, Surveying, Testing	\$2,186,800
Consultant / Management Fees	\$616,400
Earthwork	\$5,242,200
Roads and Paving	\$4,376,800
Potable Water	\$981,500
Sanitary Sewer	\$1,368,300
Drainage Storm	\$1,766,600
Dry Utilities Trenching	\$508,300
Offsite Road & Utilities	\$2,000,000
Landscaping/Irrigation/Hardscape/Recreation	\$5,300,000
Permit Fees and Impact Fees	\$4,065,600
Contingency	\$785,200
Total	\$29,197,700

The proposed issuance of multiple series of bonds is anticipated to fund a portion or all of the costs associated with the development of the District which is planned for a total 590 lots. The developer will covenant through a completion agreement to be entered into at the time of closing on each series of bonds to complete the Project to the extent any portions of the same are not funded with the net proceeds of each bond issue.

Benefits

The construction of the Project will advance development of the properties within the District and will thereby create special benefits for those properties, and enhance the value of the property. All properties within the District will generally benefit from the Project, but developed residential lots with structures

have an added benefit from the Project, for example, in terms of vehicular access, disposal of plumbing waste thru a system of pipes, flood prevention thru a stormwater collection system, potable water lines, recreational facilities, and other basic public infrastructure benefits for use of the subdivision.

Assessment Allocation

The preliminary land use plan describes the development of the land in one construction phase with final build-out anticipated to include a total of 590 residential dwelling units to be constructed on lots of varying frontage along a street. Customarily in the land development industry, residential lots are sold and bought in the market in standard lot width categories pursuant to purchase contracts, as opposed by exact lot width measurements of the street front footage or the size of such lot shown on a future plat map (this concept is referred to as “**Product Type**” herein). The methodology herein allocates debt special assessments to such residential Product Types based upon the benefits derived from the Project and apportioned such benefit to particular Product Types based on frontage. Accordingly, this report utilizes Project costs as a proxy value for benefit and allocates the special assessments based on standard front foot, or frontage, as standard measurement of land applied at the frontage, or linear distance, along a street.

Residential lots with a marketable street frontage of 50’ are currently anticipated to be the most common Product Type within the District. Accordingly, the 50’ Product Type will provide the base “equivalent per Product Type” benefit and be assigned a value of 1.00 ERU. All other Product Types will be ranked and assigned a value in comparison with a 50’ Product Type. Applying the ERU concept to the Product Types in lieu of actual or platted front footage allows for the District to create a more uniform, easier to understand, and cost-effective methodology that still apportions the Special Assessments in a fair and reasonable manner. Trying to forecast actual or platted front footage may cause unintended consequences and is too rigid for undeveloped properties to reasonably accommodate small discrepancies in the development process, irregularly shaped lots, or other circumstances outside the control of the District. Those consequences may result in a wide spectrum of Special Assessments that would be burdensome to administer and cause undue frustration to future home owners who specifically bought into a master planned community that is intended to be uniformly developed.

In the event that multi-family units are constructed, it is anticipated that such units would be assigned a different ERU value based on proposed construction plans. This ERU ranking is the basis upon which the benefits to other lot size categories are measured. The advantage to an ERU structured methodology includes the ability to assign identical benefits to generally uniform sized lots or similarly used properties (e.g., all lots with front footage of fifty feet are assigned 1.0 ERU irrespective of home size or phase) or assign different ERUs to reflect different land uses (e.g., residential versus non-residential).

In connection with the Project, as of this date, the developer has informed the District that it plans to construct 590 lots of varying Product Types as shown in the table below, which represents a total of 524.0 ERUs.

Table 2 – Proposed Product Type Mix and ERU Assignment

Lot Product Types	Lots	Assigned ERU	Total ERU	% ERU
35'	220	0.70	154.00	29.4%
50'	370	1.00	370.00	70.6%
Total	590		524.00	100.0%

PROJECT BOND FINANCING PROGRAM

For purposes of this master report, the bond principal amount and associated maximum annual debt service assessments (“MADS”) have been sized based on funding all of the Project costs described in the Engineer’s Report and adjusted for allowable bond financing costs including capitalized interest, reserves and costs of issuance. These bond principal amounts represent a maximum bonding amount. The developable properties within the District will constitute the properties on which the Special Assessments are levied to repay the bonds. These properties include those which will be developed into the planned 590 residential units. The following table sets forth an estimated sources and uses of the bonds for the maximum bonding amount to finance all of the Project costs.

Table 3 – Estimated Maximum Sources and Uses of Funds

Sources	Total	Percent of Total
Bond Proceeds - Par	\$44,560,000	100%
Uses		
Acquisition and Construction Account	\$29,197,700	66%
Debt Service Reserve Fund	\$3,772,713	8%
Capitalized Interest	\$10,026,000	23%
Cost of Issuance	\$450,000	1%
Underwriter's Discount	\$1,114,000	3%
<i>rounding</i>	(\$413)	0%
Total Uses	\$44,560,000	100%

Assessment Levy and Collection

Each fiscal year, the District will certify for collection the Special Assessments in connection with the MADS, or Debt Service Requirement (as defined herein), for each bond series. The following table summarizes the estimated MADS requirement for all phases of development.

Table 4 - Maximum Annual Debt Service¹

Phases	Lots	Total ERU	Total MADS	MADS/ERU
All	590	524.00	\$3,772,713	\$7,199.83

Prior to recordation of a subdivision plat map, the special assessments and debt will be allocated to each property, as described by FOLIO or legal description, based on acreage. Upon recordation of a subdivision plat map the lot sizes are determinable, and the Special Assessments will then be levied on the individual lots based on the ERU assigned to each lot.

ASSESSMENT ALLOCATION STANDARDS

Standard

There are two requirements for a valid special assessment that is made pursuant to District legislative authority: (1) the property assessed must derive a direct and special benefit from the improvement or service provided, and (2) the assessment must be fairly and reasonably apportioned among properties that receive the special benefits. Section 170.02, Florida Statutes, states “Special assessments against property deemed to be benefited by local improvements, as provided for in sec. 170.01, shall be assessed upon the property specially benefited by the improvement in proportion to the benefits to be derived therefrom, said special benefits to be determined and prorated according to the foot frontage of the respective properties specially benefited by said improvement, or by such other method as the governing body of the municipality may prescribe.”

The ERU allocation approach is a generally recognized and commonly approved method of proportionally spreading assessments over benefited properties for special assessments levied by community development districts. Although the general public outside the District will benefit from the Project, such benefits are incidental. The facilities in the Project meet the needs of the developed property within the District, as well as provide benefit to all residential property within the District. The property owners within the District are

¹ Excluding County collection charges and early payment discount.

therefore receiving special benefits not received by those outside the boundaries, and direct and cumulative benefits accrue mainly to residents.

Methodology

This benefit and allocation approach is based on the principle that dwelling units on a similar size lot will receive a relatively equal and direct benefit from the Project. The direct benefits from these improvements include increased use, enjoyment and increased property values to all residential properties, and the direct benefits from each public improvement system and function provided by the District. The benefits are quantified and assigned to lots based on construction timing, phasing, and costs.

An assessment methodology based on ERUs provides a way to allocate the benefit that different lot sizes and land use types receive from public improvements in terms of their equivalence to a single-family residential dwelling unit on a fifty-foot-wide lot, which is defined as 1.0 ERU. Under the ERU model, the District allocates special assessments on platted property proportionately based on generally uniform lot size as indicated on the subject recorded plat map; special assessments on undeveloped property (e.g., property without recorded subdivision plat map) are allocated proportionately based on acreage basis. The special assessments are fairly and reasonably allocated based on lot front footage categories and acreage among properties that receive the special benefits; for example, upon plat map recordation, the special assessments per lot front footage are generally uniform for each benefitted lot.

Special Benefits

As described above in the present case, the financing program will enable the District to provide for the construction and/or acquisition of the Project. Such public improvements will provide direct benefit for the utilization of this property, will substantially enhance the use and enjoyment of the benefitted residential properties, and will increase the value and marketability of the benefitted residential properties. These benefits flow proportionately over all benefitted properties. The District will apply the assessment methodology to the financing program relating to the Project. All residential units will proportionally benefit from the construction of the Project.

Rates

A rate and method of apportionment of special assessments is attached as Appendix. The developer may decide to re-adjust product types within the District in order to meet market demand. Changes in product types may or may not trigger a density “true-up” obligation depending on whether or not the revised product mix, consistent with the terms of the assessment allocation methodology, is able to absorb the special assessments that were originally planned to be levied under the existing development plan outlined at the time of the actual bond issuance.

