



SweetBay

RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 & COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2

Advanced Meeting Package

Regular Meeting

Friday

August 21, 2024

10:00 A.M., C.D.T

Location:

960 Promenade St.,

Panama City, FL 32405

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

SweetBay Residential Community Development Districts 1-7 & Commercial Community Development Districts 1-2

250 International Parkway, Suite 208
Lake Mary FL 32746
321-263-0132

Board of Supervisors
**SweetBay Residential Community Development Districts 1-7 & Commercial Community
Development Districts 1-2**

Dear Board Members:

The Regular Meeting of the Board of Supervisors of the SweetBay Residential Community Development Districts 1-7 & Commercial Community Development Districts 1-2 is scheduled for **Friday, August 21, 2024, at 10:00 a.m., C.D.T. at 960 Promenade St., Panama City, FL 32405.**

An advanced copy of the agenda for the meeting is attached along with associated documentation for your review and consideration. Any additional support material will be distributed at the meeting.

Should you have any questions regarding the agenda, please contact me at (321) 263-0132 X-193 or dmcinnes@vestapropertyservices.com . We look forward to seeing you at the meeting.

Sincerely,

David McInnes

David McInnes
District Manager



RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS

1-7 & COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2

Meeting Date: Friday, August 21, 2026 Call-in Number: +1 (904) 348-0776
Time: 10:00 AM, C.D.T Phone Conference ID: 667 133 14#
Location: 960 Promenade St., Teams Meeting ID: 247 211 381 086 6
Panama City, FL 32405 Teams Link: [Link](#)

Agenda

- I. Roll Call**
- II. Audience Comments** – *(limited to 3 minutes per individual for agenda items)*
- III. Presentation of Proof of Publication(s)** [Exhibit 1](#)
[Pg. 5](#)
- IV. Consent Agenda**
 - A. Consideration for Approval – The Minutes of the Board of Supervisors Regular Meeting Held on June 19, 2026 [Exhibit 2](#)
[Pgs. 7-10](#)
- V. Business Matters**
 - A. Consideration & Adoption of **Resolution 2026-03**, Designating Officers [Exhibit 3](#)
[Pg. 12](#)
 - B. Consideration & Adoption of **Resolution 2026-04**, Designating Signatories [Exhibit 4](#)
[Pgs. 14-15](#)
 - C. Consideration & Adoption of **Resolution 2026-05**, Approving Fiscal Year 2026-2027 Meeting Schedule [Exhibit 5](#)
[Pgs. 17-18](#)
- VI. Discussion Topics**
 - A. Ordinance No. 3309 [Exhibit 6](#)
[Pgs. 20-50](#)
 - B. Ordinance No. 3256 [Exhibit 7](#)
[Pgs. 52-98](#)
 - C. Ordinance No. 3155 [Exhibit 8](#)
[Pgs. 100-119](#)
- VII. Staff Reports**
 - A. District Counsel
 - B. District Engineer
 - C. District Manager
 - 1. FY 2027 Performance Standards & Measures [Exhibit 9](#)
[Pgs. 121-122](#)
- VIII. Supervisors' Requests**
- IX. Audience Comments** *(limited to 3 minutes per individual for non-agenda items)*
- X. Adjournment**

EXHIBIT 1

Published in Bay County
SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 & COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2
NOTICE OF BOARD OF SUPERVISORS REGULAR MEETING

Notice is hereby given that a regular meeting of the Board of Supervisors of the SweetBay Residential Community Development Districts 1-7 & Commercial Community Development Districts 1-2 (the "District") will be held on Friday, August 21, 2026, at 10:00 a.m. C.D.T. at 960 Promenade St., Panama City, FL 32405. The purpose of the meeting is to discuss any topics presented to the board for consideration.

Copies of the agenda may be obtained from the District Manager, Vesta District Services, 250 International Parkway, Suite 208, Lake Mary, Florida 32746, Telephone (321) 263-0132, Ext. 193.

The meeting is open to the public and will be conducted in accordance with the provisions of Florida law for community development districts. The meeting may be continued in progress without additional notice to a date, time, and place to be specified on the record at the meeting. There may be occasions when Staff and/or Supervisors may participate by speaker telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the District Manager's office at least forty-eight (48) hours before the meeting by contacting the District Manager at (321) 263-0132, Ext. 193. If you are hearing or speech impaired, please contact the Florida Relay Service at 711, for assistance in contacting the District Manager's office.

A person who decides to appeal any decision made at the meeting, with respect to any matter considered at the meeting, is advised that a record of the proceedings is needed 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.

SweetBay Community Development District

David McInnes, District Manager
(321) 263-0132, Ext. 193

Publication date:

EXHIBIT 2

1 **MINUTES OF MEETING**

2 **SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 &**
3 **COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2**

4 The Regular Meeting of the Board of Supervisors of the SweetBay Residential Community
5 Development Districts 1-7 and Commercial Community Development Districts 1-2 was held on Friday,
6 June 19, 2026 at 10:00 a.m. CDT, at 960 Promenade St., Panama City, FL 32405.

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

8 Mr. McInnes called the meeting to order and conducted roll call.

9 Present and constituting a quorum were:

10 Will Randle	Board Supervisor, Chairman
11 Cheryl Duncan	Board Supervisor, Assistant Secretary
12 Mark Moody	Board Supervisor, Assistant Secretary

13 Also, present were:

14 David McInnes (via phone)	District Manager, Vesta District Services
15 Logan Muether (via phone)	Sr. Financial Analyst, Vesta District Services
16 Kyle Magee (via phone)	Kutak Rock
17 Jonathan Sklarski (via phone)	District Engineer, Dewberry
18 Carol Watson	Association Manager, Burg Management Co., Inc,
19 Dr. Hank Fishkind (via phone)	Fishkind Consulting

20

21 *The following is a summary of the discussions and actions taken at the June 19, 2026 SweetBay Residential*
22 *Community Development Districts 1-7 & Commercial Community Development Districts 1-2 Board of*
23 *Supervisors Regular Meeting. Audio for this meeting is available upon public records request by emailing*
24 PublicRecords@vestapropertyservices.com.

25 **SECOND ORDER OF BUSINESS – Audience Comments – (limited to 3 minutes per individual for**
26 **agenda items)**

27 There being no audience comments, the next item followed.

28 **THIRD ORDER OF BUSINESS – Exhibit 1: Presentation of Proof of Publication(s)**

29 **FOURTH ORDER OF BUSINESS – Consent Agenda**

- 30 A. Exhibit 2: Consideration for Approval – The Minutes of the Board of Supervisor Regular Meeting
31 Held on May 15, 2026
- 32 B. Exhibit 3: Consideration for Acceptance – The April 2026 Residential 6 Unaudited Financial
33 Statements
- 34 C. Exhibit 4: Ratification of Dewberry WA #5

35 On a MOTION by Mr. Randle, SECONDED by Mr. Duncan, WITH ALL IN FAVOR, the Board approved
36 the Consent agenda as presented, for the SweetBay Commercial Community Development Districts 1-2 &
37 Residential Community Development Districts 1-7.

38 **FIFTH ORDER OF BUSINESS – Business Matters**

- 39 A. Exhibit 5: Consideration of First Supplemental Trust Indenture
- 40 Dr. Fishkind provided a brief explanation.

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board approved the First Supplemental Trust Indenture, in substantial form, for the SweetBay Commercial Community Development Districts 1-2 & Residential Community Development Districts 1-7.

B. Exhibit 6: Consideration of Updated Financing Structure Memorandum

Dr. Fishkind provided a brief explanation.

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board approved the Updated Financing Structure Memorandum, in substantial form, for the SweetBay Commercial Community Development Districts 1-2 & Residential Community Development Districts 1-7.

C. Authorization for the Underwriter to Begin Drafting the Offering Statement for the 2026 Debentures

Dr. Fishkind provided a brief explanation.

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board authorized the Underwriter to begin drafting the offering stating for the 2026 debentures, for the SweetBay Commercial Community Development Districts 1-2 & Residential Community Development Districts 1-7.

D. Consideration & Adoption of **Resolution 2026-05**, Adopting Financing Structure

1. Exhibit 7: Commercial CDD 1

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Commercial Community Development District 1.

2. Exhibit 8: Commercial CDD 2

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Commercial Community Development District 1.

3. Exhibit 9: Residential CDD 1

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Residential Community Development District 1.

4. Exhibit 10: Residential CDD 2

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Residential Community Development District 2.

5. Exhibit 11: Residential CDD 3

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Residential Community Development District 3.

6. Exhibit 12: Residential CDD 4

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Residential Community Development District 4.

7. Exhibit 13: Residential CDD 5

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Residential Community Development District 5.

8. Exhibit 14: Residential CDD 6

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adopted **Resolution 2026-05**, Adopting Financing Structure, in substantial form, for the SweetBay Residential Community Development District 6.

SIXTH ORDER OF BUSINESS – Staff Reports

A. District Counsel

Mr. Magee had nothing to report.

B. District Engineer

Mr. Sklarski had nothing to report.

C. District Manager

Mr. McInnes had nothing to report.

SEVENTH ORDER OF BUSINESS – Supervisors' Requests

There being no supervisors' requests, the next item followed.

EIGHTH ORDER OF BUSINESS – Audience Comments – New Business/Non-Agenda (limited to 3 minutes per individual)

There being no audience comments, the next item followed.

NINTH ORDER OF BUSINESS – Adjournment

Mr. McInnes asked for final questions, comments, or corrections before requesting a motion to adjourn the meeting. There being none, Mr. Randle made a motion to adjourn the meeting.

On a MOTION by Mr. Randle, SECONDED by Ms. Duncan, WITH ALL IN FAVOR, the Board adjourned the meeting at 10:20 a.m. C.T. for the SweetBay Commercial Community Development Districts 1-2 & Residential Community Development Districts 1-7.

**Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that 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.*

Meeting minutes were approved at a meeting by vote of the Board of Supervisors at a publicly noticed meeting held on August 21, 2026.

112

Signature

Signature

Printed Name

Printed Name

113 **Title:** ☐ **Secretary** ☐ **Assistant Secretary**

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

EXHIBIT 3

RESOLUTION 2026-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 DESIGNATING CERTAIN OFFICERS OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Cascades at Groveland Commercial Community Development Districts 1-2 and Residential Community Development Districts 1-7 ("District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the Board of Supervisors of the District desires to designate certain Officers of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7:

SECTION 1. _____ is appointed Chairman.

SECTION 2. _____ is appointed Vice Chairman.

SECTION 3. David McInnes is appointed Secretary.
_____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.
_____ is appointed Assistant Secretary.
Jacquelyn Leger is appointed Assistant Secretary.
Christine Richie is appointed Treasurer.
Patricia Kehr is appointed Assistant Treasurer.
Scott Smith is appointed Assistant Treasurer.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 21st day of August, 2026.

ATTEST:

**SWEETBAY COMMERCIAL COMMUNITY
DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL
COMMUNITY DEVELOPMENT DISTRICTS 1-7**

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

EXHIBIT 4

RESOLUTION 2026-04

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 DISTRICT DESIGNATING SIGNATORIES FOR THE DISTRICT'S OPERATING BANK ACCOUNT(S); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the SweetBay Commercial Community Development Districts 1-2 And Residential Community Development Districts 1-7 (the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Bay County, Florida;

WHEREAS, pursuant to Chapter 190, Florida Statutes, the funds of the District shall be disbursed by the Treasurer and by other such person(s) as may be authorized by the Board; and

WHEREAS, the Board has previously established a local operating bank account for the District; and

WHEREAS, the Board has previously designated authorized signatories on the bank account; and

WHEREAS, the Board desires to rescind and repeal the prior designation and designate new signatories on the account.

NOW BE IT THEREFORE RESOLVED BY THE BOARD OF SUPERVISORS OF THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 THAT:

SECTION 1. Vesta District Services is directed to maintain a local bank account for the District.

SECTION 2. Christine Richie, Treasurer, Patricia Kehr, Assistant Treasurer, and Scott Smith, Assistant Treasurer, shall be appointed as signors on the account.

SECTION 3. Christine Richie, Treasurer and Patricia Kehr, Assistant Treasurer, and Scott Smith, Assistant Treasurer, are authorized to open and close accounts and transfer the funds if needed as set forth herein or as otherwise directed by the Board.

SECTION 4. All previous signers on the District's accounts shall be automatically removed effective as of August 21, 2026.

SECTION 5. This Resolution shall take effect on August 21, 2026, and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED this 21st day of August, 2026.

ATTEST:

**SWEETBAY COMMERCIAL
COMMUNITY DEVELOPMENT
DISTRICTS 1-2 AND RESIDENTIAL
COMMUNITY DEVELOPMENT
DISTRICTS 1-7**

Secretary/Assistant Secretary

Chair, Board of Supervisors

EXHIBIT 5

RESOLUTION 2026-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 ADOPTING THE ANNUAL MEETING SCHEDULE FOR FISCAL YEAR 2026-2027 AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the SweetBay Commercial Community Development Districts 1-2 and Residential Community Development Districts 1-7 ("**District**") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*; and

WHEREAS, the District is required by Section 189.015, *Florida Statutes*, to file quarterly, semi-annually, or annually a schedule (including date, time, and location) of its regular meetings with local governing authorities; and

WHEREAS, further, in accordance with the above-referenced statute, the District shall also publish quarterly, semi-annually, or annually the District's regular meeting schedule in a newspaper of general paid circulation in the county in which the District is located.

WHEREAS, the Board desires to adopt the Fiscal Year 2026-2027 meeting schedule attached as **Exhibit A**.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7:

1. **ADOPTING ANNUAL MEETING SCHEDULE.** The Fiscal Year 2026-2027 annual meeting schedule attached hereto and incorporated by reference herein as **Exhibit A** is hereby approved and shall be published in accordance with the requirements of Florida law and also provided to applicable governing authorities.

2. **EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 21st day of August, 2026.

ATTEST:

**SWEETBAY COMMERCIAL COMMUNITY
DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL
COMMUNITY DEVELOPMENT DISTRICTS 1-7**

Secretary/Assistant Secretary

Chairperson/Vice Chairperson, Board of Supervisors

Comp. Exhibit A: Fiscal Year 2026-2027 Annual Meeting Schedule

EXHIBIT "A"

BOARD OF SUPERVISORS MEETING DATES SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1-2 AND RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1-7 FISCAL YEAR 2026-2027

The Board of Supervisors of the SweetBay Commercial Community Development Districts 1-2 and Residential Community Development Districts 1-7 will hold their regular meetings for Fiscal Year 2026-2027 at 3204 Heartleaf Ave. E., Panama City, FL 32405, at 10:00 a.m. CDT unless otherwise indicated as follows:

**October 16, 2026
November 20, 2026
December 18, 2026
January 15, 2027
February 19, 2027
March 19, 2027
April 16, 2027
May 21, 2027
June 18, 2027
July 16, 2027
August 20, 2027
September 17, 2027**

The meetings are open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for these meetings may be obtained from 250 International Parkway, Suite 208, Lake Mary, Florida 32746 or by calling (321) 263-0132.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (321) 263-0132 at least 48 hours prior to the meeting. 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), for aid in contacting the District Office.

