



Rizzetta & Company

Bexley Community Development District

**Board of Supervisors' Meeting
February 26, 2020**

**District Office:
5844 Old Pasco Road, Suite 100
Wesley Chapel, FL 33544
813-994-1001**

www.bexleycdd.org

**BEXLEY
COMMUNITY DEVELOPMENT DISTRICT**

Rizzetta & Company, Inc., 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544

Board of Supervisors	Doug South Amanda King John Blakley Pete Williams Jessica Robinson	Chairman Assistant Secretary Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Jordan Lansford	Rizzetta & Company, Inc.
District Counsel	Alyssa Willson	Hopping Green & Sams, PA
District Engineer	Jordan Schrader	Clearview Land Design

All cellular phones must be placed on mute while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (813) 933-5571. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that 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.

February 18, 2020

**Board of Supervisors Bexley
Community Development District**

AGENDA

Dear Board Members:

The regular meeting of the Board of Supervisors of the Bexley Community Development District will be held on **Wednesday, February 26, 2020 at 5:00 p.m.** at Rizzetta & Company, 5844 Old Pasco Road, Suite 100, Wesley Chapel, Florida 33544. The following is the agenda for this meeting.

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Board of Supervisors Meeting held on January 22, 2020.....Tab 1
 - B. Consideration of Operation and Maintenance Expenditures for December 2019 and January 2020.....Tab 2
 - C. Ratification of Series 2018 Requisitions - Under \$100K – 392-395.....Tab 3
 - D. Ratification of Series 2018 Requisitions Over \$100K – None
 - E. Ratification of Change Orders – None
- 4. BUSINESS ITEMS**
 - A. Presentation of Aquatics Report.....Tab 4
 - B. Consideration of LMP Landscape Proposal.....Tab 5
 - C. Ratification of Change Order to Cardno Contract #18994..Tab 6
 - D. Ratification of Change Order to Cardno Contract #23492..Tab 7
 - E. Consideration of Resolution 2020-04; Adopting Internal Controls Policy.....Tab 8
 - F. Consideration of Resolution 2020-05; The Transfer of Certain Real Property.....Tab 9
- 5. STAFF REPORTS**
 - A. District Counsel
 - B. District Engineer
 - C. Field Services Manager
 - i. Presentation of Field Services Report.....Tab 10
 - D. Clubhouse Manager
 - i. Presentation of Clubhouse Report.....Tab 11
 - E. District Manager
- 6. SUPERVISOR REQUESTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 933-5571.

Sincerely,
Jordan Lansford
District Manager

Tab 1

MINUTES OF MEETING

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

BEXLEY
COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of Bexley Community Development District was held on **Wednesday, January 22, 2020 at 1:01 p.m.** at the office of Rizzetta & Company, Inc., located at 5844 Old Pasco Road, Suite 100, Wesley Chapel, FL 33544.

Present and constituting a quorum were:

Doug South	Board Supervisor, Chairman
Jessica Robinson	Board Supervisor, Assistant Secretary
John Blakley	Board Supervisor, Assistant Secretary
Pete Williams	Board Supervisor, Assistant Secretary

Also present were:

Jordan Lansford	District Manager, Rizzetta & Company, Inc. <i>(via conference call)</i>
Alyssa Willson	District Counsel, Hopping Green & Sam's
Bryan Cooper	Clubhouse Manager
John Toborg	Field Services Mgr., Rizzetta & Co., Inc.
Angel Montagna	Regional District Mgr., Rizzetta & Co., Inc.

No Audience

FIRST ORDER OF BUSINESS

Call to Order

Ms. Montagna called the meeting to order and conducted the roll call.

SECOND ORDER OF BUSINESS

Audience Comments

There was no audience.

THIRD ORDER OF BUSINESS

**Consideration of Minutes of the Board
of Supervisors' Meeting held on
November 20, 2019**

Ms. Montagna presented the Minutes of the Board of Supervisors' meeting held on November 20, 2019 for consideration. The Board approved the Minutes with minor changes from Ms. Willson.

On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisors' meeting held on November 20, 2019, as amended, for Bexley Community Development District.

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52 It was noted that Board Members names needed to be updated on the agenda
53 Cover sheet.