At time of bond issuance, the true up obligation is described in the supplemental assessment methodology report. The supplemental assessment report anticipates a mechanism by which the landowner shall, if required, make certain payments to the District in order to satisfy, in whole or in part, the assessments allocated and the liens imposed pursuant to adopted resolutions, the amount of such payments being equal to the par debt that is not capable of being assigned to the total number of developed units, plus any applicable interest charges and collection fees as described in the supplemental assessment report (which payments shall collectively be referenced as the “**True-Up Payment**”). The true-up obligation, as described herein and in each supplemental assessment resolution, constitutes a part of the Special Assessments and is enforceable as part of the Special Assessment liens. Additionally, the landowner desires to guarantee the payment of any True-Up Payment required of it and all other owners of land within the District; and the landowner and the District desire to enter into an agreement to confirm landowner’s intentions and obligations to make any and all True-Up Payments related to the assessments.

In the event Undeveloped Property (“**Transferred Parcel**”) is sold to a third party not affiliated with the Developer, the special assessments will be assigned to that Transferred Parcel based on the maximum total number of Lots assigned by the Developer to the Transferred Parcel (subject to any true-up considerations if applicable as determined by the District in its sole discretion). The owner of the Transferred Parcel will be responsible for the total assessments applicable to the Transferred Parcel, regardless of the total number of Lots ultimately actually platted. These total assessments are fixed to the Transferred Parcel at the time of the sale. If the Transferred Parcel is subsequently sub-divided into smaller parcels, the total assessments initially allocated to the Transferred Parcel will be re-allocated to the smaller parcels pursuant to the methodology as described herein (i.e. equal assessment per acre until platting).

The District reserves the right to reallocate the special assessments in the event that the Project is not completed as anticipated or for other circumstances that may legally require such a reallocation, provided however that any such reallocation shall not be construed to relieve any party of contractual or other obligations to the District.

PRELIMINARY ASSESSMENT ROLL AND COLLECTION

A Preliminary Assessment Roll is attached in the Appendix.

CONCLUSION

The acquisition and construction of the Project using bond proceeds will be utilized for common District purposes. These assessments will be levied over all benefited properties on a fair and equitable basis as described herein. The benefited properties will receive benefits in excess of the allocated assessments.

Accordingly, this is an appropriate District project that will significantly benefit the properties and enhance the District.

Special Benefit

The Project will provide special benefits to parcels within the District. The parcels will receive special benefits, because the subject Project delivers interconnected structural improvements that provide an infrastructure system, which supports and adds to the entire development of the District. The Project yield benefits to parcel owners in terms of meeting basic public infrastructure needs and increasing property values.

Assessment Apportionment

The Special Assessments are fairly and equally apportioned over all the benefited properties. The benefits, using Project costs as proxy for benefit, are quantified and assigned to parcels based on lot size categories since larger lot areas consume proportionately greater benefits than smaller lots from the Project. The District assigned an ERU value and ranking to the expected lot sizes on the basis that a lot with frontage that falls within the fifty feet product type category receives the value of 1.0 ERU.

Reasonableness of Assessment Apportionment

It is reasonable, proper and just to assess the costs of the Project against lands in the District. As a result of the Project, properties in the District receive special benefit and increase in value. Based on the premise that the benefits from the District's Project make the properties useful for residential use, more accessible and valuable, in return it is reasonable for the District to levy the Special Assessments against benefitted lands within the District. The benefits will be equal to or in excess of the Special Assessments thereon when allocated.

Best Interest

The District provides for delivering the Project in a timely, orderly, and efficient manner. It can economically and efficiently provide the amount and quality of services required by the public. The District provides a financing mechanism to (i) fund the Project at a relatively low cost of capital, and (ii) on a timely, "pay for itself" type basis. The exercise by the District of its powers is consistent with applicable with state law. It is in the best interest of the District.

APPENDIX 1 - RATE AND METHOD OF APPORTIONMENT OF SPECIAL ASSESSMENT

The Special Assessments shall be levied on all parcels within the Brightwater CDD that benefit from the Project and will be collected each fiscal year in an amount determined by the CDD through the application of this rate and method of apportionment as described below. All of the real property within the CDD, unless exempted by law or the provisions hereof, shall be assessed for the purposes, to the extent and in the manner herein provided.

A. Definitions

The terms hereinafter set forth have the following meanings:

“Administrative Expenses” means any actual or reasonably estimated expenses of the CDD to carry out the administration of the CDD related to the determination of the amount of the special assessment, the collection of special assessment, and costs otherwise incurred in order to carry out the authorized purposes of the CDD.

"Appraiser's Parcel" means a Lot or parcel shown in Lee County appraiser's parcel map, or included or includable in Lee County's non-ad valorem assessment roll designated by folio or PIN.

“District Debt” means bonds or other debt issued by the CDD, which are secured by the levy of Special Assessments of the CDD.

"Developed Property" means all Taxable Property for which the Lee County property appraiser designated a property use code for each Lot that indicates developed residential property, as reasonably determined by the CDD, or a Lot which has legal entitlements created by a recorded Plat Map and whose physical characteristics are a fine grade level pad with infrastructure contiguous to each individual lot, asphalt paved roads, and the necessary utilities.

“ERU” means a way to quantify different land use types in terms of their equivalence to a fifty-foot-wide lot Product Type, which is defined as 1.0 ERU.

"Fiscal Year" means the period starting October 1 and ending on the following September 30.

"Lot" means an individual residential lot, identified and numbered on a recorded final subdivision map, on which a building permit has been or is permitted to be issued for construction of a residential unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated.

“Property Owner Association Property” means any property within the CDD boundaries that is owned by a property owner association, including any master or sub-association.

"Public Property" means any property within the CDD boundaries that is, at the time of the CDD formation, expected to be used for any public purpose and is owned by or dedicated to the federal government, the State, the County, the District or any other public agency.

"Special Assessments" means the Special Assessments levied pursuant to the provisions of Sections C and D below in each Fiscal Year on each Appraiser's Parcel of Developed Property and Undeveloped Property in the CDD to fund the Special Assessment Requirement.

"Special Assessment Requirement" means that amount determined by the CDD's Board of Supervisors that is required in any Fiscal Year to pay regularly scheduled debt service for the calendar year, which commences in such Fiscal Year, on the outstanding District Debt, less available funds pursuant to the indenture.

"Assessable Property" means all of the Appraiser's Parcels within the boundaries of the CDD that are not exempt from the Special Assessment pursuant to law or as defined below.

"Undeveloped Property" means, for each Fiscal Year, all Assessable Property not classified as Developed Property, such as vacant acreage or similar property use codes as determined by the CDD.

B. Assignment of Land Use Categories and of ERU

Each Fiscal Year using the definitions above, all Assessable Property within each phase of the CDD shall be classified as Developed Property or Undeveloped Property, and shall be subject to Special Assessment pursuant to Sections C and D below.

C. Annual Maximum Special Assessment Requirement

Refer to the Appendix for details on the bond sizing. The estimated maximum annual debt service (MADS), or Special Assessment Requirement, to fund all of the Project costs is presented in the following table.

Table 5 - Estimated Special Assessment Requirement (MADS)

Special Assessment Requirement	Maximum \$ Amount (excl. County charges and early payment)
All Bond Series	\$3,772,713

D. Special Assessment Rate

1. Developed Property in All Phases

After recordation of a Plat Map, the special assessments are allocated as illustrated in the following table.

Table 6 – Developed Property Assigned ERU, Maximum Debt and MADS Allocation for All Lots

Lot Product Type	Lots	ERU	Total ERU	% ERU	Par Amt.	Par/Lot	MADS	MADS/Lot
35'	220	0.70	154.00	29.4%	\$13,095,878	\$59,527	\$1,108,774	\$5,040
50'	370	1.00	370.00	70.6%	\$31,464,122	\$85,038	\$2,663,939	\$7,200
Total	590		524.00	100.0%	\$44,560,000		\$3,772,713	

2. Undeveloped Property

a) District Debt Allocation

Prior to recordation of a Plat Map, the District Debt is allocated per acre as illustrated in the following table.

Table 7 – Un-Developed Property Assigned ERU, Maximum Debt and MADS Allocation

Property	Total Units	ERU	Total Acreage (Ac)	Par Amt.	Par / Ac	MADS	MADS / Ac
All Phases	590	524.00	340.29	\$44,560,000	\$130,947	\$3,772,713	\$11,087

E. Method of Apportionment of the Special Assessment

Each Fiscal Year, the CDD shall levy the Special Assessments as follows:

First (Developed Property): The Special Assessment shall be levied proportionately on each Appraiser’s Parcel of Developed Property in an amount up to 100% of the applicable Special Assessment rate as determined pursuant to Section D.1 for each particular phase, or subdivision.

Second (Undeveloped Property): If additional monies are needed to satisfy the Debt Service Requirement after the first step has been completed, the Special Assessment shall be levied proportionally on each Appraiser’s Parcel of Undeveloped Property at up to 100% of the Assigned Special Assessment rate for Undeveloped Property as determined pursuant to Section D.2 for each particular phase.