A person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting 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 such appeal is to be based.

District Manager

EXHIBIT 6

Doreen Heldest
Deputy City Clerk
8-5-2026

ORDINANCE NO. 3309

AN ORDINANCE OF THE CITY OF PANAMA CITY, FLORIDA, AMENDING ORDINANCE NO. 3155 AND ORDINANCE NO. 3236; AMENDING THE BOUNDARIES AND LEGAL DESCRIPTIONS OF THE SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 1 THROUGH 6 AND THE SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICTS 1 AND 2; RE-ESTABLISHING SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 7; AMENDING THE GEOGRAPHIC BOUNDARIES OF THE SWEETBAY COMMUNITY DEVELOPMENT DISTRICTS TAX INCREMENT FINANCING DISTRICT; REPLACING EXHIBIT "A" TO EACH SUCH ORDINANCE WITH AMENDED LEGAL DESCRIPTIONS ATTACHED HERETO AS EXHIBITS A-1 THROUGH A-C1; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 23, 2023, the City Commission of the City of Panama City, Florida enacted Ordinance No. 3155, establishing nine SweetBay Community Development Districts, consisting of SweetBay Residential Community Development Districts 1 through 7 and SweetBay Commercial Community Development Districts 1 and 2 (collectively, the "Districts"), pursuant to Chapter 190, Florida Statutes; and

WHEREAS, Ordinance No. 3236 was subsequently enacted by the City Commission establishing the SweetBay Community Development Districts Tax Increment Financing District ("TIF District"), the geographic boundaries of which are coextensive with the developable property within the Districts; and

WHEREAS, the Boards of Supervisors of the SweetBay Residential Community Development Districts 1 through 6 and the SweetBay Commercial Community Development Districts 1 and 2, as petitioners, together with Academy Park Homes, LLC as petitioner for the re-establishment of SweetBay Residential Community Development District 7, have submitted a petition pursuant to Sections 190.005 and 190.046, Florida

Statutes, to amend the boundaries of the Districts and to re-establish SweetBay Residential Community Development District 7, accompanied by the written consents of one hundred percent (100%) of the owners of all lands to be included within or contracted from the amended District boundaries; and

WHEREAS, the landowner consents have been executed by St. Andrew Bay Land Company, LLC, a Delaware Limited Liability Company; Ascend at SweetBay, LLC, a Delaware Limited Liability Company; SweetBay Towncenter Phase 1, LLC, a Delaware Limited Liability Company; and Academy Park Homes, LLC, each acknowledging and consenting to the inclusion of their respective properties within the amended Community Development District boundaries as required by applicable Florida law; and

WHEREAS, the City Commission has reviewed the petition and the accompanying landowner consents, finds and determines that: 1) the petition meets the requirements of Sections 190.005 and 190.046, Florida Statutes; 2) the amended boundaries as set forth herein are appropriate and should be adopted; and 3) SweetBay Residential Community Development District 7 should be re-established; and

WHEREAS, the geographic boundaries of the TIF District established by Ordinance No. 3236 should be conformed to the amended District boundaries established herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PANAMA CITY, FLORIDA:

SECTION ONE. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 1.

Exhibit "A" to Ordinance No. 3155 is hereby amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 1 with the description set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION TWO. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICTS 2 AND 3.

Exhibit "A" to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 2 with the description set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION THREE. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 3.

Exhibit "A" to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 3 with the description set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION FOUR. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 4.

Exhibit "A" to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 4 with the description set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION FIVE. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 5.

Exhibit "A" to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 5, comprising two parcels owned by separate landowners, with the descriptions set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION SIX. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 6.

Exhibit "A" to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 6 with the description set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION SEVEN. AMENDMENT OF ORDINANCE NO. 3155 – RE-ESTABLISHMENT AND AMENDED BOUNDARIES OF SWEETBAY RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT 7.

Exhibit “A” to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Residential Community Development District 7, which is hereby re-established pursuant to Chapter 190, Florida Statutes, with the description set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION EIGHT. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICT 1.

Exhibit “A” to Ordinance No. 3155 is hereby further amended to replace in its entirety the legal description of the boundaries of SweetBay Commercial Community Development District 1, comprising two parcels owned by separate landowners, with the descriptions set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION NINE. AMENDMENT OF ORDINANCE NO. 3155 – BOUNDARIES OF SWEETBAY COMMERCIAL COMMUNITY DEVELOPMENT DISTRICT 2.

The boundaries of SweetBay Commercial Community Development District 2, as established in Ordinance No. 3155, remain unchanged. The legal description of the boundaries of SweetBay Commercial Community Development District 2 as set forth in Exhibit “A” to Ordinance No. 3155 is hereby reaffirmed and ratified in its entirety.

SECTION TEN. AMENDMENT OF ORDINANCE NO. 3236 – GEOGRAPHIC BOUNDARIES OF THE TIF DISTRICT.

Exhibit “A” to Ordinance No. 3236 is hereby amended to conform the geographic boundaries of the SweetBay Community Development Districts Tax Increment Financing District to the amended boundaries of the Districts as set forth in Sections One through Eight of this Ordinance. The TIF District shall be coextensive with the total developable property encompassed within the amended boundaries of all nine SweetBay Community Development Districts as described in the Exhibits attached hereto. All other provisions of Ordinance No. 3236 shall remain in full force and effect.

SECTION ELEVEN. RATIFICATION.

Except as expressly amended herein, all other provisions of Ordinance No. 3155 and Ordinance No. 3236, including but not limited to the names of the Districts, their functions and powers, the initial board members, and all other terms and conditions, shall remain in full force and effect and are hereby ratified and confirmed.

SECTION TWELVE. SEVERABILITY.

The provisions of this Ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any provision of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, that portion will be deemed a separate provision and will not affect any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such invalid or unconstitutional provision was not included.

SECTION THIRTEEN. CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS.

It is the intention of the Panama City Commission that the provisions of this Ordinance will become and be made part of the Panama City Code; and that the sections of this Ordinance may be renumbered or re-lettered and that the word "Ordinance" may be changed to "section," "article" or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this Ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Clerk's designee, without need of a public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION FOURTEEN. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage and adoption.

PASSED, APPROVED, AND ADOPTED on Second Reading in regular session of the City Commission of the City of Panama City on the 28th day of July, 2026.

**CITY OF PANAMA CITY, FLORIDA
A MUNICIPAL CORPORATION**

By 
Allan Branch, Mayor

ATTEST:


Brandy L. Waldron, Interim City Clerk-Treasurer

APPROVED AS TO FORM:

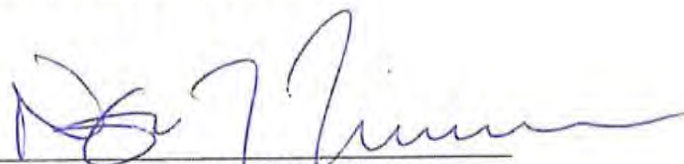

Nevin J. Zimmerman, City Attorney

EXHIBIT "A"

SweetBay Residential Community Development District 1

Legal Description of Boundaries

RESIDENTIAL 1 COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19 (NORTHWEST CORNER OF SECTION 29), TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE NORTH 01°42'32" EAST ALONG THE EAST LINE OF SAID SECTION 19, FOR A DISTANCE OF 825.25 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID SECTION LINE NORTH 89°31'04" WEST FOR A DISTANCE OF 0.25 FEET; THENCE SOUTH 58°59'31" WEST FOR A DISTANCE OF 147.56 FEET; THENCE NORTH 31°02'14" WEST FOR A DISTANCE OF 35.00 FEET; THENCE SOUTH 58°57'45" WEST FOR A DISTANCE OF 45.00 FEET; THENCE SOUTH 31°02'15" EAST FOR A DISTANCE OF 34.98 FEET; THENCE SOUTH 58°59'32" WEST FOR A DISTANCE OF 283.51 FEET TO A POINT; THENCE SOUTH 58°59'28" WEST FOR A DISTANCE OF 98.10 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 810.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°04'25" AN ARC DISTANCE OF 198.96 FEET (CHORD: SOUTH 21°15'17" EAST, FOR 198.46 FEET); THENCE SOUTH 14°13'05" EAST FOR A DISTANCE OF 144.08 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 475.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°29'20" AN ARC DISTANCE OF 120.12 FEET (CHORD: SOUTH 83°34'17" WEST, FOR 119.80 FEET); THENCE NORTH 89°11'03" WEST FOR A DISTANCE OF 879.46 FEET; THENCE NORTH 89°11'01" WEST FOR A DISTANCE OF 20.12 FEET; THENCE NORTH 0°46'15" EAST FOR A DISTANCE OF 553.90 FEET; THENCE NORTH 52°57'08" EAST FOR A DISTANCE OF 455.56 FEET; THENCE SOUTH 37°02'52" EAST FOR A DISTANCE OF 110.00 FEET; THENCE NORTH 52°57'08" EAST FOR A DISTANCE OF 230.00 FEET; THENCE NORTH 37°02'52" WEST FOR A DISTANCE OF 554.48 FEET; THENCE NORTH 52°59'57" EAST FOR A DISTANCE OF 261.27 FEET; THENCE NORTH 51°42'32" EAST FOR A DISTANCE OF 83.70 FEET; THENCE NORTH 48°20'06" EAST FOR A DISTANCE OF 130.55 FEET TO THE POINT OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 851.50 FEET, THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°07'57" AN ARC DISTANCE OF 269.48 FEET (CHORD: NORTH 43°55'59" EAST, FOR 268.35 FEET); TO THE POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 850.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°47'16" AN ARC LENGTH OF 204.55 FEET (CHORD: NORTH 27°41'48" EAST, FOR 204.05 FEET) TO A POINT OF REVERSE CURVATURE, SAID CURVE IS CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°23'46" AN ARC LENGTH OF 37.70 FEET (CHORD: NORTH 64°00'01" EAST, FOR 34.23 FEET); THENCE NORTH 17°11'54" EAST FOR A DISTANCE OF 60.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.07 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°40'39" AN ARC LENGTH OF 37.92 FEET (CHORD: NORTH 29°19'10" WEST, FOR 34.41 FEET) TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 850.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°11'53" AN ARC LENGTH OF 774.38 FEET (CHORD: NORTH 12°31'14" WEST, FOR 747.87 FEET); THENCE NORTH 38°12'04"

WEST FOR A DISTANCE OF 17.65 FEET; THENCE NORTH 54°36'14" EAST FOR A DISTANCE OF 841.42 FEET TO SAID EAST LINE OF SECTION 19; THENCE SOUTH 1°42'32" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 910.48 FEET; THENCE LEAVING SAID EAST LINE SOUTH 89°31'26" EAST FOR A DISTANCE OF 269.01 FEET TO THE WESTERLY LINE OF CONSERVATION EASEMENT "A2" AS RECORDED IN OFFICIAL RECORDS BOOK 3604 PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY FLORIDA; THENCE ALONG SAID CONSERVATION EASEMENT THE FOLLOWING 18 CALLS; THENCE SOUTH 39°59'56" WEST FOR A DISTANCE OF 62.42 FEET; THENCE SOUTH 2°57'38" EAST FOR A DISTANCE OF 18.42 FEET; THENCE NORTH 87°02'22" EAST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 2°57'38" EAST FOR A DISTANCE OF 46.18 FEET; THENCE SOUTH 45°08'46" EAST FOR A DISTANCE OF 5.15 FEET; THENCE SOUTH 87°02'23" WEST FOR A DISTANCE OF 53.46 FEET; THENCE SOUTH 26°36'04" EAST FOR A DISTANCE OF 16.37 FEET; THENCE SOUTH 45°08'46" EAST FOR A DISTANCE OF 103.20 FEET; THENCE SOUTH 34°08'04" EAST FOR A DISTANCE OF 96.28 FEET; THENCE SOUTH 1°08'03" EAST FOR A DISTANCE OF 95.03 FEET; THENCE SOUTH 9°22'30" EAST FOR A DISTANCE OF 99.43 FEET; THENCE SOUTH 19°59'50" EAST FOR A DISTANCE OF 94.15 FEET; THENCE SOUTH 17°24'19" EAST FOR A DISTANCE OF 75.27 FEET; THENCE SOUTH 43°35'27" WEST FOR A DISTANCE OF 43.89 FEET; THENCE SOUTH 3°56'40" WEST FOR A DISTANCE OF 70.73 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.44 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 56°32'53" AN ARC LENGTH OF 25.11 FEET (CHORD: SOUTH 27°51'03" EAST, FOR 24.10 FEET); THENCE SOUTH 68°08'56" EAST FOR A DISTANCE OF 86.63 FEET; THENCE SOUTH 54°03'29" EAST FOR A DISTANCE OF 22.46 FEET; THENCE LEAVING SAID WESTERLY LINE NORTH 84°35'54" WEST FOR A DISTANCE OF 111.25 FEET; THENCE SOUTH 5°24'04" WEST FOR A DISTANCE OF 441.16 FEET; THENCE NORTH 89°31'56" WEST FOR A DISTANCE OF 359.29 FEET; THENCE NORTH 1°42'39" EAST FOR A DISTANCE OF 500.11 FEET; THENCE NORTH 89°51'07" WEST FOR A DISTANCE OF 39.71 FEET; THENCE NORTH 89°51'07" WEST FOR A DISTANCE OF 279.11 FEET TO THE POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 96.26 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°39'20" AN ARC LENGTH OF 33.02 FEET (CHORD: NORTH 08°56'21" WEST, FOR 32.86 FEET); THENCE NORTH 1°35'28" EAST FOR A DISTANCE OF 89.24 FEET; THENCE SOUTH 89°32'40" WEST FOR A DISTANCE OF 297.11 FEET; THENCE SOUTH 37°02'55" EAST FOR A DISTANCE OF 876.89 FEET; THENCE SOUTH 88°17'12" EAST FOR A DISTANCE OF 33.21 FEET TO SAID EAST LINE OF SECTION 19; THENCE SOUTH 1°42'32" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 479.58 FEET TO THE POINT OF BEGINNING. SUBJECT TO CONSERVATION EASEMENT Z, AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT "A"