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55 **FOURTH ORDER OF BUSINESS** **Consideration of Operation and**
56 **Maintenance Expenditures for**
57 **October and November 2019**
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59 Ms. Montagna presented the Operation and Maintenance Expenditures for
60 October and November 2019.
61

On a Motion by Mr. South, seconded by Mr. Williams, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for October (\$68,992,99) and November (\$92,354,20) 2019, for Bexley Community Development District.

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63 **FIFTH ORDER OF BUSINESS** **Ratification of Series 2016**
64 **Requisitions – Under \$100K – CUS**
65 **390-391**
66

67 Ms. Montagna presented Series 2016 Requisitions – Under \$100K – CUS 388-
68 389 to the Board.
69

REQUISITION NO.	PAYEE	AMOUNT
CUS 390	Cardno Inc.	\$ 11,319.00
CUS 391	Hopping Green	\$ 750.00

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72 **SIXTH ORDER OF BUSINESS** **Presentation of Aquatics Report**
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74 Ms. Montagna presented the Aquatics Report dated December 10, 2019.
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76 A discussion ensued regarding Clearview handling SWFMD permits and
77 inspections/reports. Ms. Lansford has informed Mr. Schrader via email that a change of
78 address needs to be done for SWFMD to send all correspondence to the District
79 Management address instead of to the District Engineer. Mr. Schrader has done the five-
80 year inspection and report for SWFMD. Ms. Lansford will give a punch list to Finn Outdoor
81 to get a proposal for recommended repairs.
82
83

On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors Ratified Series 2016 Requisitions CUS 390-391 (\$12069.00), for Bexley Community Development District.

84 SEVENTH ORDER OF BUSINESS

Staff Reports

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86 A. Field Services Manager

87 The Field Inspection Report dated January 8, 2020, was presented to the
88 Board. Mr. Toborg stated that LMP is still lacking in communication and a
89 discussion ensued.

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91 Mr. South asked that weed killer be put down on the tracks and topsoil put on
92 top of that.

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94 It was discussed to do a Request for Proposal in August for bidding on
95 landscaping. An advertisement would need to be placed.

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97 EIGHTH ORDER OF BUSINESS

Consideration of LMP Landscape
Proposals

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100 Estimate #63247 for Cleanup enhancement for \$462.50 was already
101 approved in November. Estimate #63168 for Tower Road for \$1113.75 is not approved.
102 Estimate #63173 for \$777.60 at Epic Cove is an invalid estimate. It was previously
103 reworked and resubmitted. Estimate #63205 Mail Kiosk of Ph 2A for \$89.10 was
104 approved.

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On a Motion by Mr. South, seconded by Mr. Williams, with all in favor, the Board of Supervisors approved Estimate #63205 for \$89.10, for Bexley Community Development District.
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106
107 Estimate #63208 for Wisdom Trail Park \$1559.90 will be resubmitted.
108 Estimate #63210 for \$1912.50 Balance Cove was approved.

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On a Motion by Mr. South, seconded by Mr. Williams, with all in favor, the Board of Supervisors approved Estimate #63205 for \$1912.50, for Bexley Community Development District.
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111 Estimate #63212 for \$108.00 for Storyline is invalid.

112
113 The Board approved a not-to-exceed amount of \$2500.00 for plant replacement.
114 The type of plants used are at the discretion of Mr. Toborg.

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On a Motion by Mr. South, seconded by Mr. Williams, with all in favor, the Board of Supervisors approved a not-to-exceed amount of \$2500.00 in plant replacement at the discretion of Mr. Toborg, for Bexley Community Development District.

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122 **NINTH ORDER OF BUSINESS** **Public Hearing on Adopting Revised**
123 **Rules of Procedure**
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On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Opened the Public Hearing, for Bexley Community Development District.

125 Ms. Willson reviewed the Memo that precedes the Revised Rules of Procedure.
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On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Closed the Public Hearing, for Bexley Community Development District.

128 **TENTH ORDER OF BUSINESS** **Consideration of Resolution 2020-03;**
129 **Adopting Revised Rules of Procedure**
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132 Ms. Montagna presented the Resolution 2020-03; Adopting Revised Rules of
133 Procedure.
134

On a Motion by Mr. Williams, seconded by Mr. Blakley, with all in favor, the Board of Supervisors adopted Resolution 2020-03; Adopting Revised Rules of Procedure, for Bexley Community Development District.

