



Rizzetta & Company

# **Willow Walk Community Development District**

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**Board of Supervisors' Meeting  
February 4, 2021**

**District Office:  
9428 Camden Field Parkway  
Riverview, FL 33578  
(813) 533-2950**

**[www.willowwalkcdd.org](http://www.willowwalkcdd.org)**

## **WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT**

Trevesta Clubhouse, 6210 Trevesta Place, Palmetto, Florida 34221

<b>Board of Supervisors</b>	Jim Harvey Greg Meath Troy Simpson Paul Martin David Truxton	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Taylor Nielsen	Rizzetta & Company, Inc.
<b>District Counsel</b>	Jere Earlywine	Hopping Green & Sams, P.A.
<b>District Engineer</b>	Matt Morris	Morris Engineering

**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 (239) 936-0913. 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.

**WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT**  
**DISTRICT OFFICE • 9428 CAMDEN FIELD PARKWAY • RIVERVIEW, FLORIDA 33578**  
[www.WILLOWWALKCDD.ORG](http://www.WILLOWWALKCDD.ORG)

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January 27, 2020

Board of Supervisors  
**Willow Walk Community  
Development District**

**FINAL AGENDA**

Dear Board Members:

The regular meeting of the Board of Supervisors of Willow Walk Community Development District will be held on **Thursday, February 4, 2021 at 9:45 a.m.** at the Trevesta Clubhouse located at 6210 Trevesta Place, Palmetto, Florida 34221. The following is the tentative agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT**
- 3. BUSINESS ADMINISTRATION**
  - A. Consideration of the Minutes of the Board of Supervisors' Meeting held on November 5, 2020.....Tab 1
  - B. Consideration of the Landowners Meeting held on November 5, 2020.....Tab 2
  - C. Consideration of the Operations and Maintenance Expenditures for the Months of October, November, and December 2020 .. ....Tab 3
- 3. BUSINESS ITEMS**
  - A. Consideration of Resolution 2021-01; Appointing Officers .....Tab 4
  - B. Consideration of Resolution 2021-03; Designating District Office .....Tab 5
  - C. Consideration of Landscape Maintenance Agreement.....Tab 6
  - D. Consideration of Deed with Grant and Reservation of Easements.....Tab 7
  - E. Consideration of Resolution 2021-04; Addressing Project Completion.....Tab 8
- 5. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
- 6. SUPERVISOR REQUESTS**
- 7. CONSIDERATION OF RESIGNATION OF SEAT #4- DAVID TRUXTON**
  - A. Review of Resignation Letter.....Tab 9
- 8. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to contact me at (813) 533-2950.

Very truly yours,

*Taylor Nielsen*

Taylor Nielsen

District Manager

cc: Jere Earlywine, Hopping Green & Sams

**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.

**WILLOW WALK  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Willow Walk Community Development District was held on **Thursday, November 5, 2020 at 11:02 a.m.** at the Trevesta Clubhouse located at 6210 Trevesta Place, Palmetto, Florida 34221

Present and constituting a quorum were:

Paul Martin	<b>Board Supervisor, Assistant Secretary</b>
Troy Simpson	<b>Board Supervisor, Assistant Secretary</b>
Dave Truxton	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Taylor Nielsen	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Belinda Blandon	<b>District Manager, Rizzetta &amp; Company, Inc.</b> <b>(via speaker phone)</b>
Jere Earlywine	<b>District Counsel, Hopping Green &amp; Sams, P.A.</b> <b>(via speaker phone)</b>
Erin Tumolo	<b>District Engineer, Morris Engineering &amp; Consulting LLC</b> <b>(via speaker phone)</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Nielsen called the meeting to order and conducted the roll call.

**SECOND ORDER OF BUSINESS**

**Public Comment**

Mr. Nielsen stated for the record that no members of the public were present.

**THIRD ORDER OF BUSINESS**

**Consideration of the Minutes of the  
Board of Supervisors Meeting held on  
August 6, 2020**

Mr. Nielsen presented the minutes of the Board of Supervisors meeting held on August 6, 2020 and asked if there were any questions, comments, or revisions to the minutes. There were none.

On a Motion by Mr. Truxton, seconded by Mr. Martin, with all in favor, the Board Approved the Minutes of the Board of Supervisors Meeting held on August 6, 2020, for the Willow Walk Community Development District.

**FOURTH ORDER OF BUSINESS****Consideration of the Operations and Maintenance Expenditures for the Months of July, August, and September 2020**

Mr. Nielsen presented the operations and maintenance expenditures for the period of July 1-31, 2020 which totaled \$55,842.14, the period of August 1-31, 2020 which totaled \$52,086.55 and September 1-30, 2020 which totaled \$57,737.01. He asked if there were any questions regarding any item of expenditure. There were none.

On a Motion by Mr. Martin, seconded by Mr. Truxton, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the Months of July 2020 (\$55,842.14), August 2020 (\$52,086.55) and September 2020 (\$57,737.01), for the Willow Walk Community Development District.

**FIFTH ORDER OF BUSINESS****Consideration of Resolution 2021-01, Canvassing and Certifying Results of November 5, 2020 Landowner Election**

Mr. Nielsen provided an overview of Resolution 2021-01, Canvassing and Certifying Results of November 5, 2020 Landowner Election and asked if there were any questions. There were none.

On a Motion by Mr. Simpson, seconded by Mr. Martin with all in favor, the Board adopted Resolution 2021-01, Canvassing and Certifying Results of November 5, 2020 Landowner Election, electing Jim Harvey as the Chairman and Paul Martin as the Vice Chairman, for the Willow Walk Community Development District.

**SIXTH ORDER OF BUSINESS****Consideration of Sun State Landscape Management Proposals**

Mr. Nielsen provided an overview of the Sun State Landscape Management Proposals stating Phase 2 Sabal Palm Replacement (\$2,600.00), Phase 1 and Amenity Mulch (\$9,100.00), Palm Trimming in Phase 1 and 2 (\$1,710.00) and Mulching Phase 2 Entryway Buffers (\$16,580.00). He asked if there were any questions. There were none.

On a Motion by Mr. Martin, seconded by Mr. Truxton, with all in favor, the Board approving the Sun State Landscape Management Proposals for Phase 2 Sabal Palm Replacement (\$2,600.00), Phase 1 and Amenity Mulch (\$9,100.00), Palm Trimming in Phase 1 and 2 (\$1,710.00) and Mulching Phase 2 Entryway Buffers (\$16,580.00), for the Willow Walk Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Consideration of First Addendum to District Services Contract**

Mr. Nielsen provided an overview of the First Addendum to District Services Contract and asked if there were any questions. There were none.