SweetBay Residential Community Development District 2

Legal Description of Boundaries

RESIDENTIAL 2 COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 88°09'24" EAST ALONG THE SOUTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 99.80 FEET TO THE EASTERLY RIGHT OF WAY OF FRANKFORD AVENUE AND THE POINT OF BEGINNING; THENCE NORTH 1°02'40" EAST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 3044.39 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 33°17'32" EAST FOR A DISTANCE OF 32.75 FEET; THENCE NORTH 36°51'32" EAST FOR A DISTANCE OF 32.55 FEET; THENCE NORTH 55°01'34" EAST FOR A DISTANCE OF 39.72 FEET; THENCE NORTH 57°04'26" EAST FOR A DISTANCE OF 43.96 FEET; THENCE NORTH 65°56'18" EAST FOR A DISTANCE OF 55.86 FEET; THENCE NORTH 74°14'42" EAST FOR A DISTANCE OF 43.97 FEET; THENCE NORTH 83°59'56" EAST FOR A DISTANCE OF 41.45 FEET; THENCE NORTH 88°51'02" EAST FOR A DISTANCE OF 108.52 FEET; THENCE NORTH 84°40'04" EAST FOR A DISTANCE OF 81.73 FEET; THENCE NORTH 75°22'08" EAST FOR A DISTANCE OF 51.59 FEET; THENCE NORTH 80°45'53" EAST FOR A DISTANCE OF 47.27 FEET; THENCE NORTH 77°11'14" EAST FOR A DISTANCE OF 48.96 FEET; THENCE NORTH 70°29'56" EAST FOR A DISTANCE OF 35.70 FEET; THENCE NORTH 64°53'06" EAST FOR A DISTANCE OF 38.33 FEET; THENCE NORTH 54°38'55" EAST FOR A DISTANCE OF 41.26 FEET; THENCE NORTH 49°33'37" EAST FOR A DISTANCE OF 38.50 FEET; THENCE NORTH 45°01'16" EAST FOR A DISTANCE OF 23.01 FEET; THENCE NORTH 27°11'46" EAST FOR A DISTANCE OF 42.72 FEET; THENCE NORTH 21°48'17" EAST FOR A DISTANCE OF 35.07 FEET; THENCE NORTH 20°33'19" EAST FOR A DISTANCE OF 27.80 FEET; THENCE NORTH 35°13'25" EAST FOR A DISTANCE OF 45.17 FEET; THENCE NORTH 29°43'21" EAST FOR A DISTANCE OF 43.73 FEET; THENCE NORTH 35°24'48" EAST FOR A DISTANCE OF 38.19 FEET; THENCE NORTH 43°50'44" EAST FOR A DISTANCE OF 36.78 FEET; THENCE NORTH 44°21'38" EAST FOR A DISTANCE OF 71.89 FEET; THENCE NORTH 53°40'36" EAST FOR A DISTANCE OF 54.95 FEET; THENCE NORTH 62°20'40" EAST FOR A DISTANCE OF 30.86 FEET; THENCE NORTH 74°17'36" EAST FOR A DISTANCE OF 43.29 FEET; THENCE NORTH 83°25'51" EAST FOR A DISTANCE OF 68.15 FEET; THENCE NORTH 83°38'59" EAST FOR A DISTANCE OF 47.17 FEET; THENCE NORTH 77°00'51" EAST FOR A DISTANCE OF 34.74 FEET; THENCE NORTH 68°09'48" EAST FOR A DISTANCE OF 35.06 FEET; THENCE NORTH 71°16'40" EAST FOR A DISTANCE OF 77.00 FEET; THENCE NORTH 64°04'00" EAST FOR A DISTANCE OF 98.04 FEET TO THE MEAN HIGH WATER LINE AS SURVEYED BY MOORE BASS AND DATED 5/30/08; THENCE ALONG SAID HIGH WATER LINE THE FOLLOWING 28 CALLS; THENCE SOUTH 21°39'34" EAST FOR A DISTANCE OF 44.89 FEET; THENCE SOUTH 20°02'20" EAST FOR A DISTANCE OF 58.52 FEET; THENCE SOUTH 26°54'05" EAST FOR A DISTANCE OF 22.24 FEET; THENCE SOUTH 42°16'41" WEST FOR A DISTANCE OF 59.68 FEET; THENCE SOUTH 8°06'42" WEST FOR A DISTANCE OF 61.60 FEET; THENCE SOUTH 21°38'10" WEST FOR A DISTANCE OF 46.51 FEET; THENCE SOUTH 42°15'22" WEST FOR A DISTANCE OF 46.23 FEET; THENCE SOUTH 44°06'35" WEST FOR A DISTANCE OF 70.22 FEET; THENCE SOUTH 44°41'25" WEST FOR A DISTANCE OF 51.49 FEET; THENCE SOUTH 24°08'25" WEST FOR A DISTANCE OF 56.51 FEET; THENCE SOUTH 20°44'27" WEST FOR A DISTANCE OF 49.63 FEET; THENCE SOUTH 85°27'59" WEST FOR A

DISTANCE OF 42.01 FEET; THENCE SOUTH 72°01'29" WEST FOR A DISTANCE OF 35.18 FEET; THENCE SOUTH 87°40'51" WEST FOR A DISTANCE OF 22.10 FEET; THENCE SOUTH 62°02'20" WEST FOR A DISTANCE OF 29.23 FEET; THENCE SOUTH 30°18'11" WEST FOR A DISTANCE OF 34.81 FEET; THENCE SOUTH 54°54'07" EAST FOR A DISTANCE OF 14.63 FEET; THENCE SOUTH 21°26'49" WEST FOR A DISTANCE OF 17.09 FEET; THENCE NORTH 83°11'02" WEST FOR A DISTANCE OF 23.94 FEET; THENCE SOUTH 65°29'05" WEST FOR A DISTANCE OF 34.28 FEET; THENCE SOUTH 76°14'12" WEST FOR A DISTANCE OF 40.07 FEET; THENCE SOUTH 77°49'45" WEST FOR A DISTANCE OF 51.82 FEET; THENCE SOUTH 82°38'14" WEST FOR A DISTANCE OF 23.61 FEET; THENCE SOUTH 65°53'32" WEST FOR A DISTANCE OF 22.49 FEET; THENCE SOUTH 68°24'28" WEST FOR A DISTANCE OF 35.59 FEET; THENCE SOUTH 68°27'46" WEST FOR A DISTANCE OF 32.73 FEET; THENCE SOUTH 28°56'12" WEST FOR A DISTANCE OF 51.35 FEET; THENCE SOUTH 23°40'33" WEST FOR A DISTANCE OF 59.60 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE NORTH 90°00'00" WEST FOR A DISTANCE OF 76.71 FEET; THENCE SOUTH 37°20'50" EAST FOR A DISTANCE OF 147.06 FEET; THENCE SOUTH 1°22'29" WEST FOR A DISTANCE OF 38.59 FEET; THENCE SOUTH 14°05'42" WEST FOR A DISTANCE OF 118.22 FEET; THENCE SOUTH 0°37'23" WEST FOR A DISTANCE OF 120.55 FEET; THENCE SOUTH 49°44'47" EAST FOR A DISTANCE OF 95.80 FEET; THENCE SOUTH 31°58'20" EAST FOR A DISTANCE OF 39.06 FEET; THENCE SOUTH 1°14'22" EAST FOR A DISTANCE OF 60.88 FEET; THENCE SOUTH 12°02'05" EAST FOR A DISTANCE OF 82.90 FEET; THENCE SOUTH 40°03'50" EAST FOR A DISTANCE OF 38.38 FEET; THENCE NORTH 37°33'58" EAST FOR A DISTANCE OF 22.99 FEET; THENCE NORTH 73°25'21" EAST FOR A DISTANCE OF 24.18 FEET; THENCE SOUTH 43°19'49" EAST FOR A DISTANCE OF 10.71 FEET; THENCE SOUTH 16°34'39" EAST FOR A DISTANCE OF 29.38 FEET; THENCE SOUTH 50°52'21" EAST FOR A DISTANCE OF 10.23 FEET; THENCE SOUTH 7°27'22" EAST FOR A DISTANCE OF 36.37 FEET; THENCE SOUTH 50°52'21" EAST FOR A DISTANCE OF 32.11 FEET; THENCE SOUTH 63°39'35" EAST FOR A DISTANCE OF 14.16 FEET; THENCE SOUTH 21°02'45" EAST FOR A DISTANCE OF 8.75 FEET; THENCE SOUTH 5°23'13" EAST FOR A DISTANCE OF 33.30 FEET; THENCE SOUTH 13°29'44" EAST FOR A DISTANCE OF 44.39 FEET; THENCE SOUTH 70°36'48" EAST FOR A DISTANCE OF 142.37 FEET; THENCE SOUTH 41°26'09" EAST FOR A DISTANCE OF 92.49 FEET; THENCE SOUTH 88°40'37" EAST FOR A DISTANCE OF 34.03 FEET; THENCE NORTH 53°59'31" EAST FOR A DISTANCE OF 23.29 FEET; THENCE SOUTH 85°56'45" EAST FOR A DISTANCE OF 37.47 FEET; THENCE NORTH 44°49'39" EAST FOR A DISTANCE OF 183.97 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 24.59 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°35'44" AN ARC LENGTH OF 38.02 FEET (CHORD: NORTH 00°24'52" EAST, FOR 34.35 FEET); THENCE SOUTH 50°27'16" EAST FOR A DISTANCE OF 59.29 FEET; THENCE SOUTH 44°49'39" WEST FOR A DISTANCE OF 214.02 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 250.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42°57'45" AN ARC LENGTH OF 187.46 FEET (CHORD: SOUTH 23°20'47" WEST, FOR 183.10 FEET); THENCE NORTH 88°39'25" WEST FOR A DISTANCE OF 114.77 FEET; THENCE SOUTH 2°14'01" EAST FOR A DISTANCE OF 579.35 FEET; THENCE NORTH 86°08'30" EAST FOR A DISTANCE OF 69.42 FEET; THENCE SOUTH 3°06'15" WEST FOR A DISTANCE OF 98.29 FEET TO A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 4125.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°56'42" AN ARC LENGTH OF 140.03 FEET (CHORD: SOUTH 02°07'54" WEST, FOR 140.02 FEET); THENCE SOUTH 1°09'33" WEST FOR A DISTANCE OF 280.06 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 780.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°52'23" AN ARC LENGTH OF 148.02 FEET (CHORD: SOUTH 06°35'45" WEST, FOR 147.80 FEET); THENCE SOUTH 12°01'57" WEST FOR A DISTANCE OF 10.18 FEET TO A POINT ON A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 920.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°34'34" AN ARC LENGTH OF 25.31 FEET (CHORD: SOUTH 11°14'40" WEST, FOR 25.30 FEET); THENCE SOUTH 3°13'46" WEST FOR A DISTANCE OF 319.55 FEET; THENCE SOUTH 3°13'46" WEST FOR A DISTANCE OF 330.23 FEET TO SAID SOUTH LINE OF SECTION 19; THENCE NORTH 89°06'39" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1,186.75 FEET TO THE POINT OF BEGINNING. SUBJECT TO CONSERVATION EASEMENTS A, B, C, D, E, F, & K, AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA. SUBJECT TO CONSERVATION EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3313, PAGE 1479 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA. SUBJECT TO CONSERVATION EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1613, PAGE 104 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT "A"

SweetBay Residential Community Development District 3

Legal Description of Boundaries

RESIDENTIAL 3 COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 88°09'24" EAST ALONG THE SOUTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 99.80 FEET TO THE WESTERLY RIGHT OF WAY OF FRANKFORD AVENUE AND THE POINT OF BEGINNING; THENCE NORTH 1°02'40" EAST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 3044.39 FEET; THENCE LEAVING SAID RIGHT OF WAY NORTH 33°17'32" EAST FOR A DISTANCE OF 32.75 FEET; THENCE NORTH 36°51'32" EAST FOR A DISTANCE OF 32.55 FEET; THENCE NORTH 55°01'34" EAST FOR A DISTANCE OF 39.72 FEET; THENCE NORTH 57°04'26" EAST FOR A DISTANCE OF 43.96 FEET; THENCE NORTH 65°56'18" EAST FOR A DISTANCE OF 55.86 FEET; THENCE NORTH 74°14'42" EAST FOR A DISTANCE OF 43.97 FEET; THENCE NORTH 83°59'56" EAST FOR A DISTANCE OF 41.45 FEET; COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 88°09'24" EAST ALONG THE SOUTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 99.80 FEET TO THE COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 88°09'24" EAST ALONG THE SOUTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 99.80 FEET TO THE EASTERLY RIGHT OF WAY OF FRANKFORD AVENUE; THENCE NORTH 1°02'40" EAST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 3044.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY NORTH 1°02'35" EAST FOR A DISTANCE OF 192.93 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 682.76 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°57'15" AN ARC DISTANCE OF 1,036.18 FEET (CHORD: NORTH 42°26'59" WEST, FOR 939.57 FEET); THENCE NORTH 85°52'51" WEST FOR A DISTANCE OF 297.64 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1,165.83 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°53'54" AN ARC DISTANCE OF 445.58 FEET (CHORD: SOUTH 83°09'30" WEST, FOR 442.87 FEET); THENCE LEAVING SAID RIGHT OF WAY NORTH 41°17'50" WEST FOR A DISTANCE OF 272.67 FEET TO THE MEAN HIGH WATER LINE AS SURVEYED BY MOORE BASS AND DATED 5/30/08; THENCE ALONG SAID HIGH WATER LINE THE FOLLOWING 193 CALLS; THENCE NORTH 14°26'55" WEST FOR A DISTANCE OF 36.19 FEET; THENCE NORTH 1°44'07" WEST FOR A DISTANCE OF 55.33 FEET; THENCE NORTH 28°06'54" WEST FOR A DISTANCE OF 60.46 FEET; THENCE NORTH 5°33'03" WEST FOR A DISTANCE OF 51.42 FEET; THENCE NORTH 33°19'04" WEST FOR A DISTANCE OF 55.98 FEET; THENCE NORTH 55°49'38" WEST FOR A DISTANCE OF 56.23 FEET; THENCE NORTH 6°45'56" WEST FOR A DISTANCE OF 58.02 FEET; THENCE NORTH 16°02'24" EAST FOR A DISTANCE