135 **ELEVENTH ORDER OF BUSINESS** **Ratification of First Addendum to the**
136 **Contract for Professional District**
137 **Services**
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140 Ms. Montagna presented the First Addendum to the contract for
141 Professional Services.
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On a Motion by Mr. South, seconded by Mr. Williams, with all in favor, the Board of Supervisors ratified the First Addendum to the Contract for Professional District Services, for Bexley Community Development District.

143 **TWELFTH ORDER OF BUSINESS** **Presentation of Conservation**
144 **Easement Annual Report**
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147 Ms. Montagna presented Wildlands Conservation's Conservation Easement
148 Annual Report. There were no comments
149

150 **THIRTEENTH ORDER OF BUSINESS** **Consideration of Wildlife Services**
151 **Agreement**
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153 Ms. Montagna presented the Wildlife Services Agreement between Bexley CDD
154 and the United States Department of Agriculture to the Board for review.
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On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors approved the Cooperative Service Agreement between the Bexley CDD and the USDA, for Bexley Community Development District.

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FOURTEENTH ORDER OF BUSINESS **Ratification of Bexley PH #A-1&2 Duke Energy Agreements**

Ms. Montagna presented the Duke Energy Agreements and Invoices to the Board.

On a Motion by Mr. Williams, seconded by Mr. South, with all in favor, the Board of Supervisors ratified the Bexley PH #A-1 & 2 Duke Energy Agreements, for Bexley Community Development District.

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FIFTEENTH ORDER OF BUSINESS **Staff Reports, Continued**

B. District Counsel

Update on ongoing items. Ms. Willson asked that Future Development be added to the February Agenda.

On a Motion by Mr. Williams, seconded by Mr. Blakley, with all in favor, the Board of Supervisors approved giving District Counsel and District Management authorization to negotiate with all parties and neighboring property owner to bring final documents for transferring land parcel to the February meeting, for Bexley Community Development District.

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C. District Engineer

No present.

D. Clubhouse Manager

Mr. Cooper presented the Clubhouse Report. A discussion ensued regarding dogs excessively digging in dog park.

A discussion regarding the Bike Park took place. There have been complaints from PCSO and the neighborhood schools of children fighting prior to school starting. The hours of the Bike Park will be changed to 10:00 a.m. to dusk.

E. District Manager

Ms. Montagna reminded the Board that the next meeting would be held on February 26, 2020 at 5:00 p.m. at the office of Rizzetta & Company, 5844 Old Pasco Road, Suite 100, Chapel FL 34638.

FIFTEENTH ORDER OF BUSINESS **Supervisor Requests**

Ms. Montagna asked if there were any Supervisor Requests.

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Tab 8

RESOLUTION 2020-04

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE BEXLEY COMMUNITY DEVELOPMENT DISTRICT ADOPTING AN INTERNAL CONTROLS POLICY CONSISTENT WITH SECTION 218.33, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bexley Community Development District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Pasco County, Florida; and

WHEREAS, consistent with Section 218.33, *Florida Statutes*, the District is statutorily required to establish and maintain internal controls designed to prevent and detect fraud, waste, and abuse as defined in Section 11.45(1), *Florida Statutes*; promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices; support economical and efficient operations; ensure reliability of financial records and reports; and safeguard assets; and

WHEREAS, to demonstrate compliance with Section 218.33, *Florida Statutes*, the District desires to adopt by resolution the Internal Controls Policy attached hereto as **Exhibit A**.

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

SECTION 1. The attached Internal Controls Policy attached hereto as **Exhibit A** is hereby adopted pursuant to this Resolution.

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

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

PASSED AND ADOPTED THIS _____ DAY OF _____, 2020.

ATTEST:

**BEXLEY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman, Board of Supervisors

EXHIBIT “A”

BEXLEY COMMUNITY DEVELOPMENT DISTRICT INTERNAL CONTROLS POLICY

1. Purpose.

- 1.1. The purpose of this internal controls policy is to establish and maintain internal controls for the Bexley Community Development District.
- 1.2. Consistent with Section 218.33(3), *Florida Statutes*, the internal controls adopted herein are designed to:
 - 1.2.1. Prevent and detect Fraud, Waste, and Abuse (as hereinafter defined).
 - 1.2.2. Promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices.
 - 1.2.3. Support economical and efficient operations.
 - 1.2.4. Ensure reliability of financial records and reports.
 - 1.2.5. Safeguard Assets (as hereinafter defined).