On a Motion by Mr. Truxton, seconded by Mr. Martin, with all in favor, the Board Approved the First Addendum to District Services Contract, for the Willow Walk Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Staff Reports**

- A. District Counsel  
Mr. Earlywine advised that he is working on project completion documents.
- B. District Engineer  
Ms. Tumolo advised that she had no report.
- C. District Manager  
Mr. Nielsen advised the next meeting of the Board of Supervisors is scheduled for Thursday, February 4, 2021 at 9:45 a.m.

**NINTH ORDER OF BUSINESS**

**Supervisor Requests and Audience Comments**

Mr. Martin advised that the District is past due on invoices to Sun State. He advised of an area where water is standing on the sidewalk which is due to sod being too high and the sod may need to be lowered around fire hydrant where the water is not draining. Mr. Martin addressed concerns related to the sidewalk needing replaced in front of a home in order to be able to move forward on the second lift of asphalt.

**TENTH ORDER OF BUSINESS**

**Adjournment**

Mr. Nielsen stated there was no further business to come before the Board and asked for a motion to adjourn the meeting.

On a Motion by Mr. Truxton, seconded by Mr. Martin, with all in favor, the Board adjourned the meeting at 11:10 a.m., for the Willow Walk Community Development District.

Secretary / Assistant Secretary

Chairman / Vice Chairman

**MINUTES OF MEETING**

**WILLOW WALK  
COMMUNITY DEVELOPMENT DISTRICT**

The Landowner meeting of the Willow Walk Community Development District was held on **Thursday, November 05, 2020 at 10:58 a.m.** at the Trevesta Clubhouse located at 6210 Trevesta Place, Palmetto, Florida 34221.

Present were:

Troy Simpson	<b>Proxy Holder</b>
Taylor Nielsen	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Belinda Blandon	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
	<b>(via speaker phone)</b>
Jere Earlywine	<b>Hopping Green &amp; Sams, P.A. (via speaker phone)</b>

**FIRST ORDER OF BUSINESS**

**Call to Order**

Mr. Nielsen called the meeting to order and confirmed that the Landowner Meeting was duly noticed in accordance with Florida Statute Chapter 190.

**SECOND ORDER OF BUSINESS**

**Determination of Number of Voting  
Units Represented**

Mr. Nielsen advised that Mr. Dave Truxton was present as the designated proxy holder for OK JV3 LLC, representing a total of 95 voting units.

**THIRD ORDER OF BUSINESS**

**Election of Chairperson and Secretary  
for Purpose of Conducting Landowner  
Election**

Mr. Nielsen was elected as Chairperson and Secretary of the meeting for the purpose of conducting the Landowner Election.

**FOURTH ORDER OF BUSINESS**

**Nominations for Positions of  
Supervisor**

Mr. Nielsen opened the floor to nominations of candidates by the landowner(s). Mr. Simpson, proxy holder for OK JV3 LLC, nominated Troy Simpson, David Truxton, and James Harvey. Mr. Nielsen asked if there were any other nominations. Hearing none, nominations were closed.

**FIFTH ORDER OF BUSINESS**

**Casting of Ballots**

Ballots were completed by the proxy holder on behalf of OK JV3 LLC. Mr. Nielsen collected the ballots.



**SIXTH ORDER OF BUSINESS**

**Tabulation of Ballots**

Mr. Nielsen stated the candidates received the following votes: Mr. Troy Simpson received 94 votes, Mr. David Truxton 95 votes, and Mr. James Harvey 95 votes. Mr. Nielsen advised that by virtue of the votes received, Mr. Troy Simpson will receive a two-year term to be effective November 17, 2020 and expiring November 2022; and Mr. David Truxton and Mr. James Harvey will each receive a four-year term to be effective November 17, 2020 and expiring November 2024.

**SEVENTH ORDER OF BUSINESS**

**Landowner Questions and Comments**

Mr. Nielsen asked if there were any questions or comments. There were none.

**EIGHTH ORDER OF BUSINESS**

**Adjournment**

Mr. Nielsen stated there were no additional matters to come before the Landowners and adjourned the meeting at 11:01 a.m.

# WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT

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DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FL 33912

## Operation and Maintenance Expenditures October 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from October 1, 2020 through October 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$3,671.40**

Approval of Expenditures:

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\_\_\_\_\_ Chairperson

\_\_\_\_\_ Vice Chairperson

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

## Willow Walk Community Development District

Paid Operation & Maintenance Expenditures

October 1, 2020 Through October 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Campus Suite	000639	18949	Website & Compliance Services - Q1 FY20/21	\$ 388.13
Imperial PFS Corporation	000643	GAA-A65897 Pymt 1	Gen Liab/POL Insurance FY20/21 Pymt 1 of 11	\$ 1,084.09
Manatee County Utilities Department	000641	277353-152145 09/20	4220 Lindever LN 09/20	\$ 394.74
Peace River Electric Cooperative, Inc	000642	Peace River Summary 09/20	Peace River Summary 09/20	\$ 1,774.00
Spectrum Business	000640	088547101092720 10/20	4220 Lindever Lane 10/20	<u>\$ 30.44</u>
<b>Report Total</b>				<u><b>\$ 3,671.40</b></u>

# WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT

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DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FL 33912

## **Operation and Maintenance Expenditures November 2020 For Board Approval**

Attached please find the check register listing the Operation and Maintenance expenditures paid from November 1, 2020 through November 30, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$8,003.26**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Vice Chairperson

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

# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

November 1, 2020 Through November 30, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Bradenton Herald	000648	0001947201	Acct #663577 - Legal Advertisement 10/20	\$ 270.56
Egis Insurance Advisors, LLC	000644	12352	General/POL/Property Liability Insurance FY 20/21	\$ 1,084.09
Florida Department of Economic Opportunity	000652	83492	Special District Fee FY 20/21	\$ 175.00
Imperial PFS Corporation	000656	GAA-A65897 Pymt 2	Gen Liab/POL Insurance FY20/21 Pymt 2 of 11	\$ 1,084.09
KBR Pool Service	000653	SCC-11181	Equipment Repair 11/20	\$ 80.00
Main Gate Enterprises, Inc.	000654	30902	Service Call 09/20	\$ 190.00
Manatee County Utilities Department	000649	277353-152145 10/20	4220 Lindever LN 10/20	\$ 429.83
Rizzetta Technology Services	000650	INV0000006354	Email/Web Hosting Services 10/20	\$ 100.00
Rizzetta Technology Services	000650	INV0000006459	Email/Web Hosting Services 11/20	\$ 100.00
Solitude Lake Management	000646	PI-A00477528	Midge Fly Treatments & Water Testing 09/20	\$ 801.00
Solitude Lake Management	000646	PI-A00480222	Midge Fly Treatments 09/20	\$ 915.00
Spearem Enterprise LLC	000655	4468	Restroom Vandalized 10/20	\$ 80.00

# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

November 1, 2020 Through November 30, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Sun State Landscape Management, Inc.	000647	32336	Irrigation Inspection Repairs 09/20	\$ 50.00
Sun State Landscape Management, Inc.	000647	32749	Irrigation Inspection Repairs 10/20	\$ 97.69
Sun State Landscape Management, Inc.	000651	33002	Landscaping - Trim Oak Tree 10/20	\$ 780.00
Peace River Electric Cooperative, Inc	000652	Peace River Summary 10/20	Peace River Summary 10/20	<u>\$ 1,766.00</u>
<b>Report Total</b>				<u><b>\$ 8,003.26</b></u>

# WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT

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DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FL 33912

## **Operation and Maintenance Expenditures December 2020 For Board Approval**

Attached please find the check register listing the Operation and Maintenance expenditures paid from December 1, 2020 through December 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$200,772.29**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairperson

\_\_\_\_\_ Vice Chairperson

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

# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

December 1, 2020 Through December 31, 2020

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
ADT US Holdings, Inc dba ADT Security Services	663	137287916	Security Services 11/20	\$ 165.92
Cardno, Inc.	664	301500	Quarterly Preserve Maintenance through 10/20	\$ 1,325.00
Frontier Communications	660	941-722-1788- 111920-5 11/20	Internet Service 11/20	\$ 120.98
Hopping Green & Sam P.A.	665	117408	Legal Services 08/20	\$ 1,295.00
Hopping Green & Sam P.A.	665	118169	Legal Services 09/20	\$ 191.00
Hopping Green & Sam P.A.	665	118531	Legal Services 10/20	\$ 126.00
Hopping Green & Sam P.A.	665	119204	Legal Services 11/20	\$ 487.00
Imperial PFS Corporation	666	GAA-A65897 Pymt 3	Gen Liab/POL Insurance FY20/21 Pymt 3 of 11	\$ 1,084.09
Island Property Maintenance and Repairs	667	5	Pressure Wash Playground 10/20	\$ 175.00
KBR Pool Service	668	SCC-10720	Weekly Commercial Pool Service 09/20	\$ 1,140.00
KBR Pool Service	668	SCC-10905	Weekly Commercial Pool Service 09/20	\$ 1,140.00
KBR Pool Service	668	SCC-11065	Weekly Commercial Pool Service 10/20	\$ 1,140.00



# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

December 1, 2020 Through December 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
KBR Pool Service	668	SCC-11231	Weekly Commercial Pool Service 12/20	\$ 1,140.00
Manatee County Utilities Department	661	277353-152145 11/20	4220 Lindever LN 11/20	\$ 415.21
Morris Engineering and Consulting, LLC	669	INV-0695	Engineering Service 06/20	\$ 2,475.00
Peace River Electric Cooperative, Inc	662	Peace River Summary I 11/20	Peace River Summary I 11/20	\$ 1,191.00
Peace River Electric Cooperative, Inc	670	Peace River Summary II 11/20	Peace River Summary II 11/20	\$ 436.00
Rizzetta & Company, Inc.	658	INV0000053299	District Management Fees 10/20	\$ 4,077.08
Rizzetta & Company, Inc.	671	INV0000053544	Assessment Roll Preparation FY 20/21	\$ 5,150.00
Rizzetta & Company, Inc.	671	INV0000054168	District Management Fees 11/20	\$ 4,077.08
Rizzetta & Company, Inc.	671	INV0000054646	District Management Fees 12/20	\$ 4,077.08
Rizzetta Technology Services	672	INV0000006562	Email/Web Hosting Services 12/20	\$ 100.00
Solitude Lake Management	673	PI-A00468224	Wetland Mitigation Maintenance 09/20	\$ 1,267.00
Solitude Lake Management	673	PI-A00468225	Lake and Pond Management 09/20	\$ 1,571.00

# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

December 1, 2020 Through December 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Solitude Lake Management	673	PI-A00487777	Lake and Pond Aerator Maintenance 10/20	\$ 103.00
Solitude Lake Management	673	PI-A00487778 rev	Wetland Mitigation Maintenace 10/20	\$ 1,267.00
Solitude Lake Management	673	PI-A00487779 rev	Lake and Pond Management 10/20	\$ 1,571.00
Solitude Lake Management	673	PI-A00503954	Wetland Mitigation Maintenace 11/20	\$ 1,267.00
Solitude Lake Management	673	PI-A00503955	Lake and Pond Management 11/20	\$ 1,571.00
Solitude Lake Management	673	PI-A00518884	Wetland Mitigation Maintenace 12/20	\$ 1,267.00
Solitude Lake Management	673	PI-A00518885	Lake and Pond Management 12/20	\$ 1,571.00
Spearem Enterprise LLC	657	4383	Restroom Cleaning Service 09/20	\$ 640.00
Spearem Enterprise LLC	674	4406	Restroom Cleaning Service 10/20	\$ 640.00
Spearem Enterprise LLC	674	4423	Pressure Wash Service 10/20	\$ 400.00
Spearem Enterprise LLC	674	4439	Restroom Cleaning Service 10/20	\$ 660.00
Spearem Enterprise LLC	674	4476	Stowed Pool Furniure for Storm 11/20	\$ 150.00

# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

December 1, 2020 Through December 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Spearem Enterprise LLC	674	4477	Installed Lock Box 11/20	\$ 85.00
Spearem Enterprise LLC	674	4478	Put out Pool Furniture 11/20	\$ 80.00
Spearem Enterprise LLC	674	4507	Restroom Cleaning Service 11/20	\$ 670.00
Sun State Landscape Management, Inc.	659	32049	Landscape Maintenance 09/20	\$ 11,113.80
Sun State Landscape Management, Inc.	659	32050	Monthly Maintenance PH2 Buffer A&D 09/20	\$ 7,995.21
Sun State Landscape Management, Inc.	659	32051	Landscape Maintenance Phase 2 09/20	\$ 11,821.21
Sun State Landscape Management, Inc.	659	32523	Landscape Maintenance 10/20	\$ 11,113.80
Sun State Landscape Management, Inc.	659	32524	Monthly Maintenance PH2 Buffer A&D 10/20	\$ 7,995.21
Sun State Landscape Management, Inc.	659	32525	Landscape Maintenance Phase 2 10/20	\$ 11,821.21
Sun State Landscape Management, Inc.	675	33097	Landscape Maintenance 11/20	\$ 11,113.80
Sun State Landscape Management, Inc.	675	33098	Monthly Maintenance PH2 Buffer A&D 11/20	\$ 7,995.21
Sun State Landscape Management, Inc.	675	33099	Landscape Maintenance Phase 2 11/20	\$ 11,821.21