Third – True Up: If additional monies are needed to satisfy the Debt Service Requirement after the first two steps have been completed as a result of a plat or re-plat of property, the owner of such property will be obligated to immediately remit to the trustee, for deposit into the redemption account, the total bond principal amount for the difference between the Debt Service Requirement and the special assessment revenue generated after the first two steps have been completed (the “True Up

Obligation”). The true up obligation will be described in a separate agreement as part of the bond documents.

Refer to the Appendix for a preliminary assessment roll illustrating the initial levy of the Special Assessments in accordance with the method of apportionment described above.

E. Manner of Collection

The Special Assessments shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes once parcels are platted. The CDD intends to directly collect Special Assessments on unplatted parcels, and, to the extent permitted by the applicable indenture and in the CDD’s discretion, for bulk ownership of platted lots. Note that the Special Assessments securing each bond series may be made payable in no more than 30 yearly installments.

APPENDIX 2 - ESTIMATED PUBLIC IMPROVEMENT COSTS AND BENEFIT ALLOCATION

As described above the total benefits will be, of course, the completed public infrastructure with estimated costs in the amount of \$29.197 million. The following tables allocate the Project costs, which are used as a proxy for benefit. Refer to Engineer’s Report for cost details.

Table 8 – Project Costs and Benefit Allocation

Lot Product Type	Total Units	ERU	Total ERU	% ERU	Total Cost (as proxy for benefit)	Benefit Per Unit
35'	220	0.70	154.00	29.4%	\$8,581,003	\$39,005
50'	370	1.00	370.00	70.6%	\$20,616,697	\$55,721
Total	590		524.00	100.0%	\$29,197,700	

APPENDIX 3 - PRELIMINARY ASSESSMENT ROLL

The following table shows the preliminary assessment roll. Refer to the legal description of the District for a complete depiction of the District’s boundaries.

Table 9 - Preliminary Assessment Roll

Parcel Area Identification / (b)	Owner / (b)	Acreage (a)	% Ac	Total District Debt / (c)	Total MADS / (d)
Refer to legal description of the District in the Engineer's Report	North Brook Holdings, LLC	340.29	100%	\$44,560,000	\$3,772,713

Footnote:

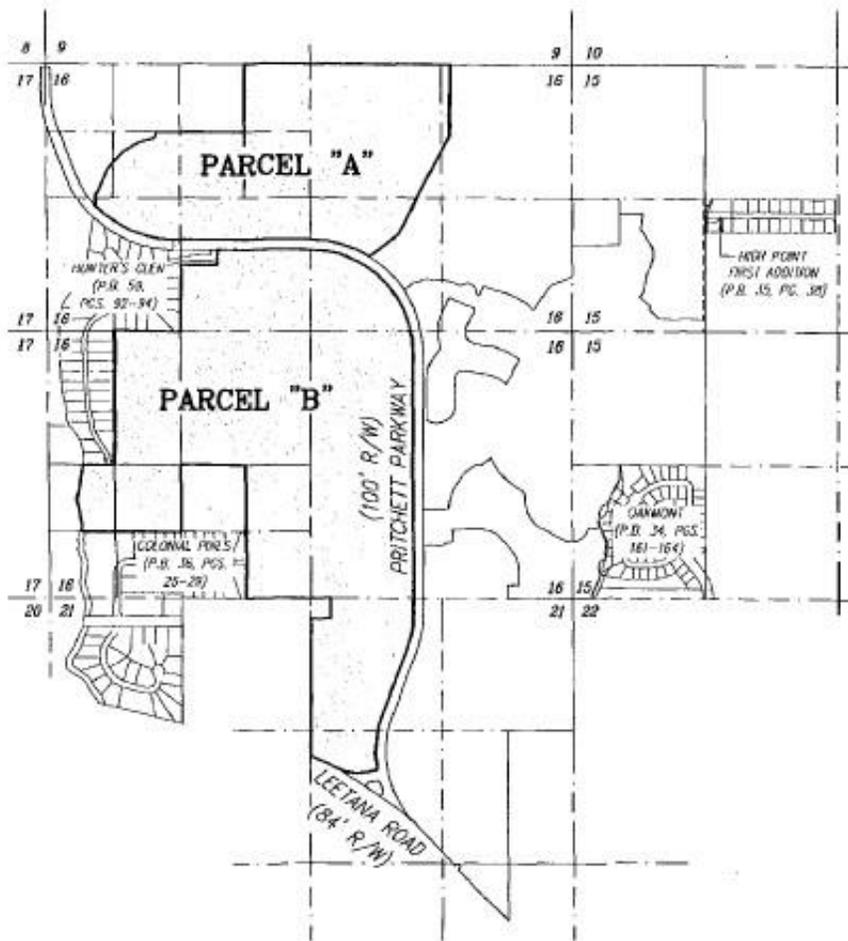
-
- (a) Estimate based on legal description at time of establishment of the District. Acreage includes lowlands.
 - (b) Owner information per County records. There are multiple Parcel IDs associated with the District.
 - (c) The Special Assessments will remain levied against Undeveloped Property on an equal acreage basis until the Assessable Property is platted.
 - (d) Excluding County collection charges and early payment discounts.

APPENDIX 4 – DISTRICT LEGAL DESCRIPTION

**SKETCH AND DESCRIPTION – NOT A SURVEY
INDEX SHEET**



1" = 1600'



LEGEND:

- PG. INDICATES PAGE
- PGS. INDICATES PAGES
- P.B. INDICATES PLAT BOOK

S:\JOBS\1400\1447PH1\SURVEYING\DESCRIPTIONS\1447PH1 BRIGHTWATER CDD EXB.DWG

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SKETCH AND DESCRIPTION INDEX SHEET
BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-1-N)
6-5-2017	1447PH1	SEWER CD	AMY	RMV	1"=1600'	1	1	16 & 21-43-25



Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF A
TRACT OR PARCEL OF LAND
LYING IN
SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S 89°29'37" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 FOR 1,411.00 FEET; THENCE S 00°30'23" W FOR 706.92 FEET; THENCE S 27°55'32" W FOR 1,112.54 FEET; THENCE S 52°04'05" W FOR 366.27 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET TO WHICH POINT A RADIAL LINE BEARS N 32°08'53" E; THENCE WESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 32°03'13" FOR 643.36 FEET; THENCE N 89°56'20" W ALONG SAID WESTERLY LINE FOR 1,399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES:

- 1.) THENCE N 04°32'24" E FOR 90.77 FEET;
- 2.) THENCE N 23°44'09" E FOR 306.54 FEET;
- 3.) THENCE N 41°45'07" E FOR 222.54 FEET;
- 4.) THENCE N 59°41'20" E FOR 199.30 FEET;
- 5.) THENCE N 75°53'16" E FOR 136.18 FEET;
- 6.) THENCE N 38°59'21" E FOR 33.51 FEET;
- 7.) THENCE N 02°12'10" E FOR 39.99 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE S 89°59'47" E ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°06'54" W ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N 89°58'25" E ALONG THE NORTH LINE OF SAID FRACTION FOR 672.59 FEET TO THE POINT OF BEGINNING.

AND

PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 89°50'53" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N 00°08'55" W ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N 00°06'55" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N 89°49'35" W ALONG THE NORTH

SHEET 1 OF 6
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LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION, THENCE S 00°13'55" E ALONG THE WEST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES, THENCE N 89°50'14" W ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

1.) THENCE N 01°17'16" E FOR 58.82 FEET;
2.) THENCE N 11°04'42" W FOR 270.22 FEET;
3.) THENCE N 10°50'46" E FOR 347.01 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S 89°49'35" E ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N 00°20'57" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S 89°48'18" E ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°13'55" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S 89°52'09" E ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°03'40" E ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S 89°56'20" E ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S 00°00'53" E ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S 21°05'53" W ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S 77°52'42" W ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LETANA DRIVE (86 FEET WIDE) AND THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 00°06'48" E ALONG SAID WEST LINE FOR 1381.74 FEET TO THE SOUTHWEST CORNER OF PARCEL 122 AS DESCRIBED IN INSTRUMENT NUMBER 2011000178885 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S 89°52'23" E ALONG THE SOUTH LINE OF SAID LANDS FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE N 00°06'48" E ALONG THE EAST LINE OF SAID LANDS FOR 200.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND AN INTERSECTION WITH THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 21; THENCE N 89°52'23" W ALONG THE NORTH LINE OF SAID LANDS AND SAID FRACTION FOR 200.00 FEET TO THE POINT OF BEGINNING.

GROSS LAND AREA CONTAINS: 340.29 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S 89°29'37" E.

DESCRIPTION PREPARED: 6-5-2017.