2. Definitions.

- 2.1. “Abuse” means behavior that is deficient or improper when compared with behavior that a prudent person would consider a reasonable and necessary operational practice given the facts and circumstances. The term includes the misuse of authority or position for personal gain.
- 2.2. “Assets” means District assets such as cash or other financial resources, supplies, inventories, equipment and other fixed assets, real property, intellectual property, or data.
- 2.3. “Auditor” means the independent auditor (and its employees) retained by the District to perform the annual audit required by state law.
- 2.4. “Board” means the Board of Supervisors for the District.
- 2.5. “District Management” means (i) the independent contractor (and its employees) retained by the District to provide professional district management services to the District and (ii) any other independent contractor (and its employees) separately retained by the District to provide amenity management services, provided said services include a responsibility to safeguard and protect Assets.

- 2.6. “Fraud” means obtaining something of value through willful misrepresentation, including, but not limited to, intentional misstatements or intentional omissions of amounts or disclosures in financial statements to deceive users of financial statements, theft of an entity’s assets, bribery, or the use of one’s position for personal enrichment through the deliberate misuse or misapplication of an organization’s resources.
- 2.7. “Internal Controls” means systems and procedures designed to prevent and detect fraud, waste, and abuse; promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices; support economical and efficient operations; ensure reliability of financial records and reports; and safeguard assets.
- 2.8. “Risk” means anything that could negatively impact the District’s ability to meet its goals and objectives. The term includes strategic, financial, regulatory, reputational, and operational risks.
- 2.9. “Waste” means the act of using or expending resources unreasonably, carelessly, extravagantly, or for no useful purpose.

3. Control Environment.

3.1. Ethical and Honest Behavior.

- 3.1.1. District Management is responsible for maintaining a work environment that promotes ethical and honest behavior on the part of all employees, contractors, vendors and others.
- 3.1.2. Managers at all levels must behave ethically and communicate to employees and others that they are expected to behave ethically.
- 3.1.3. Managers must demonstrate through words and actions that unethical behavior will not be tolerated.

4. Risk Assessment.

- 4.1. Risk Assessment. District Management is responsible for assessing Risk to the District. District Management’s Risk assessments shall include, but not be limited to:
 - 4.1.1. Identifying potential hazards.
 - 4.1.2. Evaluating the likelihood and extent of harm.
 - 4.1.3. Identifying cost-justified precautions and implementing those precautions.

5. Control Activities.

5.1. Minimum Internal Controls. The District hereby establishes the following minimum Internal Controls to prevent and detect Fraud, Waste, and Abuse:

5.1.1. Preventive controls designed to forestall errors or irregularities and thereby avoid the cost of corrections. Preventive control activities shall include, but not be limited to, the following:

5.1.1.1. Identifying and segregating incompatible duties and/or implementing mitigating controls.

5.1.1.2. Performing accounting functions in accordance with Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB) standards.

5.1.1.3. Requiring proper authorizations to access and/or modify accounting software.

5.1.1.4. Implementing computerized accounting techniques (e.g. to help identify coding errors, avoid duplicate invoices, etc.).

5.1.1.5. Maintaining a schedule of the District's material fixed Assets.

5.1.1.6. Maintaining physical control over the District's material and vulnerable Assets (e.g. lock and key, computer passwords, network firewalls, etc.).

5.1.1.7. Retaining and restricting access to sensitive documents.

5.1.1.8. Performing regular electronic data backups.

5.1.2. Detective controls designed to measure the effectiveness of preventive controls and to detect errors or irregularities when they occur. Detective control activities shall include, but not be limited to, the following:

5.1.2.1. Preparing financial reports in accordance with Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB) standards.

5.1.2.2. Reviewing financial statements and investigating any material variances between budgeted expenses and actual expenses.

5.1.2.3. Establishing and implementing periodic reconciliations of bank, trust, and petty cash accounts.

- 5.1.2.4. Establishing an internal protocol for reporting and investigating known or suspected acts of Fraud, Waste, or Abuse.
 - 5.1.2.5. Engaging in periodic physical inventory counts and comparisons with inventory records.
 - 5.1.2.6. Monitoring all ACH (electronic) transactions and the sequencing of checks.
- 5.2. Implementation. District Management shall implement the minimum Internal Controls described herein. District Management may also implement additional Internal Controls that it deems advisable or appropriate for the District. The specific ways District Management implements these minimum Internal Controls shall be consistent with Generally Accepted Accounting Principles (GAAP) and otherwise conform to Governmental Accounting Standards Board (GASB) and American Institute of Certified Public Accountants (AICPA) standards and norms.