# Willow Walk Community Development District

## Paid Operation & Maintenance Expenditures

December 1, 2020 Through December 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Sun State Landscape Management, Inc.	675	33344	Re-Stake Tree's 11/20	\$ 300.00
Sun State Landscape Management, Inc.	675	33454	Turf Removal and Replace 11/20	\$ 322.00
Sun State Landscape Management, Inc.	675	33703	Landscape Maintenance 12/20	\$ 11,113.80
Sun State Landscape Management, Inc.	675	33704	Monthly Maintenance PH2 Buffer A&D 12/20	\$ 7,995.21
Sun State Landscape Management, Inc.	675	33705	Landscape Maintenance Phase 2 12/20	\$ 11,821.21
Sun State Landscape Management, Inc.	675	33708	Sabal Replacement 12/20	\$ 2,600.00
Sun State Landscape Management, Inc.	675	33754	Irrigation Repairs 12/20	\$ 100.98
Sun State Landscape Management, Inc.	675	33785	Mulch Install - Amenity Center	\$ 9,100.00
Sun State Landscape Management, Inc.	675	33888	Mulch Install	\$ 16,580.00
Sun State Landscape Management, Inc.	675	33990	Trimming of Trees	\$ 1,710.00
Spectrum Business	1220	0050885471-01	4220 Lindever Lane 12/20	<u>\$ 29.99</u>

# Willow Walk Community Development District

Paid Operation & Maintenance Expenditures

December 1, 2020 Through December 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
<b>Report Total</b>				<b><u>\$ 200,772.29</u></b>

**RESOLUTION 2021-02**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT APPOINTING [AND REMOVING] OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Willow Walk Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within Manatee County, Florida; and

WHEREAS, the Board of Supervisors of the District desires to appoint [and remove] Officers of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT:**

Section 1. \_\_\_\_\_ is appointed Chairman.

Section 2. \_\_\_\_\_ is appointed Vice Chairman.

Section 3. \_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

\_\_\_\_\_ is appointed Assistant Secretary.

Belinda Blandon is appointed Assistant Secretary.

Taylor Nielsen is appointed Assistant Secretary.

Melissa Dobbins is appointed Assistant Secretary.

Section 4. Joe Roethke is hereby removed as Assistant Secretary.

Section 5. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED THIS 4TH DAY OF FEBRUARY, 2021.**

**WILLOW WALK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
**CHAIRMAN / VICE CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**SECRETARY / ASSISTANT SECRETARY**

**RESOLUTION 2021-03**

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE  
WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT  
DESIGNATING THE PRIMARY ADMINISTRATIVE OFFICE AND  
PRINCIPAL HEADQUARTERS OF THE DISTRICT AND  
PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Willow Walk 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 Manatee County, Florida; and

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

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF  
SUPERVISORS OF THE WILLOW WALK COMMUNITY  
DEVELOPMENT DISTRICT:**

**SECTION 1.** The District’s primary administrative office for purposes of Chapter 119, *Florida Statutes*, shall be located at Rizzetta & Company, Inc., 9428 Camden Field Parkway, Riverview, Florida 33578.

**SECTION 2.** The District’s principal headquarters for purposes of establishing proper venue shall be located at the Trevesta Clubhouse, 6210 Trevesta Place, Palmetto, Florida 34221 within Manatee County, Florida.

**SECTION 3.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 2ND DAY OF FEBRUARY, 2021.**

**ATTEST:**

**WILLOW WALK COMMUNITY  
DEVELOPMENT DISTRICT**

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Secretary / Assistant Secretary

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Chairperson / Vice Chairperson  
Board of Supervisors

## RESOLUTION 2021-04

### [PROJECT COMPLETION RESOLUTION FOR 2015 PROJECT, 2017 PROJECT AND 2019 PROJECT]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT ADDRESSING REAL ESTATE CONVEYANCES AND PERMITS; ACCEPTING THE CERTIFICATE OF THE DISTRICT ENGINEER THAT THE 2015 PROJECT, 2017 PROJECT AND 2019 PROJECTS ARE COMPLETE; ACCEPTING THE CERTIFICATE OF THE ASSESSMENT CONSULTANT REGARDING SPECIAL ASSESSMENTS; RECOGNIZING THE SATISFACTION OF CONTRIBUTION REQUIREMENTS; DECLARING THE 2015 PROJECT, 2017 PROJECT AND 2019 PROJECTS COMPLETE; PROVIDING DIRECTION TO THE TRUSTEE TO RELEASE FUNDS AND PAY FINAL REQUISITIONS; FINALIZING THE SPECIAL ASSESSMENTS SECURING THE DISTRICT'S 2015 BONDS, 2017 BONDS AND 2019 BONDS; AUTHORIZING A MUTUAL RELEASE; PROVIDING FOR A SUPPLEMENT TO THE IMPROVEMENT LIEN BOOK; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

#### *Background*

**WHEREAS**, the Willow Walk Community Development District ("**District**") was established for the purpose of providing infrastructure improvements, facilities, and services to the lands within the District as provided in Chapter 190, *Florida Statutes*; and

#### *2015 Bonds & 2015 Project*

**WHEREAS**, on July 15, 2015, the District issued its \$3,745,000 Special Assessment Bonds, Series 2015 (South Parcel Assessment Area Project) ("**2015 Bonds**"), to finance a portion of its "South Parcel Assessment Area Project" a/k/a "**2015 Project**;" and

**WHEREAS**, the 2015 Bonds were issued pursuant to that certain *Master Trust Indenture*, as supplemented by the *First Supplemental Trust Indenture*, each between the District and Regions Bank ("**Trustee**") and dated July 1, 2015 (collectively, the "**2015 Indenture**"); and

**WHEREAS**, the 2015 Project originally was estimated to cost approximately \$8,745,000 and is described in the *Engineer's Report*, dated March 5, 2015 ("**2015 Engineer's Report**"); and

**WHEREAS**, the 2015 Project includes, among other things, roadways, stormwater management, utilities (water & sewer), offsite improvements, landscaping/lighting, and other infrastructure; and

**WHEREAS**, in order to secure repayment of the 2015 Bonds, and pursuant to Resolutions 2015-22, 2015-24, and 2015-29 (together, "**2015 Assessment Resolution**"), the District levied and imposed special assessment lien(s) (together, "**2015 Assessments**"), which are levied and imposed on all benefitted lands within the "South Parcel Assessment Area" a/k/a "**2015 Assessment Area**" of the District; and