DESCRIPTION REVISED: 6-28-2017


RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009



DATE SIGNED 6-28-2017

S:\jobs\14\1447PHI\Surveying\Descriptions\1447PHI BRIGHTWATER CDD LGL.dwg
S:\jobs\14\1447PHI\Surveying\Descriptions\1447PHI BRIGHTWATER CDD SKT.dwg

BANKS ENGINEERING

1011 W. 14th Avenue, Suite 10
 Ft. Lauderdale, Florida 33304
 Phone (305) 546-0100
 Fax (305) 546-0101
 www.banks-engineering.com

SKETCH OF DESCRIPTION

OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA



ACREAGE SUMMARY

PARCEL "A" CONTAINS: 110.29 ACRES, MORE OR LESS
 PARCEL "B" CONTAINS: 229.70 ACRES, MORE OR LESS
 GROSS LAND AREA CONTAINS: 340.09 ACRES, MORE OR LESS

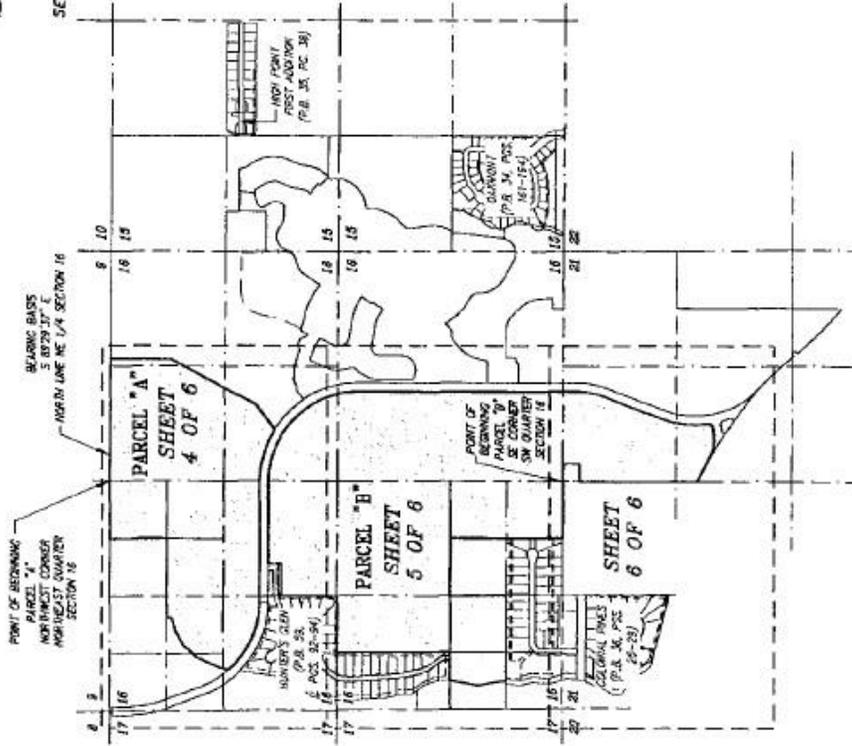
SEE SHEETS 1 AND 2 OF 6 FOR COMPLETE
 METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION
 IS NOT A BOUNDARY SURVEY



Richard M. Ritz
 RICHARD M. RITZ
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 4008

- DATE DRAWN: 6-28-2017
 - THIS SKETCH OF DESCRIPTION IS NOT VALID
 WITHOUT THE SIGNATURE AND THE ORIGINAL RANDED
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



KEY MAP
 BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT

PREPARED 6-5-2017
 REVISED 6-28-2017
 SHEET 3 OF 6

NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S 89 29' 37" E.

LEGEND:

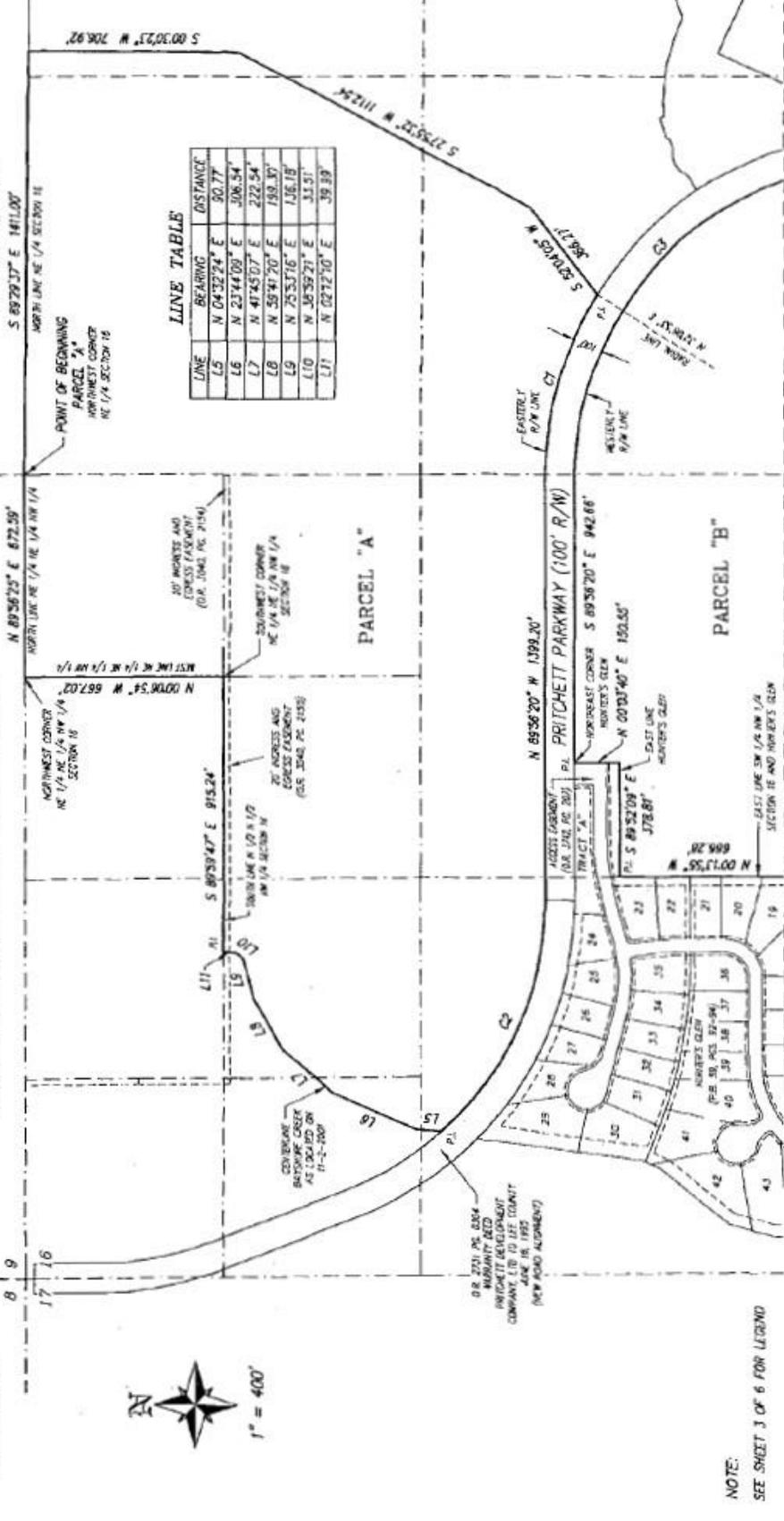
- P.C. INDICATES PAGE
- P.G.S. INDICATES PAGES
- P.B. INDICATES PLAT BOOK
- J. INDICATES LOT NUMBER
- R/W INDICATES RIGHT-OF-WAY
- I.N. INDICATES INSTRUMENT NUMBER
- O.P. INDICATES POINT OF INTERSECTION
- O.R. INDICATES OFFICIAL RECORDS BOOK
- L.I. INDICATES LINE 1 FROM LINE TABLE
- M.P.E. INDICATES WELL PROTECTION EASEMENT
- C.T. INDICATES CURVE 1 FROM CURVE TABLE
- P.R.C. INDICATES POINT OF REVERSE CURVATURE
- P.C.C. INDICATES POINT OF COMPOUND CURVATURE

S:\CORP\14479H1\SURVEYING\DESCRIPTIONS\14479H1 BRIGHTWATER CDU LGL.DWG
 S:\CORP\14479H1\SURVEYING\DESCRIPTIONS\14479H1 BRIGHTWATER CDU SKT.DWG

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1150.00'	32.0371°	54.135'	835.00'	N 73.54 44° W
C2	1050.00'	47.4750°	875.93'	850.75'	N 65.02 28° W
C3	1050.00'	89.5527°	1647.85'	1483.84'	S 44.58 37° E