6. Information and Communication.

- 6.1. Information and Communication. District Management shall communicate to its employees (needing to know) information relevant to the Internal Controls, including but not limited to any changes to the Internal Controls and/or changes to laws, rules, contracts, grant agreements, and best practices.
- 6.2. Training. District Management shall regularly train its employees (needing the training) in connection with the Internal Controls described herein and promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices.

7. Monitoring Activities.

- 7.1. Internal Reviews. District Management shall internally review the District's Internal Controls at least once per year. In connection with this internal review, District Management shall:
 - 7.1.1.1. Review its operational processes.
 - 7.1.1.2. Consider the potential risk of Fraud, Waste, or Abuse inherent in each process.
 - 7.1.1.3. Identify the controls included in the process, or controls that could be included, that would result in a reduction in the inherent risk.
 - 7.1.1.4. Assess whether there are Internal Controls that need to be improved or added to the process under consideration.

7.1.1.5. Implement new controls or improve existing controls that are determined to be the most efficient and effective for decreasing the risk of Fraud, Waste or Abuse.

7.1.1.6. Train its employees on implemented new controls or improvements to existing controls.

7.2. External Audits and Other Reviews. Audits and other reviews may be performed on various components of the District's Internal Controls by the Auditor consistent with Government Auditing Standards (GAS). Audits may identify material deficiencies in the Internal Controls and make recommendations to improve them. District Management shall communicate and cooperate with the Board and the Auditor regarding the potential implementation of Auditor recommendations.

Specific Authority: §§ 190.011(5), 218.33(3), *Florida Statutes*

Effective date: _____, 2020

Tab 9

RESOLUTION 2020-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BEXLEY COMMUNITY DEVELOPMENT DISTRICT AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY PURSUANT TO THE ACQUISITION AGREEMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the District was established by ordinance of the Pasco County Commission for the purpose of planning, financing, constructing, installing, operating, and/or maintaining certain infrastructure, including transportation and roadway improvements, drainage facilities, potable water and sanitary sewer facilities, wetland mitigation, and recreation improvements; and

WHEREAS, the District is authorized under Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, and equip various infrastructure improvements and facilities, including, but not limited to, water management and control facilities, roadway, recreation, utilities and other infrastructure projects and services necessitated by the development of and serving of lands within the District; and

WHEREAS, the District entered into an *Agreement by and between the Bexley Community Development District and NNP-Bexley, LLC, (“NNP-Bexley”) Regarding the Acquisition of Work Product, Infrastructure and Real Property*, dated April 22, 2016 (“Acquisition Agreement”); and

WHEREAS, Section 5.B. of the Acquisition Agreement provides for reasonable future boundary adjustments to be made as deemed necessary by both parties in order to accurately describe lands conveyed to the District; and

WHEREAS, Section 190.011(1), *Florida Statutes*, provides the District with authority to “dispose of, real and personal property, or any estate therein”; and

WHEREAS, Section 190.011(7)(a), *Florida Statutes*, provides the District with authority to “dispose of, any public easements, dedications for public use, platted reservations for public purposes, or any reservations for those purposes authorized by this act . . .”; and

WHEREAS, in order to allow for more efficient permitting and obtainment of land development approvals, NNP-Bexley has requested that the District convey certain areas located outside of the District’s boundaries and retain an access easement for its benefit and the benefit of the public over such areas; and

WHEREAS, the District did not expend any proceeds of the Bexley Community Development District (Pasco County, Florida) Special Assessment Revenue Bonds, Series 2016 to acquire title to such areas or construct any improvements located thereon; and

WHEREAS, the District hereby determines that execution and delivery of the deed in the form attached hereto as **Exhibit A** is consistent with the Acquisition Agreement and is in the best interests of the District.

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

SECTION 1. INCORPORATION OF RECITALS. All of the above representations, findings, and determinations are recognized as true and accurate, and are expressly incorporated into this resolution.

SECTION 2. AUTHORIZATION TO EXECUTE AND DELIVER DEED. The District Board of Supervisors hereby authorizes the execution and delivery of a deed in substantial form to that attached hereto as Exhibit A, and authorizes the Chairman and the Vice-Chairman to take any and all actions necessary to effectuate the transfer contemplated by the attached deed.

SECTION 3. SEVERABILITY. If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board of Supervisors of the Bexley Community Development District.