OF 51.10 FEET; THENCE NORTH 40°13'50" EAST FOR A DISTANCE OF 60.56 FEET; THENCE NORTH 31°06'11" EAST FOR A DISTANCE OF 55.53 FEET; THENCE NORTH 33°55'43" EAST FOR A DISTANCE OF 60.24 FEET; THENCE NORTH 65°36'05" EAST FOR A DISTANCE OF 43.25 FEET; THENCE SOUTH 37°51'25" WEST FOR A DISTANCE OF 32.85 FEET; THENCE SOUTH 50°56'44" EAST FOR A DISTANCE OF 12.94 FEET; THENCE SOUTH 84°45'32" EAST FOR A DISTANCE OF 12.86 FEET; THENCE NORTH 79°48'55" EAST FOR A DISTANCE OF 46.31 FEET; THENCE NORTH 67°57'33" EAST FOR A DISTANCE OF 24.67 FEET; THENCE SOUTH 53°37'47" EAST FOR A DISTANCE OF 55.21 FEET; THENCE SOUTH 42°10'06" EAST FOR A DISTANCE OF 39.70 FEET; THENCE SOUTH 1°08'14" EAST FOR A DISTANCE OF 40.76 FEET; THENCE SOUTH 23°01'53" EAST FOR A DISTANCE OF 36.07 FEET; THENCE SOUTH 35°41'28" EAST FOR A DISTANCE OF 31.00 FEET; THENCE NORTH 71°42'05" EAST FOR A DISTANCE OF 34.62 FEET; THENCE NORTH 51°12'28" EAST FOR A DISTANCE OF 28.06 FEET; THENCE NORTH 5°45'20" WEST FOR A DISTANCE OF 28.52 FEET; THENCE NORTH 52°39'07" WEST FOR A DISTANCE OF 46.02 FEET; THENCE NORTH 34°51'25" WEST FOR A DISTANCE OF 47.72 FEET; THENCE NORTH 26°38'17" WEST FOR A DISTANCE OF 34.45 FEET; THENCE NORTH 38°04'22" WEST FOR A DISTANCE OF 61.18 FEET; THENCE NORTH 47°02'37" WEST FOR A DISTANCE OF 33.82 FEET; THENCE NORTH 5°53'33" EAST FOR A DISTANCE OF 41.36 FEET; THENCE NORTH 40°40'15" EAST FOR A DISTANCE OF 53.32 FEET; THENCE NORTH 54°08'08" EAST FOR A DISTANCE OF 45.92 FEET; THENCE NORTH 66°06'00" EAST FOR A DISTANCE OF 52.54 FEET; THENCE NORTH 84°21'17" EAST FOR A DISTANCE OF 45.96 FEET; THENCE NORTH 89°23'28" EAST FOR A DISTANCE OF 38.94 FEET; THENCE NORTH 57°51'47" EAST FOR A DISTANCE OF 91.43 FEET; THENCE NORTH 6°35'36" EAST FOR A DISTANCE OF 43.87 FEET; THENCE NORTH 22°20'03" WEST FOR A DISTANCE OF 91.17 FEET; THENCE NORTH 43°35'51" WEST FOR A DISTANCE OF 40.56 FEET; THENCE NORTH 12°27'52" WEST FOR A DISTANCE OF 28.73 FEET; THENCE NORTH 41°56'41" WEST FOR A DISTANCE OF 35.04 FEET; THENCE NORTH 64°45'37" WEST FOR A DISTANCE OF 9.17 FEET; THENCE SOUTH 2°31'29" WEST FOR A DISTANCE OF 28.02 FEET; THENCE SOUTH 33°29'21" EAST FOR A DISTANCE OF 33.25 FEET; THENCE SOUTH 58°53'27" WEST FOR A DISTANCE OF 23.73 FEET; THENCE NORTH 86°57'53" WEST FOR A DISTANCE OF 53.67 FEET; THENCE NORTH 15°51'45" WEST FOR A DISTANCE OF 87.13 FEET; THENCE NORTH 2°43'37" WEST FOR A DISTANCE OF 45.08 FEET; THENCE NORTH 12°32'29" EAST FOR A DISTANCE OF 54.09 FEET; THENCE NORTH 45°21'49" EAST FOR A DISTANCE OF 57.03 FEET; THENCE NORTH 56°38'58" EAST FOR A DISTANCE OF 59.30 FEET; THENCE NORTH 74°30'08" EAST FOR A DISTANCE OF 52.01 FEET; THENCE NORTH 78°08'20" EAST FOR A DISTANCE OF 58.81 FEET; THENCE NORTH 88°55'38" EAST FOR A DISTANCE OF 67.61 FEET; THENCE SOUTH 79°39'00" EAST FOR A DISTANCE OF 61.38 FEET; THENCE NORTH 80°29'19" EAST FOR A DISTANCE OF 56.82 FEET; THENCE NORTH 64°37'24" EAST FOR A DISTANCE OF 66.43 FEET; THENCE NORTH 75°31'02" EAST FOR A DISTANCE OF 40.78 FEET; THENCE NORTH 73°53'18" EAST FOR A DISTANCE OF 30.65 FEET; THENCE SOUTH 11°22'21" EAST FOR A DISTANCE

OF 28.15 FEET; THENCE SOUTH 45°45'35" WEST FOR A DISTANCE OF 7.14 FEET; THENCE NORTH 79°11'53" WEST FOR A DISTANCE OF 29.41 FEET; THENCE SOUTH 87°33'41" WEST FOR A DISTANCE OF 34.09 FEET; THENCE SOUTH 62°20'40" WEST FOR A DISTANCE OF 71.59 FEET; THENCE SOUTH 80°26'13" WEST FOR A DISTANCE OF 58.54 FEET; THENCE NORTH 79°56'43" WEST FOR A DISTANCE OF 64.39 FEET; THENCE NORTH 88°41'07" WEST FOR A DISTANCE OF 60.61 FEET; THENCE SOUTH 74°07'27" WEST FOR A DISTANCE OF 61.13 FEET; THENCE SOUTH 45°35'58" WEST FOR A DISTANCE OF 31.23 FEET; THENCE SOUTH 50°46'49" EAST FOR A DISTANCE OF 40.32 FEET; THENCE SOUTH 70°26'41" EAST FOR A DISTANCE OF 33.75 FEET; THENCE SOUTH 67°12'35" EAST FOR A DISTANCE OF 38.83 FEET; THENCE SOUTH 62°25'26" EAST FOR A DISTANCE OF 40.83 FEET; THENCE NORTH 52°02'08" EAST FOR A DISTANCE OF 32.66 FEET; THENCE NORTH 46°36'42" EAST FOR A DISTANCE OF 32.10 FEET; THENCE NORTH 55°19'49" EAST FOR A DISTANCE OF 41.51 FEET; THENCE NORTH 65°59'41" EAST FOR A DISTANCE OF 54.27 FEET; THENCE NORTH 73°21'30" EAST FOR A DISTANCE OF 35.86 FEET; THENCE SOUTH 85°04'53" EAST FOR A DISTANCE OF 36.95 FEET; THENCE NORTH 86°41'00" EAST FOR A DISTANCE OF 27.46 FEET; THENCE NORTH 75°09'08" EAST FOR A DISTANCE OF 85.52 FEET; THENCE NORTH 57°38'58" EAST FOR A DISTANCE OF 66.10 FEET; THENCE NORTH 88°01'38" EAST FOR A DISTANCE OF 40.35 FEET; THENCE NORTH 88°23'47" EAST FOR A DISTANCE OF 24.09 FEET; THENCE NORTH 43°41'04" WEST FOR A DISTANCE OF 41.97 FEET; THENCE NORTH 68°35'41" WEST FOR A DISTANCE OF 50.27 FEET; THENCE NORTH 54°04'32" EAST FOR A DISTANCE OF 13.49 FEET; THENCE SOUTH 67°36'57" EAST FOR A DISTANCE OF 58.95 FEET; THENCE SOUTH 71°20'26" EAST FOR A DISTANCE OF 33.99 FEET; THENCE SOUTH 56°29'24" EAST FOR A DISTANCE OF 57.16 FEET; THENCE SOUTH 44°57'19" EAST FOR A DISTANCE OF 42.11 FEET; THENCE SOUTH 46°23'47" EAST FOR A DISTANCE OF 62.55 FEET; THENCE SOUTH 43°24'41" EAST FOR A DISTANCE OF 42.08 FEET; THENCE SOUTH 36°45'48" EAST FOR A DISTANCE OF 44.67 FEET; THENCE SOUTH 36°50'55" EAST FOR A DISTANCE OF 30.86 FEET; THENCE SOUTH 69°46'26" WEST FOR A DISTANCE OF 11.22 FEET; THENCE NORTH 43°20'54" WEST FOR A DISTANCE OF 27.87 FEET; THENCE NORTH 51°39'54" WEST FOR A DISTANCE OF 49.03 FEET; THENCE NORTH 21°04'38" WEST FOR A DISTANCE OF 36.58 FEET; THENCE SOUTH 88°34'06" WEST FOR A DISTANCE OF 38.69 FEET; THENCE SOUTH 23°11'25" WEST FOR A DISTANCE OF 59.95 FEET; THENCE SOUTH 20°15'53" WEST FOR A DISTANCE OF 46.85 FEET; THENCE SOUTH 23°15'05" WEST FOR A DISTANCE OF 61.60 FEET; THENCE SOUTH 27°52'02" WEST FOR A DISTANCE OF 65.62 FEET; THENCE SOUTH 16°30'43" EAST FOR A DISTANCE OF 38.81 FEET; THENCE SOUTH 70°51'15" EAST FOR A DISTANCE OF 54.74 FEET; THENCE SOUTH 77°34'48" EAST FOR A DISTANCE OF 34.47 FEET; THENCE NORTH 73°45'10" EAST FOR A DISTANCE OF 65.25 FEET; THENCE NORTH 21°14'16" EAST FOR A DISTANCE OF 53.98 FEET; THENCE NORTH 20°11'32" EAST FOR A DISTANCE OF 52.85 FEET; THENCE SOUTH 46°16'12" EAST FOR A DISTANCE OF 24.09 FEET; THENCE SOUTH 85°32'50" EAST FOR A DISTANCE OF 49.43 FEET; THENCE SOUTH 66°08'29"

EAST FOR A DISTANCE OF 36.96 FEET; THENCE NORTH 59°27'09" EAST FOR A DISTANCE OF 24.70 FEET; THENCE NORTH 38°44'16" WEST FOR A DISTANCE OF 14.79 FEET; THENCE NORTH 50°37'47" WEST FOR A DISTANCE OF 22.75 FEET; THENCE NORTH 64°23'09" WEST FOR A DISTANCE OF 49.99 FEET; THENCE NORTH 52°24'23" WEST FOR A DISTANCE OF 16.42 FEET; THENCE NORTH 33°04'52" EAST FOR A DISTANCE OF 18.43 FEET; THENCE SOUTH 54°47'23" EAST FOR A DISTANCE OF 65.13 FEET; THENCE SOUTH 57°56'00" EAST FOR A DISTANCE OF 38.31 FEET; THENCE SOUTH 68°39'50" EAST FOR A DISTANCE OF 41.98 FEET; THENCE SOUTH 54°51'47" EAST FOR A DISTANCE OF 23.88 FEET; THENCE SOUTH 62°17'22" EAST FOR A DISTANCE OF 56.93 FEET; THENCE SOUTH 32°18'24" EAST FOR A DISTANCE OF 37.96 FEET; THENCE SOUTH 8°41'41" EAST FOR A DISTANCE OF 45.51 FEET; THENCE SOUTH 0°50'36" WEST FOR A DISTANCE OF 44.77 FEET; THENCE SOUTH 21°28'42" EAST FOR A DISTANCE OF 59.07 FEET; THENCE SOUTH 4°26'49" WEST FOR A DISTANCE OF 18.70 FEET; THENCE SOUTH 14°05'04" EAST FOR A DISTANCE OF 43.73 FEET; THENCE SOUTH 3°41'31" EAST FOR A DISTANCE OF 33.91 FEET; THENCE SOUTH 15°37'28" WEST FOR A DISTANCE OF 44.08 FEET; THENCE SOUTH 13°24'36" WEST FOR A DISTANCE OF 56.81 FEET; THENCE SOUTH 12°12'00" WEST FOR A DISTANCE OF 53.17 FEET; THENCE SOUTH 28°19'15" WEST FOR A DISTANCE OF 40.36 FEET; THENCE SOUTH 5°01'56" WEST FOR A DISTANCE OF 46.40 FEET; THENCE SOUTH 6°27'35" EAST FOR A DISTANCE OF 64.58 FEET; THENCE SOUTH 15°29'26" WEST FOR A DISTANCE OF 48.63 FEET; THENCE SOUTH 5°53'00" EAST FOR A DISTANCE OF 51.96 FEET; THENCE SOUTH 39°30'51" EAST FOR A DISTANCE OF 41.32 FEET; THENCE SOUTH 64°17'58" EAST FOR A DISTANCE OF 38.78 FEET; THENCE SOUTH 81°24'15" EAST FOR A DISTANCE OF 45.59 FEET; THENCE NORTH 79°05'57" EAST FOR A DISTANCE OF 49.47 FEET; THENCE SOUTH 82°29'48" EAST FOR A DISTANCE OF 91.03 FEET; THENCE SOUTH 50°28'30" EAST FOR A DISTANCE OF 65.03 FEET; THENCE SOUTH 28°18'15" EAST FOR A DISTANCE OF 48.92 FEET; THENCE SOUTH 16°32'00" EAST FOR A DISTANCE OF 86.47 FEET; THENCE SOUTH 48°50'56" EAST FOR A DISTANCE OF 141.18 FEET; THENCE SOUTH 41°17'23" EAST FOR A DISTANCE OF 114.48 FEET; THENCE SOUTH 45°00'06" EAST FOR A DISTANCE OF 123.68 FEET; THENCE SOUTH 35°39'35" EAST FOR A DISTANCE OF 62.51 FEET; THENCE SOUTH 23°10'28" EAST FOR A DISTANCE OF 52.45 FEET; THENCE SOUTH 12°47'57" WEST FOR A DISTANCE OF 51.74 FEET; THENCE SOUTH 59°42'52" EAST FOR A DISTANCE OF 68.78 FEET; THENCE NORTH 27°59'20" EAST FOR A DISTANCE OF 56.52 FEET; THENCE NORTH 1°57'48" EAST FOR A DISTANCE OF 85.29 FEET; THENCE NORTH 13°57'37" WEST FOR A DISTANCE OF 49.40 FEET; THENCE NORTH 48°05'09" EAST FOR A DISTANCE OF 79.52 FEET; THENCE NORTH 24°43'44" WEST FOR A DISTANCE OF 62.71 FEET; THENCE NORTH 22°20'46" WEST FOR A DISTANCE OF 66.04 FEET; THENCE NORTH 35°47'27" WEST FOR A DISTANCE OF 102.87 FEET; THENCE NORTH 3°50'20" EAST FOR A DISTANCE OF 41.87 FEET; THENCE NORTH 87°39'24" EAST FOR A DISTANCE OF 38.58 FEET; THENCE SOUTH 54°16'44" EAST FOR A DISTANCE OF 47.65 FEET; THENCE SOUTH 41°03'44" EAST FOR A DISTANCE OF 48.30 FEET; THENCE SOUTH