SKETCH OF DESCRIPTION
 OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L5	N 04°32'24" E	30.77'
L6	N 23°44'09" E	306.54'
L7	N 41°45'07" E	222.54'
L8	N 58°41'20" E	198.30'
L9	N 75°53'16" E	126.18'
L10	N 36°59'21" E	33.51'
L11	N 02°12'10" E	39.39'

NOTE:
 SEE SHEET 3 OF 6 FOR LEGEND

S: 140851740X114427911 (SURVEYING LICENSE NO. 1442791) BRIGHAM B. BROWN
 S: 140851740X114427911 (SURVEYING LICENSE NO. 1442791) BRIGHAM B. BROWN



1" = 400'

SKETCH OF DESCRIPTION

OF
A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

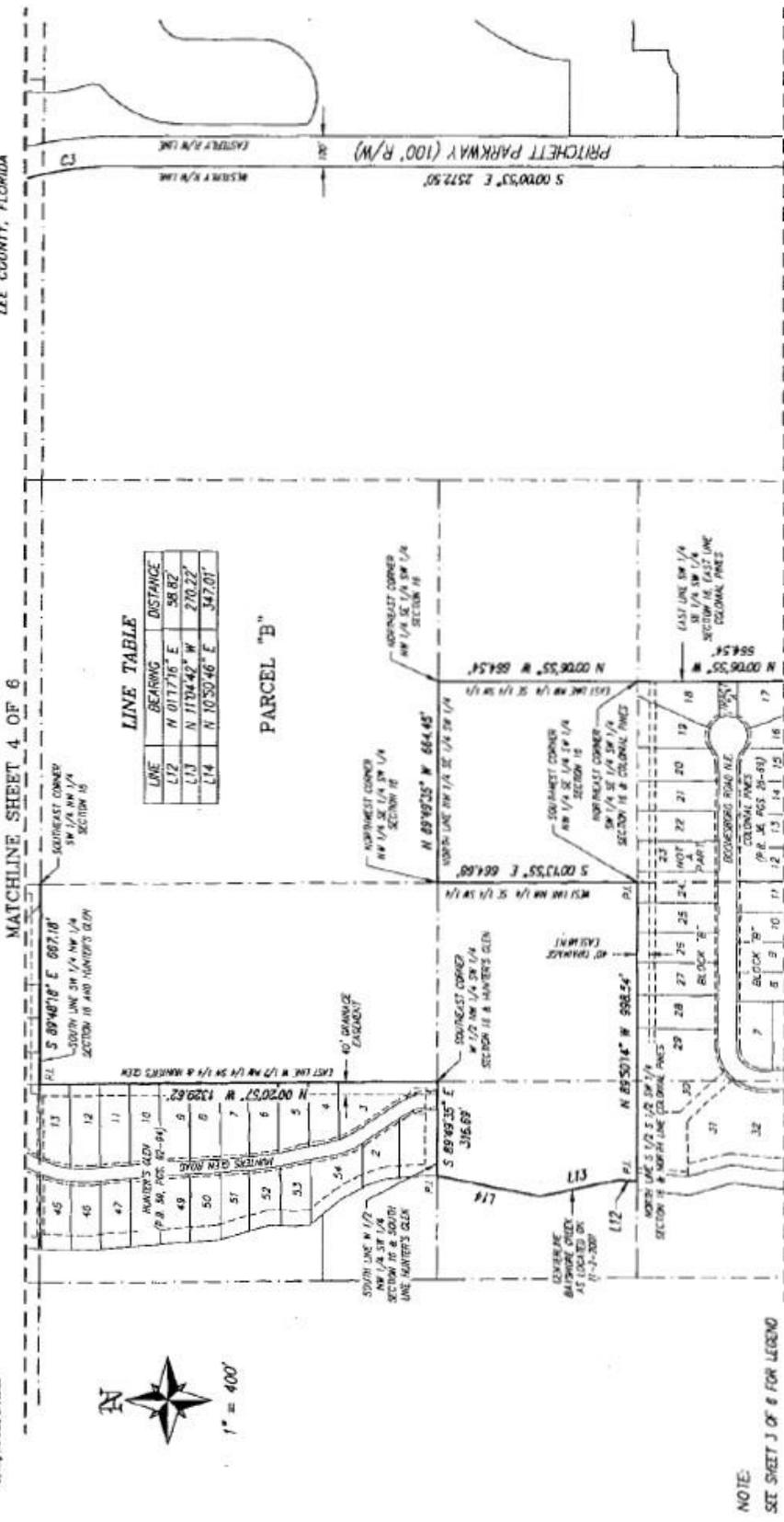
CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1050.00'	89°55'27"	1647.95'	1483.94'	S 44°58'37" E

LINE TABLE

LINE	BEARING	DISTANCE
L12	N 01°17'16" E	58.82'
L13	N 11°04'42" W	210.22'
L14	N 10°50'46" E	347.01'

PARCEL "B"



NOTE:
SEE SHEET 3 OF 6 FOR LEGEND

S:_LCSB\144357\144357.DWG (L:\SURVEYING\144357.DWG) BRIGHTON IBER CDD L10.DWG
S:_LCSB\144357\144357.DWG (L:\SURVEYING\144357.DWG) BRIGHTON IBER CDD 9K1.DWG

MATCHLINE SHEET 6 OF 6

SHEET 5 OF 6

SKETCH OF DESCRIPTION

OF
A TRACT OR PARCEL OF LAND LYING IN
SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