**WHEREAS**, the 2015 Assessments are further described in the *Master Assessment Methodology Report, South Assessment Area*, dated February 23, 2015, as supplemented by the *Final Supplemental Assessment Methodology Report, South Parcel Assessment Area*, dated June 30, 2015 (together, “**2015 Assessment Report**”); and

**WHEREAS**, generally stated, the 2015 Project specially benefits the assessable lands in the 2015 Assessment Area, as set forth in the 2015 Assessment Resolution, and it is reasonable, proper, just and right to assess the costs of the 2015 Project financed with the 2015 Bonds to the specially benefited properties within the District as set forth in the Assessment Resolution and this Resolution; and

### ***2017 Bonds & 2017 Project***

**WHEREAS**, on October 16, 2017, the District issued its \$3,045,000 Special Assessment Bonds, Series 2017 (North Parcel Assessment Area Project) (“**2017 Bonds**”), to finance a portion of its “North Parcel Assessment Area Project” a/k/a “**2017 Project**,” and

**WHEREAS**, the 2017 Bonds were issued pursuant to that certain *Master Trust Indenture*, as supplemented by the *Second Supplemental Trust Indenture*, each between the District and Regions Bank (“**Trustee**”) and dated July 1, 2015 and September 1, 2017 respectively (collectively, the “**2017 Indenture**”); and

**WHEREAS**, the 2017 Project originally was estimated to cost approximately \$6,435,000 and is described in the *Supplemental Engineer’s Report (2017 Project)*, dated July 28, 2017 (“**2017 Engineer’s Report**”); and

**WHEREAS**, the 2017 Project includes, among other things, roadways, stormwater management, utilities (water & sewer), offsite improvements, landscaping/lighting, and other infrastructure; and

**WHEREAS**, in order to secure repayment of the 2017 Bonds, and pursuant to Resolutions 2017-15, 2017-16 and 2018-01 (together, “**2017 Assessment Resolution**”), the District levied and imposed special assessment lien(s) (together, “**2017 Assessments**”), which are levied and imposed on certain benefitted lands within the “North Parcel Assessment Area” a/k/a “**2017 Assessment Area**” of the District; and

**WHEREAS**, the 2017 Assessments are further described in the *Amended and Restated Master Special Assessment Allocation Report, North Parcel Assessment Area*, dated August 3, 2017, as supplemented by the *Final Supplemental Special Assessment Allocation Report*, dated September 29, 2017 (together, “**2017 Assessment Report**”); and

**WHEREAS**, generally stated, the 2017 Project specially benefits the assessable lands in the 2017 Assessment Area, as set forth in the 2017 Assessment Resolution, and it is reasonable, proper, just and right to assess the costs of the 2017 Project financed with the 2017 Bonds to the specially benefited properties within the District as set forth in the Assessment Resolution and this Resolution; and

### ***2019 Bonds & 2019 Project***

**WHEREAS**, on May 23, 2019, the District issued its \$2,945,000 Special Assessment Bonds, Series 2019 (North Parcel Assessment Area Project – 2019 Project) (“**2019 Bonds**”), to finance the second portion of its “North Parcel Assessment Area Project” a/k/a “**2019 Project**,” and

**WHEREAS**, the 2019 Bonds were issued pursuant to that certain *Master Trust Indenture*, as supplemented by the *Third Supplemental Trust Indenture*, each between the District and Regions Bank (“**Trustee**”) and dated July 1, 2015 and May 1, 2019 respectively (collectively, the “**2019 Indenture**,” together with the 2015 Indenture and 2017 Indenture, the “**Indenture**”); and

**WHEREAS**, the 2019 Project originally was estimated to cost approximately \$6,675,111 and is described in the *Supplemental Engineer’s Report (North Parcel Assessment Area / 2019 Project)*, dated May 6, 2019 (Revised May 13, 2019) (“**2019 Engineer’s Report**”); and

**WHEREAS**, the 2019 Project includes, among other things, roadways, stormwater management, utilities (water & sewer), offsite improvements, landscaping/lighting, and other infrastructure; and

**WHEREAS**, in order to secure repayment of the 2019 Bonds, and pursuant to Resolutions 2019-04 and 2019-05 (together, “**2019 Assessment Resolution**” and together with the 2015 Assessment Resolution and 2017 Assessment Resolution, “**Assessment Resolution**”), the District levied and imposed special assessment lien(s) (together, “**2019 Assessments**”), which are levied and imposed on certain benefitted lands within the “North Parcel Assessment Area” a/k/a “**2019 Assessment Area**” of the District; and

**WHEREAS**, the 2019 Assessments are further described in the *Amended and Restated Master Special Assessment Allocation Report, North Parcel Assessment Area*, dated August 3, 2017, as supplemented by the *Final Supplemental Special Assessment Allocation Report (North Parcel Assessment Area – Series 2019 Project)*, dated May 13, 2019 (together, “**2019 Assessment Report**”); and

**WHEREAS**, generally stated, the 2019 Project specially benefits the assessable lands in the 2019 Assessment Area, as set forth in the 2019 Assessment Resolution, and it is reasonable, proper, just and right to assess the costs of the 2019 Project financed with the 2019 Bonds to the specially benefitted properties within the District as set forth in the Assessment Resolution and this Resolution; and

### ***Completion of Projects***

**WHEREAS**, the 2015 Project, the 2017 Project, and the 2019 Project (together, “**Capital Improvement Plan**” or “**CIP**”), and all components thereof, have been completed; and

**WHEREAS**, as outlined in **Exhibit A**, and except as noted therein, the District has acquired all real property interests and/or permits necessary for ownership and operation of the CIP; and

**WHEREAS**, as shown in **Exhibit B**, the District has spent all monies from the applicable construction accounts for the 2015 Project, the 2017 Project and the 2019 Project, with the exception of certain nominal amounts (below \$5,000 in total) as well as certain monies that are anticipated to be

released into the Series 2019 Acquisition and Construction Account from the Series 2019 Reserve Account, as shown in **Exhibit D** (together, “**Remaining Construction Funds**”); and

**WHEREAS**, the Developer has contributed additional monies to complete the 2015 Project, 2017 Project and 2019 Project, as shown in **Exhibits C and D**; and

**WHEREAS**, specifically, the Developer is still owed at least \$\_\_\_\_\_ for costs (“**Remaining Costs**”) associated with the CIP (above and beyond any Contribution Requirements (described below)); and

**WHEREAS**, pursuant to Chapter 170, *Florida Statutes*, and the Indenture, the District Engineer has executed and delivered an Engineer’s Certificate dated February 4, 2021 (“**Engineer’s Certificate**”), attached hereto as **Exhibit C**, wherein the District Engineer certified the 2015 Project, 2017 Project and 2019 Project complete; and