65°30'12" EAST FOR A DISTANCE OF 49.38 FEET; THENCE SOUTH 74°13'24" EAST FOR A DISTANCE OF 68.00 FEET; THENCE NORTH 87°06'44" EAST FOR A DISTANCE OF 80.19 FEET; THENCE NORTH 81°29'34" EAST FOR A DISTANCE OF 86.40 FEET; THENCE SOUTH 89°56'46" EAST FOR A DISTANCE OF 72.61 FEET; THENCE SOUTH 63°48'03" EAST FOR A DISTANCE OF 85.36 FEET; THENCE SOUTH 18°05'17" WEST FOR A DISTANCE OF 8.36 FEET; THENCE NORTH 72°07'58" WEST FOR A DISTANCE OF 82.48 FEET; THENCE NORTH 77°47'40" WEST FOR A DISTANCE OF 68.66 FEET; THENCE SOUTH 77°33'21" WEST FOR A DISTANCE OF 53.85 FEET; THENCE SOUTH 80°33'03" WEST FOR A DISTANCE OF 32.24 FEET; THENCE SOUTH 82°50'05" WEST FOR A DISTANCE OF 37.70 FEET; THENCE SOUTH 48°33'41" WEST FOR A DISTANCE OF 14.08 FEET; THENCE SOUTH 88°03'25" EAST FOR A DISTANCE OF 25.91 FEET; THENCE NORTH 82°08'05" EAST FOR A DISTANCE OF 54.69 FEET; THENCE SOUTH 70°42'55" EAST FOR A DISTANCE OF 50.95 FEET; THENCE SOUTH 80°16'30" EAST FOR A DISTANCE OF 64.17 FEET; THENCE SOUTH 57°45'54" EAST FOR A DISTANCE OF 49.54 FEET; THENCE SOUTH 64°55'20" EAST FOR A DISTANCE OF 57.08 FEET; THENCE SOUTH 77°46'49" EAST FOR A DISTANCE OF 72.75 FEET; THENCE SOUTH 61°00'31" EAST FOR A DISTANCE OF 55.89 FEET; THENCE SOUTH 45°41'38" EAST FOR A DISTANCE OF 44.01 FEET; THENCE SOUTH 56°10'51" EAST FOR A DISTANCE OF 55.20 FEET; THENCE SOUTH 69°40'43" EAST FOR A DISTANCE OF 45.17 FEET; THENCE SOUTH 40°02'23" EAST FOR A DISTANCE OF 60.86 FEET; THENCE SOUTH 45°10'41" EAST FOR A DISTANCE OF 63.48 FEET; THENCE SOUTH 21°39'34" EAST FOR A DISTANCE OF 2.13 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE SOUTH 64°04'00" WEST FOR A DISTANCE OF 98.04 FEET; THENCE SOUTH 71°16'40" WEST FOR A DISTANCE OF 77.00 FEET; THENCE SOUTH 68°09'48" WEST FOR A DISTANCE OF 35.06 FEET; THENCE SOUTH 77°00'51" WEST FOR A DISTANCE OF 34.74 FEET; THENCE SOUTH 83°38'59" WEST FOR A DISTANCE OF 47.17 FEET; THENCE SOUTH 83°25'51" WEST FOR A DISTANCE OF 68.15 FEET; THENCE SOUTH 74°17'36" WEST FOR A DISTANCE OF 43.29 FEET; THENCE SOUTH 62°20'40" WEST FOR A DISTANCE OF 30.86 FEET; THENCE SOUTH 53°40'36" WEST FOR A DISTANCE OF 54.95 FEET; THENCE SOUTH 44°21'38" WEST FOR A DISTANCE OF 71.89 FEET; THENCE SOUTH 43°50'44" WEST FOR A DISTANCE OF 36.78 FEET; THENCE SOUTH 35°24'48" WEST FOR A DISTANCE OF 38.19 FEET; THENCE SOUTH 29°43'21" WEST FOR A DISTANCE OF 43.73 FEET; THENCE SOUTH 35°13'25" WEST FOR A DISTANCE OF 45.17 FEET; THENCE SOUTH 20°33'19" WEST FOR A DISTANCE OF 27.80 FEET; THENCE SOUTH 21°48'17" WEST FOR A DISTANCE OF 35.07 FEET; THENCE SOUTH 27°11'46" WEST FOR A DISTANCE OF 42.72 FEET; THENCE SOUTH 45°01'16" WEST FOR A DISTANCE OF 23.01 FEET; THENCE SOUTH 49°33'37" WEST FOR A DISTANCE OF 38.50 FEET; THENCE SOUTH 54°38'55" WEST FOR A DISTANCE OF 41.26 FEET; THENCE SOUTH 64°53'06" WEST FOR A DISTANCE OF 38.33 FEET; THENCE SOUTH 70°29'56" WEST FOR A DISTANCE OF 35.70 FEET; THENCE SOUTH 77°11'14" WEST FOR A DISTANCE OF 48.96 FEET; THENCE SOUTH 80°45'53" WEST FOR A DISTANCE OF 47.27 FEET; THENCE SOUTH 75°22'08" WEST FOR A DISTANCE OF 51.59 FEET; THENCE SOUTH

84°40'04" WEST FOR A DISTANCE OF 81.73 FEET; THENCE SOUTH 88°51'02" WEST FOR A DISTANCE OF 108.52 FEET; THENCE SOUTH 83°59'56" WEST FOR A DISTANCE OF 41.45 FEET; THENCE SOUTH 74°14'42" WEST FOR A DISTANCE OF 43.97 FEET; THENCE SOUTH 65°56'18" WEST FOR A DISTANCE OF 55.86 FEET; THENCE SOUTH 57°04'26" WEST FOR A DISTANCE OF 43.96 FEET; THENCE SOUTH 55°01'34" WEST FOR A DISTANCE OF 39.72 FEET; THENCE SOUTH 36°51'32" WEST FOR A DISTANCE OF 32.55 FEET; THENCE SOUTH 33°17'32" WEST FOR A DISTANCE OF 32.75 FEET TO THE POINT OF BEGINNING; SUBJECT TO CONSERVATION EASEMENTS L, M, N, O, P, Q, R, AND S, AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT "A"

SweetBay Residential Community Development District 4

Legal Description of Boundaries

RESIDENTIAL 4 COMMENCE AT THE NORTHEAST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 89°37'38" WEST ALONG THE NORTH LINE OF SAID SECTION 19, FOR A DISTANCE OF 3416.74 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE SOUTH 40°38'19" EAST FOR A DISTANCE OF 551.20 FEET; THENCE SOUTH 30°31'00" WEST FOR A DISTANCE OF 94.15 FEET TO A POINT OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°55'51" AN ARC LENGTH OF 222.92 FEET (CHORD: SOUTH 46°28'55" WEST, FOR 220.05 FEET); THENCE SOUTH 62°26'51" WEST FOR A DISTANCE OF 44.03 FEET TO A POINT OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 150.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°12'20" AN ARC LENGTH OF 18.86 FEET (CHORD: SOUTH 58°50'41" WEST, FOR 18.85 FEET); THENCE SOUTH 36°16'04" EAST FOR A DISTANCE OF 79.74 FEET; THENCE SOUTH 39°05'20" EAST FOR A DISTANCE OF 370.01 FEET TO A POINT OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 100°10'45" AN ARC LENGTH OF 43.71 FEET (CHORD: SOUTH 89°10'42" EAST, FOR 38.35 FEET); THENCE SOUTH 40°43'55" WEST FOR A DISTANCE OF 108.71 FEET TO A POINT; THENCE SOUTH 40°43'55" WEST FOR A DISTANCE OF 245.90 FEET TO A POINT; THENCE SOUTH 40°43'55" WEST FOR A DISTANCE OF 191.03 FEET TO A POINT OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99°34'22" AN ARC LENGTH OF 43.45 FEET (CHORD: NORTH 89°28'54" WEST, FOR 38.18 FEET); THENCE SOUTH 2°32'26" WEST FOR A DISTANCE OF 76.46 FEET; THENCE SOUTH 0°00'59" EAST FOR A DISTANCE OF 52.68 FEET; THENCE SOUTH 40°43'58" WEST FOR A DISTANCE OF 115.10 FEET; THENCE NORTH 47°09'16" WEST FOR A DISTANCE OF 55.04 FEET; THENCE NORTH 49°06'32" WEST FOR A DISTANCE OF 130.28 FEET; THENCE NORTH 89°43'27" EAST FOR A DISTANCE OF 52.04 FEET; THENCE NORTH 4°43'35" WEST FOR A DISTANCE OF 27.03 FEET TO THE MEAN HIGH WATER LINE AS SURVEYED BY MOORE BASS AND DATED 5/30/08; THENCE ALONG SAID HIGH WATER LINE THE FOLLOWING 105 CALLS; THENCE NORTH 18°15'32" WEST FOR A DISTANCE OF 13.65 FEET; THENCE NORTH 80°48'07" WEST FOR A DISTANCE OF 44.47 FEET; THENCE NORTH 78°48'40" WEST FOR A DISTANCE OF 34.86 FEET; THENCE SOUTH 80°51'26" WEST FOR A DISTANCE OF 36.49 FEET; THENCE SOUTH 64°11'03" WEST FOR A DISTANCE OF 36.31 FEET; THENCE SOUTH 74°03'39" WEST FOR A DISTANCE OF 23.04 FEET; THENCE NORTH 65°32'07" WEST FOR A DISTANCE OF 11.96 FEET; THENCE NORTH 41°27'18" WEST FOR A DISTANCE OF 12.54 FEET; THENCE NORTH 17°09'54" WEST FOR A DISTANCE OF 39.07 FEET; THENCE NORTH 23°56'35" WEST FOR A DISTANCE OF 38.40 FEET; THENCE NORTH 29°20'58" EAST FOR A DISTANCE OF 16.65 FEET; THENCE NORTH 10°40'10" WEST FOR A DISTANCE OF 72.22 FEET; THENCE NORTH 33°59'41" WEST FOR A DISTANCE OF 87.48 FEET; THENCE NORTH 15°52'13" WEST FOR A DISTANCE OF 53.30 FEET; THENCE NORTH 23°39'29" WEST FOR A DISTANCE OF 60.47 FEET; THENCE NORTH 38°31'08" WEST FOR A DISTANCE OF 51.37 FEET; THENCE NORTH 48°11'19" WEST FOR A DISTANCE OF 58.52 FEET; THENCE

NORTH 29°55'25" WEST FOR A DISTANCE OF 46.35 FEET; THENCE NORTH 48°56'50" WEST FOR A DISTANCE OF 57.17 FEET; THENCE NORTH 63°50'51" WEST FOR A DISTANCE OF 57.22 FEET; THENCE NORTH 47°23'28" WEST FOR A DISTANCE OF 54.45 FEET; THENCE NORTH 48°49'32" WEST FOR A DISTANCE OF 55.21 FEET; THENCE NORTH 74°57'24" WEST FOR A DISTANCE OF 59.54 FEET; THENCE NORTH 87°57'14" WEST FOR A DISTANCE OF 70.00 FEET; THENCE SOUTH 88°02'00" WEST FOR A DISTANCE OF 48.19 FEET; THENCE NORTH 41°42'09" WEST FOR A DISTANCE OF 67.35 FEET; THENCE NORTH 0°52'31" EAST FOR A DISTANCE OF 43.72 FEET; THENCE NORTH 23°11'41" EAST FOR A DISTANCE OF 52.48 FEET; THENCE NORTH 10°42'19" EAST FOR A DISTANCE OF 66.47 FEET; THENCE NORTH 17°52'27" EAST FOR A DISTANCE OF 37.49 FEET; THENCE NORTH 41°37'59" EAST FOR A DISTANCE OF 26.55 FEET; THENCE NORTH 73°36'09" EAST FOR A DISTANCE OF 66.74 FEET; THENCE NORTH 10°12'52" WEST FOR A DISTANCE OF 13.60 FEET; THENCE NORTH 64°31'43" WEST FOR A DISTANCE OF 15.29 FEET; THENCE NORTH 85°15'33" WEST FOR A DISTANCE OF 37.94 FEET; THENCE NORTH 31°03'52" WEST FOR A DISTANCE OF 91.49 FEET; THENCE NORTH 25°46'00" WEST FOR A DISTANCE OF 51.29 FEET; THENCE NORTH 33°54'41" WEST FOR A DISTANCE OF 58.90 FEET; THENCE NORTH 30°26'30" WEST FOR A DISTANCE OF 66.21 FEET; THENCE NORTH 48°01'06" WEST FOR A DISTANCE OF 27.29 FEET; THENCE SOUTH 71°43'42" WEST FOR A DISTANCE OF 39.99 FEET; THENCE NORTH 20°32'50" WEST FOR A DISTANCE OF 32.53 FEET; THENCE NORTH 26°31'03" EAST FOR A DISTANCE OF 30.58 FEET; THENCE NORTH 20°32'33" WEST FOR A DISTANCE OF 41.06 FEET; THENCE NORTH 33°52'20" WEST FOR A DISTANCE OF 65.11 FEET; THENCE NORTH 62°59'06" WEST FOR A DISTANCE OF 43.03 FEET; THENCE NORTH 51°53'02" WEST FOR A DISTANCE OF 40.25 FEET; THENCE NORTH 34°10'50" WEST FOR A DISTANCE OF 64.11 FEET; THENCE NORTH 38°54'29" WEST FOR A DISTANCE OF 58.98 FEET; THENCE NORTH 27°49'01" WEST FOR A DISTANCE OF 56.36 FEET; THENCE NORTH 35°35'37" WEST FOR A DISTANCE OF 50.19 FEET; THENCE NORTH 39°49'16" WEST FOR A DISTANCE OF 42.66 FEET; THENCE NORTH 36°30'37" WEST FOR A DISTANCE OF 57.91 FEET; THENCE NORTH 85°33'26" WEST FOR A DISTANCE OF 60.44 FEET; THENCE SOUTH 24°54'08" WEST FOR A DISTANCE OF 64.18 FEET; THENCE NORTH 8°29'38" EAST FOR A DISTANCE OF 64.90 FEET; THENCE NORTH 25°53'19" EAST FOR A DISTANCE OF 51.49 FEET; THENCE NORTH 31°51'06" EAST FOR A DISTANCE OF 69.83 FEET; THENCE NORTH 14°46'52" WEST FOR A DISTANCE OF 28.43 FEET; THENCE NORTH 49°41'21" EAST FOR A DISTANCE OF 52.33 FEET; THENCE NORTH 55°45'24" EAST FOR A DISTANCE OF 57.50 FEET; THENCE NORTH 56°49'02" EAST FOR A DISTANCE OF 56.21 FEET; THENCE NORTH 50°33'39" EAST FOR A DISTANCE OF 69.35 FEET; THENCE NORTH 44°31'16" EAST FOR A DISTANCE OF 47.57 FEET; THENCE NORTH 50°06'18" EAST FOR A DISTANCE OF 37.48 FEET; THENCE NORTH 47°15'47" EAST FOR A DISTANCE OF 40.56 FEET; THENCE NORTH 63°16'52" EAST FOR A DISTANCE OF 75.21 FEET; THENCE NORTH 63°38'38" EAST FOR A DISTANCE OF 51.45 FEET; THENCE NORTH 62°55'53" EAST FOR A DISTANCE OF 45.99 FEET; THENCE NORTH 79°41'30" EAST FOR A DISTANCE OF 69.34 FEET; THENCE NORTH 73°48'10" EAST FOR A DISTANCE OF 56.78 FEET; THENCE NORTH 66°31'58" EAST FOR A DISTANCE OF 58.73 FEET; THENCE NORTH 69°21'09" EAST FOR A DISTANCE OF 81.00 FEET; THENCE NORTH 74°39'33" EAST FOR A DISTANCE OF 54.13 FEET; THENCE NORTH 80°24'48" EAST FOR A DISTANCE OF 48.01 FEET; THENCE SOUTH 89°49'47" EAST FOR A DISTANCE OF 23.90 FEET; THENCE SOUTH 18°05'01" EAST FOR A DISTANCE OF 24.72 FEET; THENCE SOUTH 82°40'33" EAST FOR A DISTANCE OF 27.78 FEET; THENCE SOUTH 73°34'12" EAST FOR A DISTANCE OF 85.52 FEET; THENCE SOUTH 68°08'11" EAST FOR A DISTANCE OF 34.08 FEET; THENCE SOUTH 68°38'28" EAST FOR A DISTANCE OF 61.73