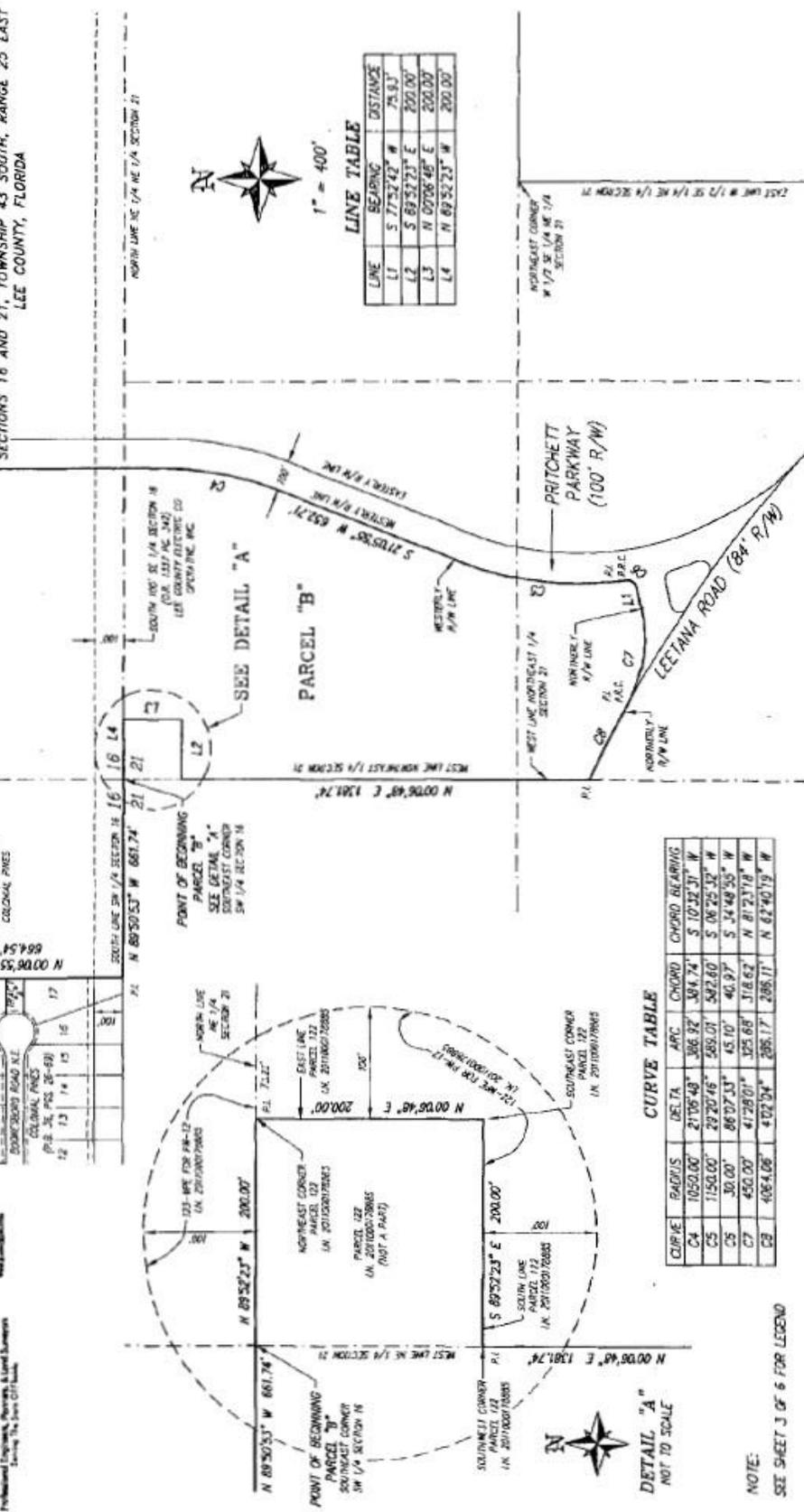
MATCHLINE SHEET 5 OF 6

EAST LINE SW 1/4
SE 1/4 SW 1/4
SECTION 18, EAST LINE
COLUMBIAN PARK
6694.54
N 00°00'00" E
M 55,900.00



POINT OF BEGINNING
PARCEL "B"
SEE DETAIL "A"
SOUTHWEST CORNER
SW 1/4 SECTION 14

POINT OF BEGINNING
PARCEL "A"
SEE DETAIL "A"
SOUTHWEST CORNER
SW 1/4 SECTION 14



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 77°52'43\"	75.93'
L2	S 89°52'23\"	200.00'
L3	N 00°06'48\"	200.00'
L4	N 89°52'23\"	200.00'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
CA	1050.00'	21°06'48\"	306.92'	384.74'	S 10°32'31\" W
CB	1150.00'	29°20'46\"	589.01'	582.60'	S 06°25'32\" W
CC	30.00'	86°07'33\"	45.10'	40.97'	S 34°48'55\" W
CD	450.00'	41°28'01\"	325.68'	316.62'	N 81°23'18\" W
CE	6064.06'	4°02'04\"	286.17'	286.11'	N 63°40'19\" W

NOTE:
SEE SHEET 3 OF 6 FOR LEGEND

S:\L0851\44251\14425017\SURVEY\DCS\DCS\BANKS\14425017\BRD\DTM\TRK\000_020.DWG
S:\L0851\44251\14425017\SURVEY\DCS\DCS\BANKS\14425017\BRD\DTM\TRK\000_000.DWG

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SHEET 6 OF 6

**Brightwater Community
Development District**

Master Report of the District
Engineer



Prepared for:
Board of Supervisors
Brightwater Community
Development District

Prepared by:
Stantec Consulting Services Inc.
777 S. Harbour Island Boulevard
Suite 600
Tampa, FL 33602
(813) 223-9500

October 15, 2019

1.0 INTRODUCTION

The Brightwater Community Development District (“the District”) encompasses approximately 340.29 acres in Lee County, Florida. The District is located within Sections 16 and 21, Township 43 South, Range 25 East, and is generally located between Interstate 75 and State Road 31, and North of State Road 78 (Bayshore Road) in Lee County.

See Appendix A for a Vicinity Map and Legal Description of the District.

2.0 PURPOSE

The District was established by Lee County Ordinance 18-02 effective on January 16, 2018 for the purpose of constructing and/or acquiring, maintaining, and operating all or a portion of the public improvements and community facilities within the District. The purpose of this Report of the District Engineer is to provide a description and estimated costs of the public improvements and community facilities being planned within the District.

3.0 THE DEVELOPER AND DEVELOPMENT

The property owner North Brook Holdings, LLC currently plans to build 590 residential units, including both single family detached and duplex units. The possible major public improvements and community facilities include, but are not limited to, water management and control, water supply, sewer and wastewater management, roads, parks and recreation, and landscaping/hardscaping/irrigation.

4.0 PUBLIC IMPROVEMENTS AND COMMUNITY FACILITIES

Detailed descriptions of the proposed public improvements and community facilities are provided in the following sections.

4.1 WATER MANAGEMENT AND CONTROL

The design criteria for the District’s water management and control is regulated by Lee County and the Southwest Florida Water Management District (SWFWMD). The water management and control plan for the District focuses on utilizing newly constructed ponds within upland areas and on-site wetlands for stormwater treatment and storage.

Any excavated soil from the ponds is anticipated to remain within the development for use in building public infrastructure including roadways, landscape berming, drainage pond bank fill requirements, utility trench backfill, and filling and grading of public property.

The primary objectives of the water management and control for the District are:

1. To provide stormwater quality treatment.
2. To protect the development within the District from regulatory-defined rainfall events.
3. To maintain natural hydroperiods in the wetlands and connecting flow ways.
4. To insure that adverse stormwater impacts do not occur upstream or downstream as a result of constructing the District improvements during regulatory-defined rainfall events.
5. To satisfactorily accommodate stormwater runoff from adjacent off-site areas which may naturally drain through the District.
6. To preserve the function of the flood plain storage during the 100 year storm event.

Water management and control systems will be designed in accordance with Lee County technical standards. The District is anticipated to own and maintain these facilities.

4.2 WATER SUPPLY

The District is located within the Lee County Utilities' service area which will provide water supply for potable water service and fire protection to the property. The water supply improvements are anticipated to include looped water mains which will supply potable water and service and fire protection to the District. Off-site improvements may be required to provide service to the District.

The water supply systems will be designed in accordance with Lee County technical standards. It is anticipated that Lee County Utilities will own and maintain these facilities.

4.3 SEWER AND WASTEWATER MANAGEMENT

The District is located within the Florida Governmental Utility Authority's (FGUA) wastewater service area which will provide sewer and wastewater management service to the District. The sewer and wastewater management improvements are anticipated to include an 8" gravity sanitary sewer system within the road rights of way and pumping stations that will connect to an existing force main located north of the District. Off-site improvements may be required to provide service to the District.

All sanitary sewer and wastewater management facilities will be designed in accordance with FGUA technical standards. It is anticipated that FGUA will own and maintain these facilities.

4.4 DISTRICT ROADS

District Roads include the roadway asphalt, base, and subgrade, roadway curb and gutter, and sidewalks within rights of way abutting common areas.

All roads will be designed in accordance with the Lee County technical standards and are anticipated to be owned and maintained by the Lee County.

4.5 PARKS AND RECREATIONAL FACILITIES

Parks and recreation facilities are planned throughout the community and will be owned and maintained by the District.

4.6 LANDSCAPING/ HARDSCAPE/IRRIGATION

Community entry monumentation and landscape buffering and screening will be provided at several access points into the District. Irrigation will also be provided in the landscaped common areas.

It is anticipated that these improvements will be owned and maintained by the District.

4.7 PROFESSIONAL SERVICES AND PERMITTING FEES

Lee County, FGUA and SWFWMD impose fees for construction permits and plan reviews. These fees vary with the magnitude and size of the development. Additionally, engineering, surveying, and architecture services are needed for the subdivision, landscape, hardscape, and community amenity's design, permitting, and construction. As well, development/construction management services are required for the design, permitting, construction, and maintenance acceptance of the public improvements and community facilities. Fees associated with performance and warranty financial securities covering Lee County infrastructure may also be required.

These fees associated with public improvements may be funded by the District.

5.0 PUBLIC IMPROVEMENTS AND COMMUNITY FACILITIES COSTS

See Appendix B for the Construction Cost Estimate of the Public Improvements and Community Facilities.

6.0 SUMMARY AND CONCLUSION

The District, as outlined above, is responsible for the functional development of the lands within the District and, except as noted above in this report, such public improvements and facilities are located within the boundary of the District.

The planning and design of the District will be in accordance with current governmental regulatory requirements.

Items of construction cost in this report are based on our review and analysis of the conceptual site plans for the development and recent costs expended in similar projects of nature and size. It is our professional opinion that the estimated infrastructure costs provided herein for the development are conservative to complete the construction of the Public Improvements and Community Facilities described herein.

The estimate of the construction costs is only an estimate and not a guaranteed maximum cost. The estimated cost is based on historical unit prices or current prices being experienced for on-going and similar items of work in Lee County. The labor market, future costs of equipment and materials, and the actual construction process are all beyond our control. Due to this inherent possibility for fluctuation in costs, the total final cost may be more or less than this estimate.