**WHEREAS**, upon receipt of and in reliance upon the Engineer’s Certificate, the District’s Board desires to certify the 2015 Project, 2017 Project, and 2019 Project complete in accordance with the Indenture and pursuant to Chapter 170, *Florida Statutes*; and

**WHEREAS**, pursuant to Chapter 170, *Florida Statutes*, the District’s Assessment Consultant has also executed and delivered an Assessment Consultant’s Certificate dated February 4, 2021 (“**Assessment Consultant’s Certificate**”), attached hereto as **Exhibit D**, certifying that: (i) the actual costs of the 2015 Project have exceeded the amount of the 2015 Assessments (and any required contributions), such that no credit for 2015 Assessments is due; (ii) the actual costs of the 2017 Project have exceeded the amount of the 2017 Assessments (and any required contributions), such that no credit for 2017 Assessments is due; and (iii) the actual costs of the 2019 Project have exceeded the amount of the 2019 Assessments (and any required contributions), such that no credit for 2019 Assessments is due; and

### ***Contributions***

**WHEREAS**, in order to ensure that certain target assessment levels were achieved, the Developer was obligated to make certain contributions of infrastructure in connection with the 2015 Assessments, 2017 Assessments and 2019 Assessments; and

**WHEREAS**, as noted in **Exhibits C and D**, and pursuant to Resolution 2016-4 (for the 2015 Assessments), and Requisition #4 (for the 2017 Assessments and 2019 Assessments), the Developer has satisfied any and all such “**Contribution Requirements**,” and

**WHEREAS**, accordingly, the District desires to formally recognize the satisfaction of all Contribution Requirements; and

### ***2019 Reserve Account Release***

**WHEREAS**, 4.01 of the *Third Supplemental Trust Indenture*, as part of the 2019 Indenture, provides:

Upon Satisfaction of the Release Conditions as evidenced by a written certificate of the District Manager delivered to the Issuer and the Trustee, stating that the Release Conditions have been satisfied and the amount of the new Series 2019 Reserve Requirement, the Trustee shall without further direction reduce the Series 2019 Reserve Requirement to 50% of the maximum annual debt service of the then Outstanding principal amount of the Series 2019 Bonds. The excess amount in the Series 2019 Reserve Account shall be transferred to the Series 2019 Acquisition and Construction Account.

**WHEREAS**, Article I of the *Third Supplemental Trust Indenture* provides:

“Release Conditions” shall mean the following:

- (a) All of the lots securing the 2017 Bonds have been platted; and
- (b) All lots subject to the Series 2019 Assessments have been developed and platted; and
- (c) All lots subject to the Series 2019 Assessments have been sold and closed with homebuilders; and
- (d) No Event of Default under the Master Indenture has occurred, all as evidenced pursuant to Section 4.01(f) hereof.

**WHEREAS**, because all of the Release Conditions outlined above are satisfied, as indicated in **Exhibits C and D**, the District may now direct the Trustee to reduce the Reserve Requirement for the 2019 Bonds and transfer excess monies from the Series 2019 Reserve Account into the Series 2019 Acquisition and Construction Account; and

**WHEREAS**, upon release of the Series 2019 Reserve Account, the District also desires to direct the Trustee to make payment (“**Remaining Payment**”) for a portion of the Remaining Costs with any Remaining Construction Funds, and then close all applicable acquisition and construction accounts associated with the 2015 Project, 2017 Project and 2019 Project; and

**WHEREAS**, based on the Engineer’s Certificate and the Assessment Consultant’s Certificate, and subject to making any final payments, the Board desires to declare the 2015 Project, 2017 Project and 2019 Project complete for purposes of the Indenture and Chapter 170, *Florida Statutes*;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS  
OF THE WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT:**

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

**2. AUTHORITY.** This Resolution is adopted pursuant the Indenture and provisions of Florida law, including Chapters 170 and 190, *Florida Statutes*.

**3. REAL ESTATE CONVEYANCES; PERMITS.** As outlined in **Exhibit A**, and certified in **Exhibit C**, and subject to the exceptions stated therein, the District has acquired all real property interests and/or permits necessary for ownership and operation of the 2015 Project, 2017 Project and 2019 Project.

**4. ACCEPTANCE OF ENGINEER'S CERTIFICATE AND ASSESSMENT CONSULTANT'S CERTIFICATE.** The Board hereby accepts the Engineer's Certificate, attached hereto as **Exhibit C**, and the Assessment Consultant's Certificate, attached hereto as **Exhibit D**, and, subject to making the Remaining Payment, certifies the 2015 Project, 2017 Project and 2019 Project complete in accordance with the Assessment Resolution, the Indenture and Chapter 170 of the *Florida Statutes*. The Completion Date, as that term is defined in the Master Trust Indenture, shall be the date identified in the Engineer's Certificate.

**5. SATISFACTION OF CONTRIBUTION REQUIREMENTS.** As noted in **Exhibit D**, the Developer has satisfied any and all Contribution Requirements, and the District hereby formally recognizes the satisfaction of all Contribution Requirements necessary for the reduction of 2015 Assessments, 2017 Assessments and 2019 Assessments to meet target levels.

**6. DIRECTION TO TRUSTEE FOR TRANSFER OF FUNDS; AUTHORIZATION TO PAY REMAINING COSTS.** District Staff is authorized to issue a letter in the form of **Exhibit E** and direct the Trustee to make the Remaining Payment for a portion of the Remaining Costs, and using the Remaining Construction Funds, as described in **Exhibits C and D**, and otherwise effect the transfer of funds in the applicable trust estates for the 2015 Bonds, 2017 Bonds and 2019 Bonds according to the terms of **Exhibits C and D**, and the Indenture.

**7. FINALIZATION OF 2015 ASSESSMENTS.** Pursuant to Section 170.08, *Florida Statutes*, and the 2015 Assessment Resolution, and because the 2015 Project is complete, the 2015 Assessments are to be credited the difference in the assessment as originally made, approved, and confirmed and a proportionate part of the actual project costs of the 2015 Project. Because all of the original construction proceeds from the 2015 Bonds were used to construct the 2015 Project, no such credit is due. Accordingly, and pursuant to Section 170.08, *Florida Statutes*, and the Assessment Resolution, the 2015 Assessments are hereby finalized in the amount of the outstanding debt due on the 2015 Bonds in accordance with **Exhibit B** herein, and are hereby apportioned in accordance with the 2015 Assessment Report and the Final Assessment Lien Roll attached hereto as **Exhibit F-2015**.