PASSED AND ADOPTED this 26th day of February, 2020.

ATTEST:

**BEXLEY COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chairman/Vice Chairman
Board of Supervisors

Exhibit A: Form of Deed for Access Parcel

Exhibit A

Form of Deed for Access Parcel

Prepared by and return to:
Alyssa C. Willson, Esquire
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, FL 32301

Parcel No: 19-26-18-0020-0B100-0000

**SPECIAL WARRANTY DEED
(A Portion of Bexley Village Drive 1st Extension Tract B1)**

THIS SPECIAL WARRANTY DEED (“Deed”) is made effective _____, 2020, by **BEXLEY COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special purpose government organized and existing in accordance with Chapter 190, Florida Statutes (“**Grantor**”), whose address is 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614 in favor of _____, a _____ (“**Grantee**”), whose mailing address is _____.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, lawful money of the United States of America, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed to Grantee, its successors and assigns, forever, all of the following described land in Pasco County, Florida (“**Property**”):

See Exhibit “A” attached hereto and incorporated herein by this reference.

Together with all appurtenances thereunto appertaining, and all fixtures and improvements located thereon.

GRANTOR reserves for itself and its successors and assigns a non-exclusive and perpetual right and easement over, through, under, and across the Property for drainage and utility purposes (the “Reserved Drainage and Utility Rights”) and does further reserve for itself, its successors and assigns, and the public a non-exclusive and perpetual right-of-way and access easement over, through and across the Property (the “Reserved Access Rights” and, collectively with the Reserved Drainage and Utility Rights, the “Reserved Rights”). The Reserved Rights shall include the right, but not the obligation, of GRANTOR, its successors and assigns, but excluding however the public, to enter upon the Property for the purposes of installing, constructing, repairing, replacing, operating, and maintaining any roadway, drainage or utility improvements within the Property should Grantee fail to perform its responsibilities as provided by this Deed with respect to the same which Grantee, by its acceptance of this Deed, agrees to construct and maintain on the terms and

conditions herein. Provided however that in the exercise of the Reserved Rights, such activities shall not unreasonably impair or interfere with Grantee's use and enjoyment of the Property.

TO HAVE AND TO HOLD the Property, together with the appurtenances, unto Grantee, its successors ad assigns, in fee simple forever, for the purposes set forth herein.

SUBJECT, HOWEVER, to all covenants, restrictions, easements, encumbrances and other matters referenced on Exhibit "B" attached hereto and made a part hereof (together, the "Permitted Encumbrances"), but this instrument shall not operate to reimpose the same.

By acceptance hereof, Grantee acknowledges and agrees to maintain and operate the Property, together with any improvements constructed thereon, in accordance with Pasco County requirements and shall maintain functionality of such improvements including all drainage, utilities and sidewalks located thereon. In the event Grantee fails to maintain the Property or any improvements constructed thereon in accordance with the terms and conditions outlined herein, Grantee shall be obligated to commence repair of any damage to or address any functionality issues associated with the Property's drainage improvements within 48 hours of receipt of notice of the same from Grantor. Grantee further agrees to construct additional improvements on the Property, at Grantee's expense, in accordance with all Pasco County and/or SWFWMD requirements and approvals and shall complete all construction-related activities on the Property within a time period of 180 consecutive days from commencement of land disturbance activities. Grantee further agrees to size any drainage improvements constructed by Grantee within the Property to accommodate the existing and permitted drainage flows via Floodplain Area C6 and Wetland SW-CR as depicted on the approved Bexley Village Drive- 1st Extension plans as approved by SWFWMD Environmental Resource Permit No. 43024788.018 & 025. Grantee acknowledges and agrees that Grantee's obligations under this paragraph may be enforced by equitable remedies including, but not limited to, a decree of specific performance

Subject to the matters noted in this Deed, Grantor does hereby warrant the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under Grantor (except claims made pursuant to the Permitted Encumbrances) but against none other.

[Signatures Appear on Following Page]

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed as of the day and year first above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

Print Name: _____

Print Name: _____

**BEXLEY COMMUNITY
DEVELOPMENT DISTRICT**, a local unit
of special purpose government, organized
and existing under Chapter 190, Florida
Statutes

By:

Doug South, Chair of the
Board of Supervisors

**STATE OF FLORIDA
COUNTY OF _____**

The foregoing instrument was sworn to and subscribed before me by means of ___ physical presence or ___ online notarization, this _____ day of _____, 2020, by Doug South, Chair of the Board of Supervisors of the Bexley Community Development District, a local unit of special purpose government, organized and existing under Chapter 190, Florida Statutes. He is _____ personally known or _____ has produced a driver’s license as identification.