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

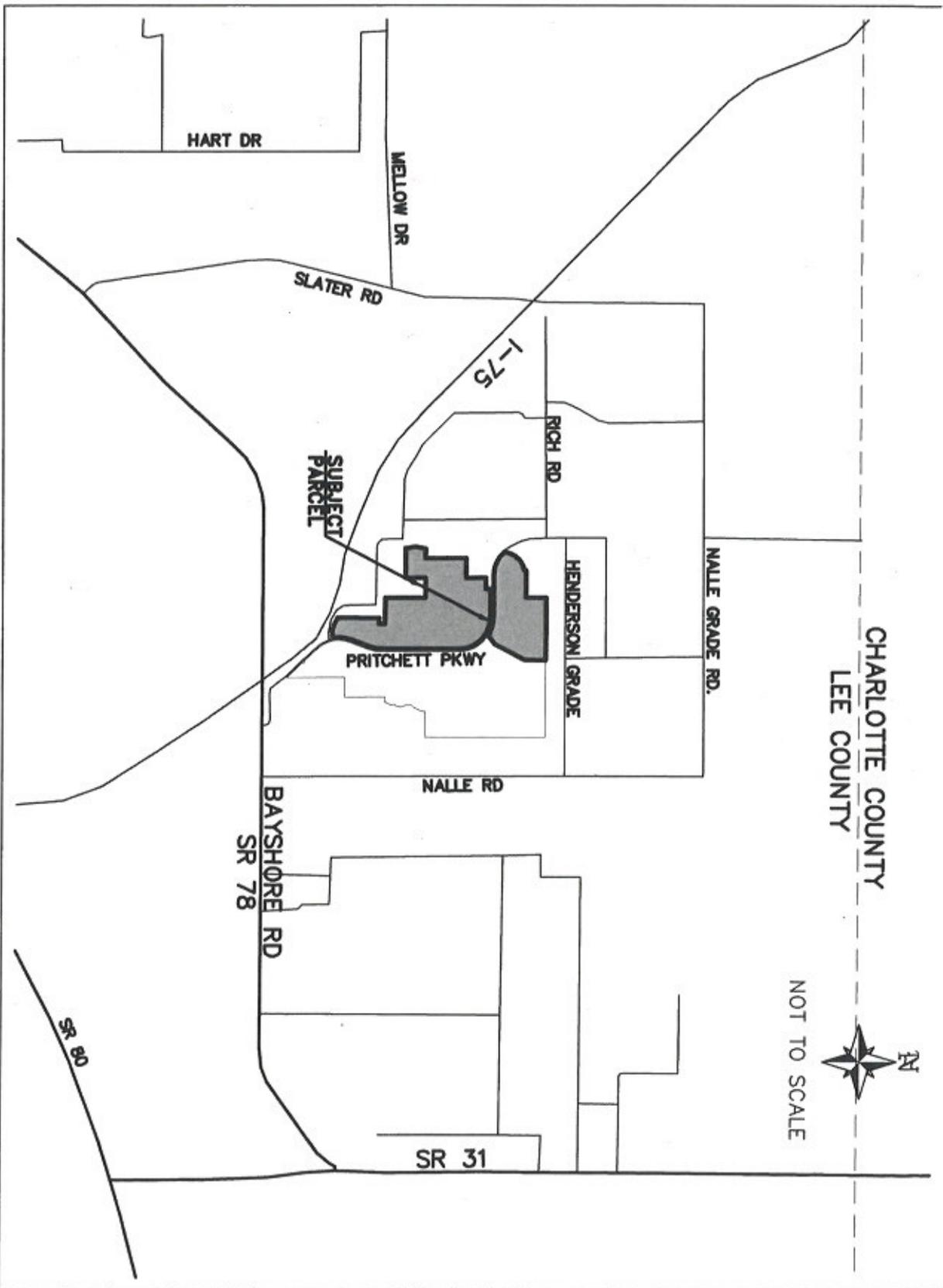


Tonja L. Stewart, P.E.
Florida License No. 47704

BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT

Appendix A. Vicinity Map and Legal Description of the District
October 15, 2019

Appendix A VICINITY MAP AND LEGAL DESCRIPTION OF THE DISTRICT



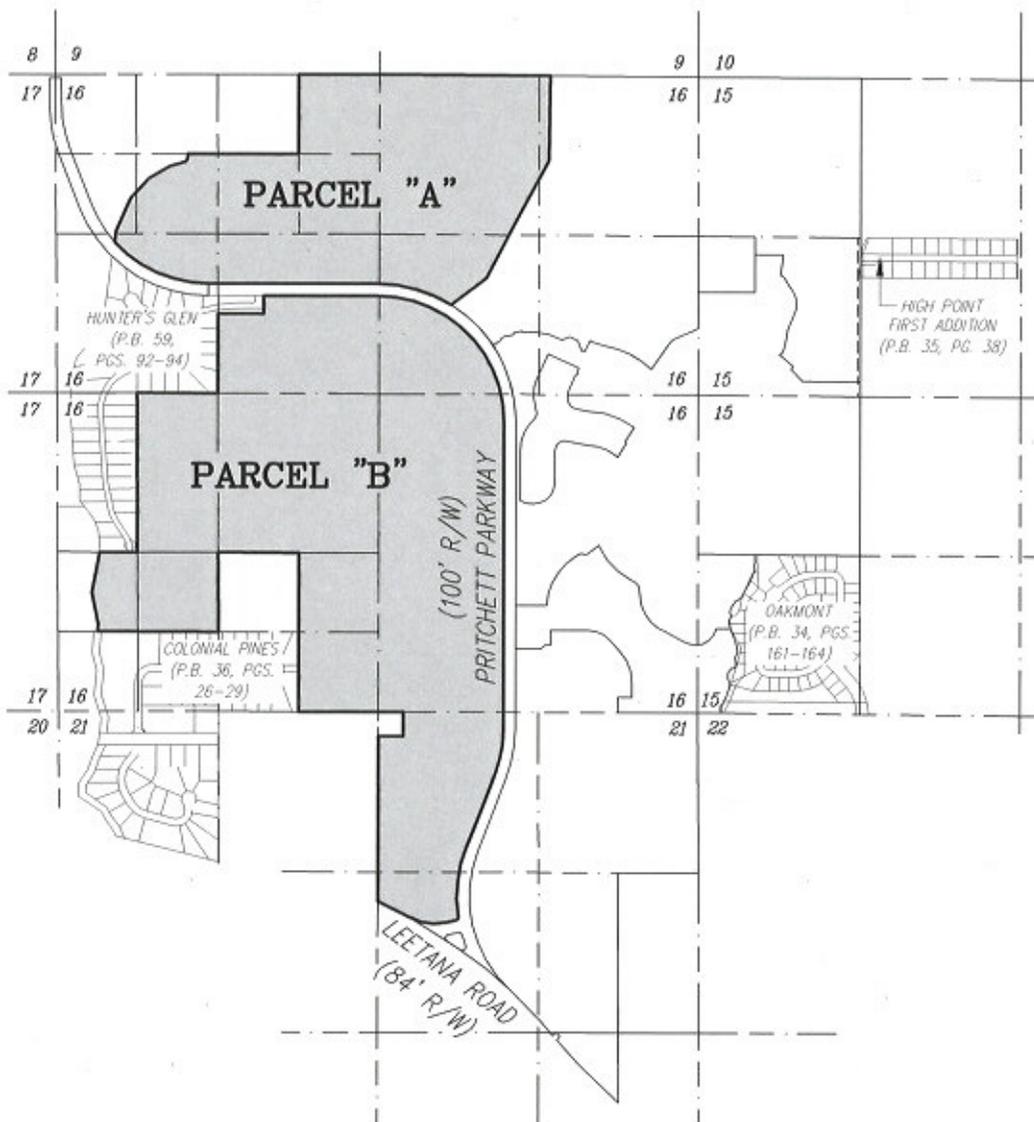
VICINITY MAP

SECTIONS 16 & 21, TOWNSHIP 43 S, RANGE 25 E
LEE COUNTY, FLORIDA
BRIGHTWATER

SKETCH AND DESCRIPTION – NOT A SURVEY INDEX SHEET



1" = 1600'



LEGEND:

- PG. INDICATES PAGE
- PGS. INDICATES PAGES
- P.B. INDICATES PLAT BOOK

S: \JOBS\14XX\1447PH1\SURVEYING\DESCRIPTIONS\1447PH1 BRIGHTWATER CDD EXB.DWG

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SKETCH AND DESCRIPTION INDEX SHEET
BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
6-5-2017	1447PH1	BRTWR DB	AMV	RMR	1"=1600'	1	1	16 & 21-43-25



Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF A
TRACT OR PARCEL OF LAND
LYING IN

SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S 89°29'37" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16 FOR 1,411.00 FEET; THENCE S 00°30'23" W FOR 706.92 FEET; THENCE S 27°55'32" W FOR 1,112.54 FEET; THENCE S 52°04'05" W FOR 366.27 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,150.00 FEET TO WHICH POINT A RADIAL LINE BEARS N 32°06'53" E; THENCE WESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 32°03'13" FOR 643.36 FEET; THENCE N 89°56'20" W ALONG SAID WESTERLY LINE FOR 1,399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES:

- 1.) THENCE N 04°32'24" E FOR 90.77 FEET;
- 2.) THENCE N 23°44'09" E FOR 306.54 FEET;
- 3.) THENCE N 41°45'07" E FOR 222.54 FEET;
- 4.) THENCE N 59°41'20" E FOR 199.30 FEET;
- 5.) THENCE N 75°53'16" E FOR 136.18 FEET;
- 6.) THENCE N 38°59'21" E FOR 33.51 FEET;
- 7.) THENCE N 02°12'10" E FOR 39.99 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE S 89°59'47" E ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°06'54" W ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N 89°56'25" E ALONG THE NORTH LINE OF SAID FRACTION FOR 672.59 FEET TO THE **POINT OF BEGINNING**.