**8. FINALIZATION OF 2017 ASSESSMENTS.** Pursuant to Section 170.08, *Florida Statutes*, and the 2017 Assessment Resolution, and because the 2017 Project is complete, the 2017 Assessments are to be credited the difference in the assessment as originally made, approved, and confirmed and a proportionate part of the actual project costs of the 2017 Project. Because all of the original construction proceeds from the 2017 Bonds were used to construct the 2017 Project, no such credit is due. Accordingly, and pursuant to Section 170.08, *Florida Statutes*, and the Assessment Resolution, the 2017 Assessments are hereby finalized in the amount of the outstanding debt due on the 2017 Bonds in accordance with **Exhibit B** herein, and are hereby apportioned in accordance with the 2017 Assessment Report and the Final Assessment Lien Roll attached hereto as **Exhibit F-2017**.

**9. FINALIZATION OF 2019 ASSESSMENTS.** Pursuant to Section 170.08, *Florida Statutes*, and the 2019 Assessment Resolution, and because the 2019 Project is complete, the 2019 Assessments are to be credited the difference in the assessment as originally made, approved, and confirmed and a proportionate part of the actual project costs of the 2019 Project. Because all of the original construction proceeds from the 2019 Bonds were used to construct the 2019 Project, no such credit is due. Accordingly, and pursuant to Section 170.08, *Florida Statutes*, and the Assessment Resolution, the 2019 Assessments are hereby finalized in the amount of the outstanding debt due on the 2019 Bonds in

accordance with **Exhibit B** herein, and are hereby apportioned in accordance with the 2019 Assessment Report and the Final Assessment Lien Roll attached hereto as **Exhibit F-2019**.

**10. MUTUAL RELEASE.** Because the CIP is complete, the District hereby authorizes execution of the Mutual Release of Obligations, attached hereto as **Exhibit G**.

**11. IMPROVEMENT LIEN BOOK.** Immediately following the adoption of this Resolution, the special assessments as reflected herein shall be recorded by the Secretary of the Board of the District in the District's "Improvement Lien Book." The special assessment or assessments against each respective parcel shall be and shall remain a legal, valid and binding first lien on such parcel until paid and such lien shall be coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

**12. TRUE-UP PAYMENTS.** Pursuant to the Assessment Resolutions, among other documents, there may be required from time to time certain true-up payments. Nothing herein shall be deemed to amend or alter the requirement to make true-up payments as and when due.

**13. GENERAL AUTHORIZATION.** The Chairman, members of the Board of Supervisors and District staff are hereby generally authorized, upon the adoption of this Resolution, to do all acts and things required of them by this Resolution or desirable or consistent with the requirements or intent hereof.

**14. CONFLICTS.** All District resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed. This Resolution is intended to supplement the Assessment Resolution which remains in full force and effect. This Resolution and the Assessment Resolution shall be construed to the maximum extent possible to give full force and effect to the provisions of each resolution. All District resolutions or parts thereof in actual conflict with this Resolution are, to the extent of such conflict, superseded and repealed.

**15. 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.

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

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**PASSED AND ADOPTED** this 4<sup>th</sup> day of February, 2021.

ATTEST:

**WILLOW WALK COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

**Exhibit A:** Real Property Conveyances; Permits  
**Exhibit B:** Financial Statements for Construction & Custody Accounts  
**Exhibit C:** District Engineer's Certificate  
**Exhibit D:** Assessment Consultant's Certificate  
**Exhibit E:** Direction Letter to Trustee  
**Exhibit F-2015:** Final Assessment Lien Roll 2015 Bonds  
**Exhibit F-2017:** Final Assessment Lien Roll 2017 Bonds  
**Exhibit F-2019:** Final Assessment Lien Roll 2019 Bonds  
**Exhibit G:** Mutual Release of Obligations

## MUTUAL RELEASE

This Mutual Release (“**Release**”) is made and entered into by and between:

**WILLOW WALK COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, and located in Manatee County, Florida (“**District**”), and

**OK WILLOW WALK, LLC**, a Delaware limited liability company, with a mailing address of 14025 Riveredge Drive, Suite 175, Tampa, Florida 33637 (“**Developer**”).

## RECITALS

**WHEREAS**, the District was established by ordinance adopted by the Board of County Commissioners in and for Manatee County, Florida, pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended (“**Act**”), and is validly existing under the Constitution and laws of the State of Florida; and

**WHEREAS**, the Act authorizes the District to issue bonds for the purpose, among others, of planning, financing, constructing, operating and/or maintaining certain infrastructure, roadways, stormwater management, utilities (water & sewer), offsite improvements, landscaping/lighting, and other infrastructure within or without the boundaries of the District; and

**WHEREAS**, the Developer is the primary developer of certain lands in within the boundaries of the District; and

**WHEREAS**, on July 15, 2015, the District issued its \$3,745,000 Special Assessment Bonds, Series 2015 (South Parcel Assessment Area Project) (“**2015 Bonds**”), to finance a portion of its “South Parcel Assessment Area Project” a/k/a “**2015 Project**,” and

**WHEREAS**, the 2015 Project originally was estimated to cost approximately \$8,745,000 and is described in the *Engineer’s Report*, dated March 5, 2015 (“**2015 Engineer’s Report**”); and

**WHEREAS**, in connection with the 2015 Bonds, the District entered into certain agreements with the Developer, including the *Agreement by and between Willow Walk Community Development District and OK Willow Walk LLC regarding the Completion of Certain South Parcel Assessment Area Improvements*, dated July 15, 2015 (“**2015 Completion Agreement**”), and the *Acquisition Agreement*, dated March 5, 2015 (“**2015 Acquisition Agreement**”); and

**WHEREAS**, on October 16, 2017, the District issued its \$3,045,000 Special Assessment Bonds, Series 2017 (North Parcel Assessment Area Project) (“**2017 Bonds**”), to finance a portion of its “North Parcel Assessment Area Project” a/k/a “**2017 Project**,” and

**WHEREAS**, the 2017 Project originally was estimated to cost approximately \$6,435,000 and is described in the *Supplemental Engineer’s Report (2017 Project)*, dated July 28, 2017 (“**2017 Engineer’s Report**”); and



**WHEREAS**, in connection with the 2017 Bonds, the District entered into certain agreements with the Developer, including the *Agreement by and between Willow Walk Community Development District and OK Willow Walk LLC regarding the Completion of Certain North Parcel Assessment Area Improvements*, dated October 16, 2017 ("**2017 Completion Agreement**"), and the *Agreement by and between the Willow Walk Community Development District and OK Willow Walk LLC regarding the Acquisition of Certain Work Product and Infrastructure*, dated October 16, 2017 ("**2017 Acquisition Agreement**"); and