Notary Public

Printed Name: _____

[Signatures Continued on Following Page]

[Grantee's Signature Page to Special Warranty Deed]

ACCEPTED BY GRANTEE:

Signed, sealed and delivered
in the presence of:

[INSERT GRANTEE INFORMATION], a
[INSERT GRANTEE INFORMATION]

Print Name: _____

By:

Print Name: _____

Print Name: _____

Title: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was sworn to and subscribed before me by means of ___ physical presence or ___ online notarization, this ____ day of _____, 2020, by_ _____, as _____. He/she is _____ personally known or _____ has produced a driver's license as identification.

Notary Public

Printed Name: _____

EXHIBIT "A"

**BEXLEY SOUTH
FUENTES ACCESS PARCEL**

DESCRIPTION: That part of TRACT "B-1" designated as "(Public) Roadway Easement", according to the plat of BEXLEY VILLAGE DRIVE 1ST EXTENSION, as recorded in Plat Book 72, Pages 122 through 135 inclusive, of the Public Records of Pasco County, Florida, lying in Section 30, Township 26 South, Range 16 East, Pasco County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of said TRACT "B-1", run thence along the Easterly boundary of said TRACT "B-1", N.02°24'21"W., 1072.97 feet to the Southeast corner of the aforesaid "(Public) Roadway Easement" for a **POINT OF BEGINNING**; thence along the Southerly, Westerly and Northerly boundaries of said "(Public) Roadway Easement", in their respective order, the following three (3) courses: 1) N.89°30'00"W., 184.78 feet; 2) N.00°30'00"E., 142.00 feet; 3) S.89°30'00"E., 177.58 feet to a point on the aforesaid Easterly boundary of TRACT "B-1"; thence along said Easterly boundary of TRACT "B-1", S.02°24'21"E., 142.18 feet to the **POINT OF BEGINNING**.

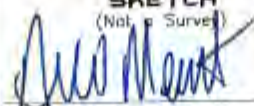
Containing 0.591 acres, more or less.

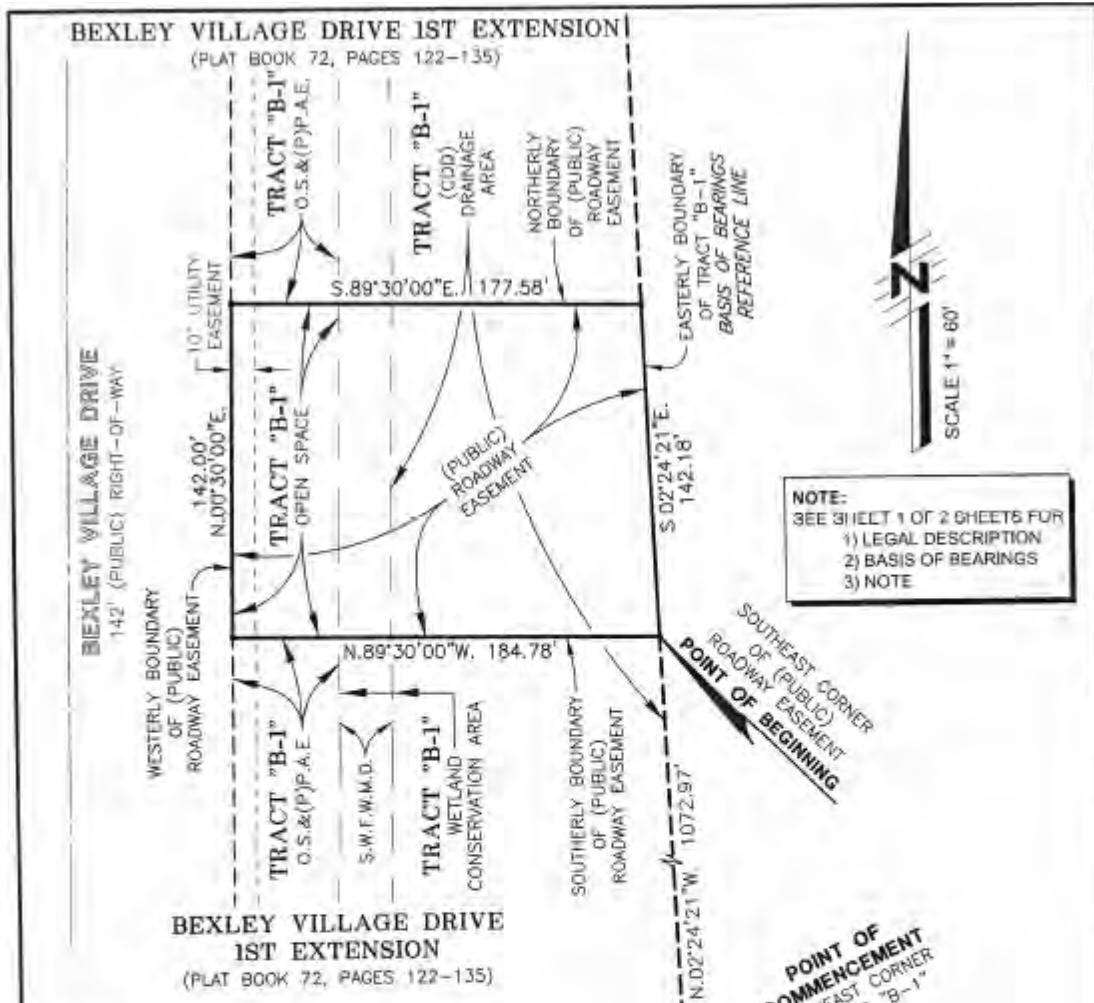
NOTE: Refer to the recorded plat of BEXLEY VILLAGE DRIVE 1ST EXTENSION, as recorded in Plat Book 72, Pages 122-135, inclusive, of the Public Records of Pasco County, Florida, for complete detailed information for TRACT "B-1"