AND

PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 89°50'53" W ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N 00°06'55" W ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N 00°06'55" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N 89°49'35" W ALONG THE NORTH

SHEET 1 OF 6

• SERVING THE STATE OF FLORIDA •

LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S 00°13'55" E ALONG THE WEST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N 89°50'14" W ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK AS LOCATED ON NOVEMBER 2, 2001; THENCE ALONG SAID CENTERLINE THE FOLLOWING THREE (3) COURSES:

1.) THENCE N 01°17'16" E FOR 58.82 FEET;
2.) THENCE N 11°04'42" W FOR 270.22 FEET;
3.) THENCE N 10°50'46" E FOR 347.01 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S 89°49'35" E ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N 00°20'57" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S 89°48'18" E ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°13'55" W ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S 89°52'09" E ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N 00°03'40" E ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S 89°56'20" E ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S 00°00'53" E ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S 21°05'55" W ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S 77°52'42" W ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N 00°06'48" E ALONG SAID WEST LINE FOR 1381.74 FEET TO THE SOUTHWEST CORNER OF PARCEL 122 AS DESCRIBED IN INSTRUMENT NUMBER 2011000178885 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S 89°52'23" E ALONG THE SOUTH LINE OF SAID LANDS FOR 200.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE N 00°06'48" E ALONG THE EAST LINE OF SAID LANDS FOR 200.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND AN INTERSECTION WITH THE NORTH LINE OF SAID NORTHEAST 1/4 OF SECTION 21; THENCE N 89°52'23" W ALONG THE NORTH LINE OF SAID LANDS AND SAID FRACTION FOR 200.00 FEET TO THE POINT OF BEGINNING.

GROSS LAND AREA CONTAINS: 340.29 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S 89°29'37" E.

DESCRIPTION PREPARED: 6-5-2017.

DESCRIPTION REVISED: 6-28-2017


RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
DATE SIGNED 6-28-2017



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**Appendix B CONSTRUCTION COST ESTIMATE OF PUBLIC
IMPROVEMENTS AND COMMUNITY FACILITIES**

Brightwater

Description	Phase 1	Phases 2-4	Total Estimated Budget
Engineering Design, Permitting, Surveying, Testing	\$437,360	\$1,749,440	\$2,186,800
Consultant / Management Fees	\$123,280	\$493,120	\$616,400
Earthwork	\$1,048,440	\$4,193,760	\$5,242,200
Roads and Paving	\$875,360	\$3,501,440	\$4,376,800
Potable Water	\$196,300	\$785,200	\$981,500
Sanitary Sewer	\$273,660	\$1,094,640	\$1,368,300
Drainage Storm	\$353,320	\$1,413,280	\$1,766,600
Dry Utilities Trenching	\$101,660	\$406,640	\$508,300
Offsite Road & Utilities	\$800,000	\$1,200,000	\$2,000,000
Landscaping/Irrigation/Hardscape/Recreation	\$4,240,000	\$1,060,000	\$5,300,000
Permit Fees and Impact Fees	\$2,845,920	\$1,219,680	\$4,065,600
Contingency	\$157,040	\$628,160	\$785,200
Total	\$11,452,340	\$17,745,360	\$29,197,700

EXHIBIT 4.

RESOLUTION NO. 2020-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT SETTING A PUBLIC HEARING TO BE HELD ON FEBRUARY 26, 2020 AT 9:00 A.M. AT THE HYATT PLACE FORT MYERS AT THE FORUM, 2600 CHAMPION RING ROAD, FORT MYERS, FLORIDA 33905, FOR THE PURPOSE OF HEARING PUBLIC COMMENT ON IMPOSING A SPECIAL ASSESSMENT ON CERTAIN PROPERTY WITHIN THE DISTRICT GENERALLY DESCRIBED AS BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH CHAPTERS 170, 190 AND 197, FLORIDA STATUTES.

WHEREAS, the Board of Supervisors (the "**Board**") of the Brightwater Community Development District (the "**District**"), has previously adopted Resolution No. 2020-01 entitled

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BRIGHTWATER COMMUNITY DEVELOPMENT DISTRICT DECLARING SPECIAL ASSESSMENTS; INDICATING THE LOCATION, NATURE AND ESTIMATED COST OF THE PUBLIC IMPROVEMENTS WHICH COST IS TO BE DEFRAIDED IN WHOLE OR IN PART BY THE SPECIAL ASSESSMENTS; PROVIDING THE PORTION OF THE ESTIMATED COST OF THE PUBLIC IMPROVEMENTS TO BE DEFRAIDED IN WHOLE OR IN PART BY THE SPECIAL ASSESSMENTS; PROVIDING THE MANNER IN WHICH SUCH SPECIAL ASSESSMENTS SHALL BE MADE; PROVIDING WHEN SUCH SPECIAL ASSESSMENTS SHALL BE MADE; DESIGNATING LANDS UPON WHICH THE SPECIAL ASSESSMENTS SHALL BE LEVIED; PROVIDING FOR AN ASSESSMENT PLAT; AUTHORIZING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE ADVISABILITY AND PROPRIETY OF SAID ASSESSMENTS AND THE RELATED IMPROVEMENTS; PROVIDING FOR NOTICE OF SAID PUBLIC HEARING; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Resolution No. 2020-01, a preliminary assessment roll has been prepared and all other conditions precedent set forth in Chapters 170, 190 and 197, Florida Statutes; to the holding of the aforementioned public hearing have been satisfied, and the roll and related documents are available for public inspection at the offices of DPGF Management & Consulting LLC, 15310 Amberly Drive, Suite 175, Tampa, Florida 33647 (the "**District Office**").

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF THE DISTRICT:

1. There is hereby declared a public hearing to be held on February 26, 2020 at 9:00 a.m. at the Hyatt Place Fort Myers at the Forum, 2600 Champion Ring Road, Fort Myers, Florida 33905, for the purpose of hearing comment and objection to the proposed special assessment program for District improvements as identified in the preliminary assessment roll, a copy of which is on

file at the District Office. Affected parties may appear at that hearing or submit their comments in writing prior to the meeting to the District Office.

2. Notice of said hearing shall be advertised in accordance with Chapters 170, 190 and 197 Florida Statutes, and the District Manager is hereby authorized to place said notice in a newspaper of general circulation within Lee County (by two publications one week apart with the first publication at least twenty (20) days prior to the date of the hearing established herein). The District Manager shall file a publisher's affidavit with the District Secretary verifying such publication of notice. The District Manager is further authorized and directed to give (30) thirty days written notice by mail of the time and place of this hearing to the owners of all property to be assessed and include in such notice the amount of the assessment for each such property owner, a description of the areas to be improved and notice that information concerning all assessments may be ascertained at the District Office. The District Manager shall file proof of such mailing by affidavit with the District Secretary.
3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED THIS 22ND DAY OF JANUARY, 2020.

Attest:

**Brightwater
Community Development District**

Paul Cusmano
Assistant Secretary

Michael Lawson
Chair of the Board of Supervisors

EXHIBIT 5.

**Brightwater CDD
Open Purchase Orders Detail
As of December 31, 2019**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Rcv'd</u>	<u>Open Balance</u>	<u>Amount</u>
Service						
GF Administrative						
GF Profserv - Engineering Servi						
06/01/2018	OM-BW-002	Stantec Consulting Services Inc.	Engineers's Report	1,102.5	13,897.50	15,000.00
Total GF Profserv - Engineering Servi				<u>1,102.5</u>	<u>13,897.50</u>	<u>15,000.00</u>
GF Website Hosting & Management						
05/31/2019	OMBWDPF001	Innersync	Website Creation	0	2,085.00	2,085.00
Total GF Website Hosting & Management				<u>0</u>	<u>2,085.00</u>	<u>2,085.00</u>
Total GF Administrative				<u>1,102.5</u>	<u>15,982.50</u>	<u>17,085.00</u>
Total Service				<u>1,102.5</u>	<u>15,982.50</u>	<u>17,085.00</u>
TOTAL				<u>1,102.5</u>	<u>15,982.50</u>	<u>17,085.00</u>

Invoice

BILL TO

Brightwater CDD
254 International Parkway
Lake Mary, FL 32746

INVOICE # 17402

DATE 05/24/2019

DUE DATE 06/08/2019

TERMS Net 15

DESCRIPTION	AMOUNT
CDD Implementation - Onboarding of ADA Compliant Website & Remediation of Historical Documents	1,470.00
CDD Website Services - Hosting, support and training	615.00
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BALANCE DUE	\$2,085.00