FEET; THENCE SOUTH 42°26'12" EAST FOR A DISTANCE OF 41.00 FEET; THENCE SOUTH 14°08'16" EAST FOR A DISTANCE OF 55.98 FEET; THENCE SOUTH 8°05'12" EAST FOR A DISTANCE OF 54.04 FEET; THENCE SOUTH 1°34'06" EAST FOR A DISTANCE OF 23.81 FEET; THENCE NORTH 70°19'42" WEST FOR A DISTANCE OF 21.67 FEET; THENCE NORTH 27°23'13" WEST FOR A DISTANCE OF 50.04 FEET; THENCE NORTH 34°22'24" WEST FOR A DISTANCE OF 69.04 FEET; THENCE NORTH 54°50'11" WEST FOR A DISTANCE OF 58.47 FEET; THENCE SOUTH 24°24'53" WEST FOR A DISTANCE OF 15.19 FEET; THENCE SOUTH 35°53'08" EAST FOR A DISTANCE OF 48.24 FEET; THENCE SOUTH 37°18'11" EAST FOR A DISTANCE OF 62.69 FEET; THENCE SOUTH 45°43'04" EAST FOR A DISTANCE OF 59.51 FEET; THENCE SOUTH 4°50'36" WEST FOR A DISTANCE OF 21.03 FEET; THENCE SOUTH 51°31'25" EAST FOR A DISTANCE OF 30.79 FEET; THENCE NORTH 87°58'55" EAST FOR A DISTANCE OF 31.57 FEET; THENCE SOUTH 34°21'15" EAST FOR A DISTANCE OF 71.72 FEET; THENCE SOUTH 57°44'32" EAST FOR A DISTANCE OF 56.61 FEET; THENCE SOUTH 72°18'46" EAST FOR A DISTANCE OF 44.54 FEET; THENCE SOUTH 72°43'49" EAST FOR A DISTANCE OF 50.65 FEET; THENCE SOUTH 16°53'26" WEST FOR A DISTANCE OF 14.61 FEET; THENCE NORTH 89°03'07" WEST FOR A DISTANCE OF 62.91 FEET; THENCE SOUTH 2°57'40" WEST FOR A DISTANCE OF 13.63 FEET; THENCE SOUTH 55°31'30" EAST FOR A DISTANCE OF 60.68 FEET; THENCE SOUTH 21°32'55" EAST FOR A DISTANCE OF 28.41 FEET; THENCE LEAVING SAID MEAN HIGH WATER LINE SOUTH 40°38'19" EAST FOR A DISTANCE OF 224.15 FEET TO THE POINT OF BEGINNING. SUBJECT TO CONSERVATION EASEMENTS T, U, U-2, V, V-2, W, AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT "A"

SweetBay Residential Community Development District 5

Legal Description of Boundaries

RESIDENTIAL 5 COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19(NORTHWEST CORNER OF SECTION 29), TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE NORTH 01°42'32" EAST ALONG THE EAST LINE OF SAID SECTION 19, FOR A DISTANCE OF 3530.55 FEET; THENCE LEAVING SAID EAST LINE SOUTH 54°36'09" WEST FOR A DISTANCE OF 841.44 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 38°12'04" EAST FOR A DISTANCE OF 17.65 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 850.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°11'53" AN ARC LENGTH OF 774.38 FEET (CHORD: SOUTH 12°31'14" EAST, FOR 747.87 FEET) TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.07 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°40'39" AN ARC LENGTH OF 37.92 FEET (CHORD: SOUTH 29°19'10" EAST, FOR 34.41 FEET); THENCE SOUTH 17°11'54" WEST FOR A DISTANCE OF 60.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°23'46" AN ARC LENGTH OF 37.70 FEET (CHORD: SOUTH 64°00'01" WEST, FOR 34.23 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 850.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°47'16" AN ARC LENGTH OF 204.55 FEET (CHORD: SOUTH 27°41'48" WEST, FOR 204.05 FEET) TO THE POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 96.26 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°39'20" AN ARC LENGTH OF 33.02 FEET (CHORD: NORTH 08°56'21" WEST, FOR 32.86 FEET); THENCE NORTH 1°35'28" EAST FOR A DISTANCE OF 89.24 FEET; THENCE SOUTH 89°32'40" WEST FOR A DISTANCE OF 297.11 FEET; THENCE NORTH 50°13'55" WEST FOR A DISTANCE OF 14.92 FEET; SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 851.50 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°07'57" AN ARC LENGTH OF 269.48 FEET (CHORD: SOUTH 43°55'59" WEST, FOR 268.35 FEET); THENCE SOUTH 48°20'06" WEST FOR A DISTANCE OF 130.55 FEET; THENCE SOUTH 51°42'32" WEST FOR A DISTANCE OF 83.70 FEET; THENCE SOUTH 52°59'57" WEST FOR A DISTANCE OF 34.81 FEET; THENCE NORTH 38°38'51" WEST FOR A DISTANCE OF 90.04 FEET; THENCE NORTH 52°59'57" EAST FOR A DISTANCE OF 10.01 FEET; THENCE NORTH 39°42'40" WEST FOR A DISTANCE OF 923.67 FEET; THENCE SOUTH 51°47'56" WEST FOR A DISTANCE OF 243.57 FEET; THENCE SOUTH 55°30'58" WEST FOR A DISTANCE OF 90.21 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3239.03 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°59'28" AN ARC LENGTH OF 112.55 FEET (CHORD: SOUTH 53°21'37" WEST, FOR 112.55 FEET); THENCE NORTH 37°37'14" WEST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 52°18'39" WEST FOR A DISTANCE OF 3.00 FEET; THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 255.01 FEET; THENCE NORTH 52°18'39" EAST FOR A DISTANCE OF 3.00 FEET; THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 50.00 FEET; THENCE

SOUTH 52°18'14" WEST FOR A DISTANCE OF 3.00 FEET; THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 836.74 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 575.77 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°33'58" AN ARC LENGTH OF 277.02 FEET (CHORD: NORTH 52°00'09" WEST, FOR 274.35 FEET); THENCE NORTH 65°48'15" WEST FOR A DISTANCE OF 20.88 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1485.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°56'35" AN ARC LENGTH OF 490.97 FEET (CHORD: NORTH 56°19'58" WEST, FOR 488.74 FEET); THENCE NORTH 46°51'40" WEST FOR A DISTANCE OF 41.08 FEET; THENCE NORTH 40°43'58" EAST FOR A DISTANCE OF 115.10 FEET; THENCE NORTH 0°00'59" WEST FOR A DISTANCE OF 52.68 FEET; THENCE NORTH 2°32'26" EAST FOR A DISTANCE OF 76.46 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99°34'22" AN ARC LENGTH OF 43.45 FEET (CHORD: SOUTH 89°28'54" EAST, FOR 38.18 FEET); THENCE NORTH 40°43'55" EAST FOR A DISTANCE OF 191.03 FEET; THENCE NORTH 40°43'55" EAST FOR A DISTANCE OF 245.90 FEET; THENCE NORTH 40°43'55" EAST FOR A DISTANCE OF 248.93 FEET TO A POINT OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 765.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°04'49" AN ARC LENGTH OF 41.13 FEET (CHORD: NORTH 42°16'20" EAST, FOR 41.12 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE WESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82°54'05" AN ARC LENGTH OF 36.17 FEET (CHORD: NORTH 02°21'42" EAST, FOR 33.10 FEET); THENCE NORTH 44°00'35" EAST FOR A DISTANCE OF 50.36 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'12" AN ARC LENGTH OF 39.20 FEET (CHORD: SOUTH 84°00'26" EAST, FOR 35.30 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 765.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°50'52" AN ARC LENGTH OF 732.32 FEET (CHORD: NORTH 78° 30'27" EAST, FOR 704.67 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 83°42'30" AN ARC LENGTH OF 36.52 FEET (CHORD: NORTH 64°04'38" EAST, FOR 33.36 FEET); THENCE SOUTH 73°05'01" EAST FOR A DISTANCE OF 50.22 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°01'35" AN ARC LENGTH OF 38.85 FEET (CHORD: SOUTH 22°17'25" EAST, FOR 35.05 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 765.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°36'09" AN ARC LENGTH OF 381.89 FEET (CHORD: SOUTH 52°30'08" EAST, FOR 377.94 FEET); THENCE SOUTH 38°12'04" EAST FOR A DISTANCE OF 245.26 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: SOUTH 83°12'04" EAST, FOR 35.36 FEET); THENCE SOUTH 38°12'04" EAST FOR A DISTANCE OF 50.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: SOUTH 06°47'56" WEST, FOR 35.36

FEET); THENCE SOUTH 38°12'04" EAST FOR A DISTANCE OF 1055.02 FEET TO A POINT ON A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: SOUTH 83°12'04" EAST, FOR 35.36 FEET); THENCE SOUTH 38°12'04" EAST FOR A DISTANCE OF 50.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: SOUTH 06°47'56" WEST, FOR 35.36 FEET); THENCE SOUTH 38°12'04" EAST FOR A DISTANCE OF 102.20 FEET TO THE POINT OF BEGINNING.

EXHIBIT "A"

SweetBay Residential Community Development District 6

Legal Description of Boundaries

RESIDENTIAL 6 BEGIN AT THE NORTHEAST CORNER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 1°42'32" WEST ALONG THE EAST LINE OF SAID SECTION 19 FOR A DISTANCE OF 1747.80 FEET; THENCE SOUTH 54°36'09" WEST FOR A DISTANCE OF 841.44 FEET; THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 102.20 FEET TO A POINT OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: NORTH 06°47'56" EAST, FOR 35.36 FEET); THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: NORTH 83°12'04" WEST, FOR 35.36 FEET); THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 1,055.02 FEET TO A POINT OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: NORTH 06°47'56" EAST, FOR 35.36 FEET); THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 39.27 FEET (CHORD: NORTH 83°12'04" WEST, FOR 35.36 FEET); THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 245.26 FEET TO A POINT OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 765.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°36'09" AN ARC LENGTH OF 381.89 FEET (CHORD: NORTH 52°30'08" WEST, FOR 377.94 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°01'35" AN ARC LENGTH OF 38.85 FEET (CHORD: NORTH 22°17'25" WEST, FOR 35.05 FEET); THENCE NORTH 73°05'01" WEST FOR A DISTANCE OF 50.22 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 83°42'30" AN ARC LENGTH OF 36.52 FEET (CHORD: SOUTH 64°04'38" WEST, FOR 33.36 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 765.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°50'52" AN ARC LENGTH OF 732.32 FEET (CHORD: SOUTH 78°30'27" WEST, FOR 704.67 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'12" AN ARC LENGTH OF 39.20 FEET (CHORD: NORTH 84°00'26" WEST, FOR 35.30 FEET); THENCE SOUTH 44°00'35" WEST FOR A DISTANCE OF 50.36 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82°54'05" AN ARC LENGTH OF 36.17 FEET (CHORD: SOUTH 02°21'42" WEST, FOR 33.10 FEET) TO A POINT OF REVERSE CURVATURE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 765.00 FEET; THENCE

SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 3°04'49" AN ARC LENGTH OF 41.13 FEET (CHORD: SOUTH 42°16'20" WEST, FOR 41.12 FEET); THENCE SOUTH 40°43'55" WEST FOR A DISTANCE OF 140.22 FEET TO A POINT OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 100°10'45" AN ARC LENGTH OF 43.71 FEET (CHORD: NORTH 89°10'42" WEST, FOR 38.35 FEET); THENCE NORTH 39°05'20" WEST FOR A DISTANCE OF 370.01 FEET; THENCE NORTH 36°16'04" WEST FOR A DISTANCE OF 79.74 FEET TO A POINT OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 7°12'20" AN ARC LENGTH OF 18.86 FEET (CHORD: NORTH 58°50'41" EAST, FOR 18.85 FEET); THENCE NORTH 62°26'51" EAST FOR A DISTANCE OF 44.03 FEET TO A POINT OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 400.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°55'51" AN ARC LENGTH OF 222.92 FEET (CHORD: NORTH 46°28'55" EAST, FOR 220.05 FEET); THENCE NORTH 30°31'00" EAST FOR A DISTANCE OF 94.15 FEET; THENCE NORTH 40°38'19" WEST FOR A DISTANCE OF 551.20 FEET TO A POINT; THENCE NORTH 40°38'19" WEST FOR A DISTANCE OF 224.15 FEET TO THE MEAN HIGH WATER LINE AS SURVEYED BY MOORE BASS AND DATED 5/30/08; THENCE ALONG SAID HIGH WATER LINE THE FOLLOWING 51 CALLS; THENCE NORTH 59°48'00" EAST FOR A DISTANCE OF 41.08 FEET; THENCE NORTH 15°41'13" EAST FOR A DISTANCE OF 32.97 FEET; THENCE NORTH 42°09'54" EAST FOR A DISTANCE OF 54.46 FEET; THENCE NORTH 9°06'11" EAST FOR A DISTANCE OF 42.91 FEET; THENCE NORTH 54°31'58" EAST FOR A DISTANCE OF 46.38 FEET; THENCE NORTH 50°29'18" EAST FOR A DISTANCE OF 62.82 FEET; THENCE NORTH 57°54'51" EAST FOR A DISTANCE OF 55.75 FEET; THENCE NORTH 45°50'32" EAST FOR A DISTANCE OF 43.33 FEET; THENCE SOUTH 22°01'23" WEST FOR A DISTANCE OF 45.32 FEET; THENCE SOUTH 41°44'25" EAST FOR A DISTANCE OF 24.32 FEET; THENCE SOUTH 72°57'47" EAST FOR A DISTANCE OF 53.95 FEET; THENCE SOUTH 27°01'24" EAST FOR A DISTANCE OF 43.32 FEET; THENCE SOUTH 6°26'14" EAST FOR A DISTANCE OF 55.41 FEET; THENCE SOUTH 40°39'09" WEST FOR A DISTANCE OF 46.05 FEET; THENCE SOUTH 26°18'15" WEST FOR A DISTANCE OF 53.91 FEET; THENCE SOUTH 2°55'21" EAST FOR A DISTANCE OF 37.18 FEET; THENCE SOUTH 6°51'05" WEST FOR A DISTANCE OF 32.11 FEET; THENCE SOUTH 64°22'37" EAST FOR A DISTANCE OF 41.53 FEET; THENCE SOUTH 83°27'25" EAST FOR A DISTANCE OF 49.56 FEET; THENCE NORTH 64°32'19" EAST FOR A DISTANCE OF 83.11 FEET; THENCE NORTH 56°25'55" EAST FOR A DISTANCE OF 27.10 FEET; THENCE NORTH 21°49'28" EAST FOR A DISTANCE OF 69.88 FEET; THENCE NORTH 40°01'00" EAST FOR A DISTANCE OF 47.44 FEET; THENCE NORTH 63°30'29" EAST FOR A DISTANCE OF 44.04 FEET; THENCE SOUTH 70°56'16" EAST FOR A DISTANCE OF 48.26 FEET; THENCE NORTH 63°21'47" EAST FOR A DISTANCE OF 37.54 FEET; THENCE SOUTH 65°04'48" EAST FOR A DISTANCE OF 52.93 FEET; THENCE NORTH 88°45'35" EAST FOR A DISTANCE OF 55.28 FEET; THENCE NORTH 34°51'28" EAST FOR A DISTANCE OF 62.58 FEET; THENCE NORTH 26°56'03" WEST FOR A DISTANCE OF 55.62 FEET; THENCE NORTH 72°49'23" WEST FOR A DISTANCE OF 56.97 FEET; THENCE NORTH 70°43'19" WEST FOR A DISTANCE OF 75.21 FEET; THENCE NORTH 88°31'59" WEST FOR A DISTANCE OF 106.67 FEET; THENCE NORTH 61°19'35" WEST FOR A DISTANCE OF 59.27 FEET; THENCE NORTH 23°44'10" WEST FOR A DISTANCE OF 53.56 FEET; THENCE NORTH 21°48'14" WEST FOR A DISTANCE OF 46.53 FEET; THENCE NORTH 25°36'04" WEST FOR A DISTANCE OF 44.34 FEET; THENCE NORTH 46°24'50" EAST FOR A DISTANCE OF 62.46 FEET; THENCE NORTH 55°39'15" EAST FOR A DISTANCE OF 65.02 FEET; THENCE SOUTH 78°31'02" EAST FOR A

DISTANCE OF 35.86 FEET; THENCE NORTH 81°02'11" EAST FOR A DISTANCE OF 74.87 FEET; THENCE SOUTH 67°07'47" EAST FOR A DISTANCE OF 47.01 FEET; THENCE SOUTH 50°33'01" EAST FOR A DISTANCE OF 58.50 FEET; THENCE SOUTH 51°29'57" EAST FOR A DISTANCE OF 50.11 FEET; THENCE SOUTH 34°31'39" EAST FOR A DISTANCE OF 60.91 FEET; THENCE SOUTH 16°19'42" EAST FOR A DISTANCE OF 27.08 FEET; THENCE SOUTH 55°54'13" EAST FOR A DISTANCE OF 67.84 FEET; THENCE SOUTH 33°12'06" EAST FOR A DISTANCE OF 56.75 FEET; THENCE SOUTH 2°27'10" EAST FOR A DISTANCE OF 44.11 FEET; THENCE SOUTH 7°54'06" EAST FOR A DISTANCE OF 84.50 FEET; THENCE SOUTH 63°20'05" EAST FOR A DISTANCE OF 52.69 FEET; THENCE LEAVING SAID HIGH WATER LINE SOUTH 1°42'57" WEST FOR A DISTANCE OF 223.49 FEET; THENCE NORTH 89°37'38" EAST FOR A DISTANCE OF 210.94 FEET TO THE AFOREMENTIONED HIGH WATER LINE; THENCE ALONG SAID HIGH WATER LINE THE FOLLOWING 72 CALLS; THENCE SOUTH 29°26'38" EAST FOR A DISTANCE OF 52.02 FEET; THENCE SOUTH 71°39'15" EAST FOR A DISTANCE OF 78.15 FEET; THENCE SOUTH 86°23'34" EAST FOR A DISTANCE OF 57.38 FEET; THENCE NORTH 79°37'06" EAST FOR A DISTANCE OF 88.96 FEET; THENCE NORTH 87°06'28" EAST FOR A DISTANCE OF 25.91 FEET; THENCE SOUTH 57°48'54" EAST FOR A DISTANCE OF 49.32 FEET; THENCE SOUTH 47°56'09" EAST FOR A DISTANCE OF 52.88 FEET; THENCE SOUTH 79°25'01" EAST FOR A DISTANCE OF 64.75 FEET; THENCE SOUTH 24°35'05" EAST FOR A DISTANCE OF 107.08 FEET; THENCE SOUTH 5°55'54" WEST FOR A DISTANCE OF 81.39 FEET; THENCE SOUTH 53°53'42" EAST FOR A DISTANCE OF 89.85 FEET; THENCE SOUTH 88°56'33" EAST FOR A DISTANCE OF 71.42 FEET; THENCE NORTH 84°25'00" EAST FOR A DISTANCE OF 52.60 FEET; THENCE SOUTH 41°31'47" EAST FOR A DISTANCE OF 37.50 FEET; THENCE SOUTH 26°49'46" EAST FOR A DISTANCE OF 40.03 FEET; THENCE SOUTH 18°53'12" WEST FOR A DISTANCE OF 63.50 FEET; THENCE SOUTH 0°16'35" WEST FOR A DISTANCE OF 29.09 FEET; THENCE SOUTH 45°43'14" EAST FOR A DISTANCE OF 50.65 FEET; THENCE NORTH 83°41'30" EAST FOR A DISTANCE OF 33.06 FEET; THENCE SOUTH 65°05'19" EAST FOR A DISTANCE OF 67.44 FEET; THENCE SOUTH 71°18'23" EAST FOR A DISTANCE OF 46.62 FEET; THENCE SOUTH 22°41'07" EAST FOR A DISTANCE OF 36.48 FEET; THENCE SOUTH 44°30'19" EAST FOR A DISTANCE OF 44.63 FEET; THENCE NORTH 61°32'54" EAST FOR A DISTANCE OF 27.67 FEET; THENCE NORTH 48°44'27" WEST FOR A DISTANCE OF 47.10 FEET; THENCE NORTH 69°52'21" EAST FOR A DISTANCE OF 60.14 FEET; THENCE SOUTH 46°23'54" EAST FOR A DISTANCE OF 14.16 FEET; THENCE SOUTH 28°41'51" WEST FOR A DISTANCE OF 37.16 FEET; THENCE SOUTH 69°20'26" EAST FOR A DISTANCE OF 43.40 FEET; THENCE SOUTH 51°19'27" EAST FOR A DISTANCE OF 52.68 FEET; THENCE SOUTH 28°54'07" EAST FOR A DISTANCE OF 20.29 FEET; THENCE SOUTH 46°27'37" EAST FOR A DISTANCE OF 53.33 FEET; THENCE NORTH 72°43'24" EAST FOR A DISTANCE OF 12.68 FEET; THENCE NORTH 40°26'49" WEST FOR A DISTANCE OF 38.87 FEET; THENCE NORTH 71°53'57" EAST FOR A DISTANCE OF 40.91 FEET; THENCE SOUTH 77°09'51" EAST FOR A DISTANCE OF 12.61 FEET; THENCE SOUTH 17°00'36" WEST FOR A DISTANCE OF 36.97 FEET; THENCE SOUTH 85°48'59" EAST FOR A DISTANCE OF 29.04 FEET; THENCE NORTH 16°04'59" EAST FOR A DISTANCE OF 33.10 FEET; THENCE SOUTH 81°22'39" EAST FOR A DISTANCE OF 42.22 FEET; THENCE SOUTH 82°47'41" EAST FOR A DISTANCE OF 74.56 FEET; THENCE NORTH 85°41'06" EAST FOR A DISTANCE OF 87.87 FEET; THENCE NORTH 81°25'49" EAST FOR A DISTANCE OF 57.53 FEET; THENCE SOUTH 87°46'19" EAST FOR A DISTANCE OF 8.60 FEET; THENCE SOUTH 39°53'15" EAST FOR A DISTANCE OF 58.99 FEET; THENCE NORTH 54°43'26" EAST FOR A DISTANCE OF 22.73 FEET; THENCE NORTH 18°23'36" WEST FOR A DISTANCE OF 36.81 FEET; THENCE NORTH 66°00'33" WEST FOR A DISTANCE OF 67.68 FEET; THENCE SOUTH 58°14'57"

WEST FOR A DISTANCE OF 26.51 FEET; THENCE SOUTH 87°46'50" WEST FOR A DISTANCE OF 96.00 FEET; THENCE NORTH 89°37'55" WEST FOR A DISTANCE OF 66.90 FEET; THENCE NORTH 78°01'10" WEST FOR A DISTANCE OF 67.22 FEET; THENCE NORTH 75°38'12" WEST FOR A DISTANCE OF 51.78 FEET; THENCE NORTH 21°26'32" EAST FOR A DISTANCE OF 23.33 FEET; THENCE NORTH 27°31'44" EAST FOR A DISTANCE OF 42.60 FEET; THENCE NORTH 23°00'24" WEST FOR A DISTANCE OF 19.65 FEET; THENCE NORTH 10°45'56" EAST FOR A DISTANCE OF 41.08 FEET; THENCE NORTH 82°19'52" EAST FOR A DISTANCE OF 78.96 FEET; THENCE SOUTH 81°10'11" EAST FOR A DISTANCE OF 61.35 FEET; THENCE NORTH 15°48'15" EAST FOR A DISTANCE OF 25.76 FEET; THENCE NORTH 65°10'01" WEST FOR A DISTANCE OF 59.51 FEET; THENCE NORTH 35°33'59" EAST FOR A DISTANCE OF 33.19 FEET; THENCE NORTH 53°29'40" WEST FOR A DISTANCE OF 105.30 FEET; THENCE NORTH 43°39'25" WEST FOR A DISTANCE OF 100.14 FEET; THENCE NORTH 59°15'03" WEST FOR A DISTANCE OF 104.53 FEET; THENCE NORTH 70°34'12" WEST FOR A DISTANCE OF 59.77 FEET; THENCE SOUTH 71°03'15" WEST FOR A DISTANCE OF 53.17 FEET; THENCE NORTH 22°27'08" WEST FOR A DISTANCE OF 75.56 FEET; THENCE NORTH 39°51'17" WEST FOR A DISTANCE OF 133.17 FEET; THENCE NORTH 16°25'53" WEST FOR A DISTANCE OF 13.41 FEET; THENCE NORTH 57°29'17" WEST FOR A DISTANCE OF 16.83 FEET; THENCE NORTH 51°55'25" WEST FOR A DISTANCE OF 56.45 FEET; THENCE NORTH 13°13'14" WEST FOR A DISTANCE OF 44.07 FEET TO THE NORTH LINE OF SAID SECTION 19; THENCE NORTH 89°37'38" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 1752.61 FEET TO THE POINT OF BEGINNING. SUBJECT TO CONSERVATION EASEMENTS W, W-2, X, X-2, Y, Y-2, AND Z, AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT "A"

SweetBay Residential Community Development District 7

Legal Description of Boundaries

RESIDENTIAL 7 COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19(NORTHWEST CORNER OF SECTION 29), TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE NORTH 89°02'57" WEST ALONG THE SOUTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 582.90 FEET; THENCE NORTH 89°03'10" WEST FOR A DISTANCE OF 778.70 FEET THENCE NORTH 89°03'10" WEST FOR A DISTANCE OF 778.70 FEET; THENCE LEAVING SAID SOUTH LINE NORTH 0°48'58" EAST FOR A DISTANCE OF 181.06 FEET; THENCE NORTH 89°11'01" WEST FOR A DISTANCE OF 20.12 FEET; THENCE NORTH 0°46'15" EAST FOR A DISTANCE OF 553.90 FEET; THENCE NORTH 52°57'08" EAST FOR A DISTANCE OF 455.56 FEET TO THE POINT OF BEGINNING; THENCE NORTH 37°02'52" WEST FOR A DISTANCE OF 444.67 FEET; THENCE NORTH 39°38'48" WEST FOR A DISTANCE OF 90.10 FEET; THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 290.58 FEET; THENCE NORTH 38°12'04" WEST FOR A DISTANCE OF 114.51 FEET; THENCE SOUTH 52°59'57" WEST FOR A DISTANCE OF 134.54 FEET; THENCE NORTH 38°48'17" WEST FOR A DISTANCE OF 64.18 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 13.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 88°58'27" AN ARC LENGTH OF 20.19 FEET (CHORD: NORTH 83°17'30" WEST, FOR 18.22 FEET); THENCE NORTH 54°52'07" WEST FOR A DISTANCE OF 26.14 FEET; THENCE NORTH 38°48'17" WEST FOR A DISTANCE OF 94.20 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°40'00" AN ARC LENGTH OF 166.97 FEET (CHORD: NORTH 41°08'17" WEST, FOR 166.92 FEET); THENCE NORTH 43°28'17" WEST FOR A DISTANCE OF 33.37 FEET; THENCE NORTH 46°31'43" EAST FOR A DISTANCE OF 110.40 FEET; THENCE NORTH 43°28'17" WEST FOR A DISTANCE OF 108.67 FEET; THENCE NORTH 51°48'12" EAST FOR A DISTANCE OF 65.74 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3239.03 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°59'28" AN ARC LENGTH OF 112.55 FEET (CHORD: NORTH 53°21'37" EAST, FOR 112.55 FEET); THENCE NORTH 55°30'58" EAST FOR A DISTANCE OF 90.21 FEET; THENCE NORTH 51°47'56" EAST FOR A DISTANCE OF 243.57 FEET; THENCE SOUTH 39°42'40" EAST FOR A DISTANCE OF 923.67 FEET; THENCE SOUTH 52°59'57" WEST FOR A DISTANCE OF 10.01 FEET; THENCE SOUTH 38°39'28" EAST FOR A DISTANCE OF 90.0 FEET THENCE SOUTH 52°59'49" WEST FOR A DISTANCE OF 226.47 FEET; THENCE SOUTH 37°02'52" EAST FOR A DISTANCE OF 554.48 FEET; THENCE SOUTH 52°57'08" WEST FOR A DISTANCE OF 140.03 FEET; THENCE NORTH 37°02'52" WEST FOR A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING;