**WHEREAS**, on May 23, 2019, the District issued its \$2,945,000 Special Assessment Bonds, Series 2019 (North Parcel Assessment Area Project – 2019 Project) ("**2019 Bonds**"), to finance the second portion of its "North Parcel Assessment Area Project" a/k/a "**2019 Project**;" and

**WHEREAS**, the 2019 Project originally was estimated to cost approximately \$6,675,111 and is described in the *Supplemental Engineer's Report (North Parcel Assessment Area / 2019 Project)*, dated May 6, 2019 (Revised May 13, 2019) ("**2019 Engineer's Report**"); and

**WHEREAS**, in connection with the 2019 Bonds, the District entered into certain agreements with the Developer, including the *Completion Agreement (2019 Bonds)*, dated May 23, 2019 ("**2019 Completion Agreement**" together with the 2015 Completion Agreement and 2017 Completion Agreement, "**Completion Agreements**"), and the *Acquisition Agreement (2019 Bonds)*, dated May 23, 2019 ("**2019 Acquisition Agreement**," together with the 2015 Acquisition Agreement and 2017 Acquisition Agreement, "**Acquisition Agreements**"); and

### ***Contributions***

**WHEREAS**, in order to ensure that certain target assessment levels were achieved at the Developer's request and for the debt assessments securing the 2015 Bonds, 2017 Bonds and 2019 Bonds, the Developer was required to make contributions to the District in the amounts of \$577,409, \$479,461 and \$321,096 (together, "**Contribution Requirements**") for each series of bonds, respectively, and in infrastructure and/or work product; and

**WHEREAS**, the Developer has satisfied the Contribution Requirements, and the District desires to formally recognize the satisfaction of such Contribution Requirements; and

### ***Remaining 2019 Bond Proceeds***

**WHEREAS**, Section 4.01 of the *Third Supplemental Trust Indenture*, applicable to the 2019 Bonds, provides:

Upon Satisfaction of the Release Conditions as evidenced by a written certificate of the District Manager delivered to the Issuer and the Trustee, stating that the Release Conditions have been satisfied and the amount of the new Series 2019 Reserve Requirement, the Trustee shall without further direction reduce the Series 2019 Reserve Requirement to 50% of the maximum annual debt service of the then Outstanding principal amount of the Series 2019 Bonds. The excess amount in the Series 2019 Reserve Account shall be transferred to the Series 2019 Acquisition and Construction Account.

Article I of the *Third Supplemental Trust Indenture* provides:

“Release Conditions” shall mean the following:

- (a) All of the lots securing the 2017 Bonds have been platted; and
- (b) All lots subject to the Series 2019 Assessments have been developed and platted; and
- (c) All lots subject to the Series 2019 Assessments have been sold and closed with homebuilders; and
- (d) No Event of Default under the Master Indenture has occurred, all as evidenced pursuant to Section 4.01(f) hereof.

**WHEREAS**, the Developer hereby represents that each of the items (a) through (d) are satisfied, and, accordingly, and pursuant to Resolution 2021-04, the District has directed the Trustee to reduce the Reserve Requirement for the 2019 Bonds and transfer excess monies into the Series 2019 Acquisition and Construction Account; and

**WHEREAS**, the Developer has funded \$2,060,211.93 above and beyond the amount of the Contribution Requirements, which amount is defined in Resolution 2021-04 as the “**Remaining Costs**,” and

**WHEREAS**, the monies on hand in the acquisition and construction accounts for the 2015 Bonds, 2017 Bonds and 2019 Bonds, along with the monies released from the Series 2019 Reserve Account – which are defined in Resolution 2021-04 as the “**Remaining Construction Funds**” – will be used to pay a portion of the Remaining Costs to the Developer (“**Remaining Payment**”); and

**WHEREAS**, pursuant to Resolution 2021-04, the District is in the process of declaring the 2015 Project, 2017 Project and 2019 Project complete, and the parties desire to provide mutual releases recognizing that the Developer has satisfied its obligation to complete the 2015 Project, 2017 Project and 2019 Project, and that the District has satisfied its obligation to make payment to the Developer for any amounts owed in connection with the 2015 Project, 2017 Project and 2019 Project, subject to making payment of the Remaining Payment;

**NOW, THEREFORE**, for and in consideration of mutual promises and obligations, the receipt and sufficiency of which are hereby acknowledged, the District and the Developer agree as follows:

**1. RECITALS.** The recitals so stated above are true and correct and by this reference are incorporated as a material part of this Release.

**2. REMAINING PAYMENT; MUTUAL RELEASES.** Subject to the District making the Remaining Payment to the Developer, the Developer and District hereby agree that the Developer has been paid in full for any amounts owed in connection with the 2015 Project, 2017 Project, 2019 Project, and that there are no amounts of any kind due now or in the future, whether as construction proceeds, deferred costs, or otherwise, and whether pursuant to the Acquisition Agreement, Completion Agreement, applicable Trust Indentures or any other agreement, to the Developer and relating in any way to the 2015 Project, 2017 Project or 2019 Project or 2015 Bonds, 2017 Bonds or 2019 Bonds. Accordingly, upon such payment of the Remaining Payment, the Developer hereby acknowledges receipt of all payments due and owing for work product, infrastructure, or land conveyance, or any

other amount owed relating in any way to the 2015 Project, 2017 Project and 2019 Project and/or the 2015 Bonds, 2017 Bonds and 2019 Bonds; certifies that there are no outstanding requests for payment and that there is no disagreement as to the appropriateness of any such payments; and further waives and releases any claim, entitlement, or right it presently has or may have in the future to any additional payment of amounts due and owing related to the 2015 Project, 2017 Project, and 2019 Project and/or the 2015 Bonds, 2017 Bonds and 2019 Bonds. In exchange, and with the exception that the Developer agrees to reasonably cooperate to transfer to the District any remaining operating permits as outlined in **Exhibits A and C** of Resolution 2021-04, the District releases all claims it presently has or may have in the future against the Developer under the Completion Agreements and Acquisition Agreements, or relating to the 2015 Project, 2017 Project and 2019 Project. The District further agrees that the Developer has satisfied any and all of the Contribution Requirements.

**3. ASSESSMENTS AND TRUE-UP PAYMENTS.** Nothing in this Mutual Release shall be construed to waive or otherwise apply to the Developer's obligation to pay assessments owed to the District and levied on lands owned by the Developer, or to waive or otherwise apply to any future true-up obligations.

**4. EFFECTIVE DATE.** The releases contained herein shall take effect upon execution of this Release.

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**WHEREFORE**, the parties below execute this Release to be effective as of the 4<sup>th</sup> day of February, 2021.

**WILLOW WALK COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

**OK WILLOW WALK LLC**

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_