BASIS OF BEARINGS

The Easterly boundary of TRACT "B-1", according to the plat of BEXLEY VILLAGE DRIVE 1ST EXTENSION, as recorded in Plat Book 72, Pages 122 through 135 inclusive, of the Public Records of Pasco County, Florida, has a Grid bearing of N.02°24'21"W. The Grid Bearings as shown hereon refer to the State Plane Coordinate System (NAD 83-2007 ADJUSTMENT) for the West Zone of Florida.

**BEXLEY SOUTH
FUENTES ACCESS PARCEL**

Prepared For: NNP-BEXLEY, LLC			
DESCRIPTION SKETCH (Not a Survey)  Arthur W. Merritt FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 4498		AMERRITT, INC. LAND SURVEYING AND MAPPING LICENSED BUSINESS NUMBER 187178 3010 W. Avenue Street, Suite 150 Tampa, FL 33609 PHONE (813) 221-5200	
No.	Date	Description	Drawn
REVISIONS			
SHEET NO. 1 OF 2 SHEETS			
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RASID: SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER		Drawn: WJS Checked: AMW Order No: 04-094-05-052 Date: 7-16-20 City: Bartlett - IL - Fuentes - OS 885 The Plat, if Valid, Shall Be a Part of the Public Records of Pasco County, Florida SECTION 30, TOWNSHIP 26 SOUTH, RANGE 16 EAST	



NOTE:
SEE SHEET 1 OF 2 SHEETS FOR
1) LEGAL DESCRIPTION
2) BASIS OF BEARINGS
3) NOTE

- LEGEND**
- (CDD) - Bexley Ranch Community Development District
 - O.S.&(P)P.A.E. - Open Space and (Public) Pedestrian Access Easement

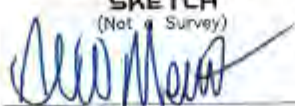
Prepared For: NNP-BEXLEY, LLC			
DESCRIPTION SKETCH (Not a Survey)  Arthur W. Merritt FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 4498		AMERRITT, INC. LAND SURVEYING AND MAPPING LICENSED BUSINESS NUMBER 187719 3010 W. Azalea Street, Suite 150 Tampa, FL 33609 PHONE (813) 231-5200	
Drawn: WFS		Checked: AMM	
Date: 1-16-20		Proj: Bexley/D-1st-Fuentes-CO-1st	
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER			
SHEET NO. 2 OF 2 SHEETS		SECTION 30, TOWNSHIP 28 SOUTH, RANGE 18 EAST	

Exhibit "B"
PERMITTED EXCEPTIONS