EXHIBIT "A"

SweetBay Commercial Community Development District 1

Legal Description of Boundaries

COMMERCIAL 1 COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19(NORTHWEST CORNER OF SECTION 29), TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE NORTH 89°02'57" WEST ALONG THE SOUTH LINE OF SAID SECTION 19 FOR A DISTANCE OF 582.90 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°03'10" WEST FOR A DISTANCE OF 778.70 FEET THENCE NORTH 89°03'10" WEST FOR A DISTANCE OF 778.70 FEET; THENCE NORTH 0°48'58" EAST FOR A DISTANCE OF 181.06 FEET; THENCE SOUTH 89°11'03" EAST FOR A DISTANCE OF 879.46 FEET TO A POINT OF CURVATURE CONCAVE NORTHERLY AND HAVING A RADIUS OF 475.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°29'20" AN ARC LENGTH OF 120.12 FEET (CHORD NORTH 83°34'17" EAST, FOR 120.12 FEET); THENCE NORTH 14°12'59" WEST FOR A DISTANCE OF 144.10 FEET TO A POINT OF CURVATURE CONCAVE WESTERLY, AND HAVING A RADIUS OF 809.37 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°04'58" AN ARC LENGTH OF 198.94 FEET (CHORD NORTH 21°15'25" WEST, FOR 198.44 FEET); THENCE NORTH 58°59'28" EAST FOR A DISTANCE OF 98.10 FEET; THENCE NORTH 58°59'32" EAST FOR A DISTANCE OF 283.51 FEET; THENCE NORTH 31°02'15" WEST FOR A DISTANCE OF 34.98 FEET; THENCE NORTH 58°57'45" EAST FOR A DISTANCE OF 45.00 FEET; THENCE SOUTH 31°02'14" EAST FOR A DISTANCE OF 35.00 FEET; THENCE NORTH 58°59'31" EAST FOR A DISTANCE OF 147.56 FEET; THENCE SOUTH 89°31'04" EAST FOR A DISTANCE OF 636.85 FEET TO THE NORTHERLY RIGHT OF WAY OF STATE ROAD 390; THENCE ALONG RIGHT OF WAY THE FOLLOWING 3 CALLS SOUTH 9°24'25" WEST FOR A DISTANCE OF 193.62 FEET TO A POINT OF CURVATURE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1061.02 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°23'02" AN ARC LENGTH OF 877.47 FEET (CHORD: SOUTH 33°05'56" WEST, FOR 852.68 FEET) TO A POINT OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1096.82 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°25'08" AN ARC LENGTH OF 582.32 FEET (CHORD: SOUTH 73°39'49" WEST, FOR 575.50 FEET); THENCE LEAVING SAID RIGHT OF WAY NORTH 37°04'37" WEST FOR A DISTANCE OF 322.57 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMERCIAL 1 COMMENCE AT THE SOUTHEAST CORNER OF SECTION 19(NORTHWEST CORNER OF SECTION 29), TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE NORTH 01°42'32" EAST ALONG THE EAST LINE OF SAID SECTION 19, FOR A DISTANCE OF 1885.94 FEET; THENCE SOUTH 89°51'07" EAST FOR A DISTANCE OF 39.71 FEET; THENCE SOUTH 01°42'39" WEST FOR A DISTANCE OF 500.11 FEET; THENCE SOUTH 89°31'56" EAST FOR A DISTANCE OF 359.29 FEET; THENCE NORTH 05°24'04" EAST FOR A DISTANCE OF 441.16 FEET; THENCE SOUTH 84°35'54" EAST FOR A DISTANCE OF 111.25 FEET TO THE WESTERLY LINE OF

CONSERVATION EASEMENT "A2" AS RECORDED IN OFFICIAL RECORDS BOOK 3604 PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY FLORIDA AND TO THE POINT OF BEGINNING; THENCE ALONG SAID CONSERVATION EASEMENT THE FOLLOWING 18 CALLS; THENCE NORTH 54°03'29" WEST FOR A DISTANCE OF 22.46 FEET; THENCE NORTH 68°08'56" WEST FOR A DISTANCE OF 86.63 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.44 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 56°32'53" AN ARC LENGTH OF 25.11 FEET (CHORD NORTH 27°51'03" WEST, FOR 24.10 FEET; THENCE NORTH 3°56'40" EAST FOR A DISTANCE OF 70.73 FEET; THENCE NORTH 43°35'27" EAST FOR A DISTANCE OF 43.89 FEET; THENCE NORTH 17°24'19" WEST FOR A DISTANCE OF 75.27 FEET; THENCE NORTH 19°59'50" WEST FOR A DISTANCE OF 94.15 FEET; THENCE NORTH 9°22'30" WEST FOR A DISTANCE OF 99.43 FEET; THENCE NORTH 1°08'03" WEST FOR A DISTANCE OF 95.03 FEET; THENCE NORTH 34°08'04" WEST FOR A DISTANCE OF 96.28 FEET; THENCE NORTH 45°08'46" WEST FOR A DISTANCE OF 103.20 FEET; THENCE NORTH 26°36'04" WEST FOR A DISTANCE OF 16.37 FEET; THENCE NORTH 87°02'23" EAST FOR A DISTANCE OF 53.46 FEET; THENCE NORTH 45°08'46" WEST FOR A DISTANCE OF 5.15 FEET; THENCE NORTH 2°57'38" WEST FOR A DISTANCE OF 46.18 FEET; THENCE SOUTH 87°02'22" WEST FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 2°57'38" WEST FOR A DISTANCE OF 18.42 FEET; THENCE NORTH 39°59'56" EAST FOR A DISTANCE OF 62.42 FEET; THENCE LEAVING SAID WESTERLY LINE SOUTH 89°31'26" EAST FOR A DISTANCE OF 624.10 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD 390; THENCE SOUTH 9°24'21" WEST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 829.99 FEET; THENCE NORTH 80°35'39" WEST FOR A DISTANCE OF 8.00 FEET; THENCE SOUTH 9°24'25" WEST FOR A DISTANCE OF 420.00 FEET TO THE NORTHERLY RIGHT OF WAY OF JACKSON WAY; THENCE NORTH 89°31'56" WEST ALONG NORTHERLY RIGHT OF WAY FOR A DISTANCE OF 61.80 FEET; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY NORTH 5°24'06" EAST FOR A DISTANCE OF 419.03 FEET; THENCE NORTH 84°35'54" WEST FOR A DISTANCE OF 144.75 FEET TO THE POINT OF BEGINNING. SUBJECT TO CONSERVATION EASEMENTS A-2, AND A-3 AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT "A"

SweetBay Commercial Community Development District 2

Legal Description of Boundaries

COMMERCIAL 2 COMMENCE AT THE NORTHWEST CORNER OF SECTION 29(SOUTHEAST CORNER OF SECTION 19), TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 89°31'39" EAST ALONG THE NORTH LINE OF SAID SECTION 29 FOR A DISTANCE OF 430.70 FEET; TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1205.15 FEET; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 03°26'37" AN ARC LENGTH OF 72.43 FEET(CHORD: SOUTH 47°08'19" WEST, FOR 72.42 FEET) THENCE SOUTH 89°27'04" EAST FOR A DISTANCE OF 117.65 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°35'25" EAST FOR A DISTANCE OF 143.94 FEET; THENCE SOUTH 1°33'23" WEST FOR A DISTANCE OF 250.87 FEET; THENCE SOUTH 88°42'14" EAST FOR A DISTANCE OF 661.86 FEET; THENCE SOUTH 1°13'13" WEST FOR A DISTANCE OF 989.02 FEET; THENCE NORTH 88°59'03" WEST FOR A DISTANCE OF 271.38 FEET; THENCE NORTH 9°49'21" WEST FOR A DISTANCE OF 69.69 FEET; THENCE SOUTH 52°56'08" WEST FOR A DISTANCE OF 108.94 FEET; THENCE NORTH 88°47'03" WEST FOR A DISTANCE OF 503.56 FEET; THENCE NORTH 37°02'47" WEST FOR A DISTANCE OF 494.35 FEET; THENCE NORTH 89°03'46" WEST FOR A DISTANCE OF 263.30 FEET; THENCE NORTH 1°42'02" EAST FOR A DISTANCE OF 418.16 FEET; THENCE SOUTH 88°16'16" EAST FOR A DISTANCE OF 26.99 FEET; THENCE NORTH 1°43'44" EAST FOR A DISTANCE OF 61.63 FEET; TO THE SOUTHERLY RIGHT OF WAY OF STATE ROAD 390 AND TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1250.92 FEET; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 33°06'48" AN ARC LENGTH OF 722.95 FEET(CHORD: NORTH 59°43'27" EAST, FOR 712.94 FEET) TO THE POINT OF BEGINNING. SUBJECT TO CONSERVATION EASEMENT A-4, AS RECORDED IN OFFICIAL RECORDS BOOK 3604, PAGE 430 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA.

EXHIBIT 7

Doreen Felder
Deputy City Clerk
8-5-2026

ORDINANCE NO. 3256

AN ORDINANCE OF THE CITY OF PANAMA CITY, FLORIDA, AMENDING CHAPTER 113A OF THE, UNIFIED LAND DEVELOPMENT CODE, REMOVING PROPORTIONATE SHARE MITIGATION AND ADDING "TRANSPORTATION IMPACT FEE," THEREBY CREATING AND IMPOSING A TRANSPORTATION IMPACT FEE ON DEVELOPMENT WITHIN THE CITY LIMITS AND CREATING A TRANSPORTATION IMPACT FEE PROGRAM AND ADOPTING RELATED PROVISIONS; PROVIDING FOR LEGISLATIVE FINDINGS AND ADOPTING A TRANSPORTATION IMPACT FEE STUDY IN SUPPORT OF SUCH IMPACT FEE; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City Commission has retained the firm of Kimley-Horn and Associates, Inc. to study the technical basis to enact a new transportation impact fee program within the City limits; and

WHEREAS, Kimley-Horn and Associates, Inc. has prepared and presented to the City Commission a report titled "Transportation Impact Fee Report, City of Panama City, Florida" dated June 2025 (the "Impact Fee Study"), which establishes the proportion of new development's impacts on the Transportation Facilities for which impact fees will be collected pursuant to this Ordinance; and

WHEREAS, the Impact Fee Study has been presented to and reviewed by the City Commission, which has determined: (1) that impact fees are necessary to offset the costs to the City associated with meeting the demand for additional Transportation Facilities created by projected new residential and non-residential development; (2) that the amount of the impact fees to be imposed by the City bears a reasonable relationship to the burden imposed upon the City to provide to new development the additional Transportation Facilities addressed in the Impact Fee Study, (3) the expenditure of transportation impact fees, pursuant to the terms of this Ordinance, will result in a beneficial use to such new development reasonably related to the impact fees, per dwelling unit, by type, and per increment of non-residential development; (4) that a "rational nexus" exists between the projected new development and the need for additional Transportation Facilities to be

funded via the transportation impact fees; and (5) that the amount of the transportation impact fees is “roughly proportional” to the additional Transportation Facilities needed to provide adequate service to new development; and,

WHEREAS, pursuant to § 163.31801, Florida Statutes:

(a) The Impact Fee Study, and the transportation impact fees recommended therein, are based on the most recent and localized data;

(b) This Ordinance includes procedures for accounting and reporting of transportation impact fee collections and expenditures in order to assure compliance with applicable legal standards;

(c) This Ordinance provides for a separate accounting fund for the revenues and expenditures for which an impact fee will be collected;

(d) Administrative fees charged pursuant to this Ordinance for the collection of transportation impact fees are limited to actual costs to the City to administer collection of transportation impact fees;

(e) The City provided notice on the 30th, day of December, 2024, which is more than ninety (90) days prior to the effective date of this Ordinance; and

(f) This Ordinance requires audits of the City’s financial statements to include an affidavit of the City’s chief financial officer stating that the requirements of § 163.31801, Fla. Stat. have been complied with; and

WHEREAS, planning for new roads and transportation improvements to serve new growth and development that generate additional travel, and the implementation of such planning through the comprehensive planning process is a responsibility of the City under Chapter 163, pt. II (the Community Planning Act), Florida Statutes, and is in the best interest of the health, safety, and welfare of the citizens of the City; and

WHEREAS, the Florida Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction; and

WHEREAS, on November 12, 2024, the City's local planning agency, the Planning Board held a hearing on this Ordinance and made a recommendation to the City Commission; and

WHEREAS, the City Commission finds, based on the Impact Fee Study, that multi-modal improvements, including those associated with vehicular, bike, pedestrian, ADA accessible and transit travel, expand the capacity of the City's transportation facilities; and

WHEREAS, the transportation impact fees assessed pursuant to this Ordinance are necessary to ensure the public health, safety, and welfare of the residents of the City of Panama City;

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF PANAMA CITY, FLORIDA AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance as legislative findings.

Section 2. City Code Amendment. Chapter 113A of the Panama City Unified Land Development Code is hereby amended as follows:

(~~strikethrough~~ text is deleted; underlined text is added)

CHAPTER 113A – PROPORTIONATE SHARE MITIGATION
TRANSPORTATION IMPACT FEE

Sec. 113A-1. Purpose.

~~The purpose of this chapter is to describe the method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the proportionate share program, consistent with F.S. § 163.3180.~~

Sec. 113A-2. Applicability.

~~The proportionate share program shall apply to all applicants for developments in the City of Panama City that have been notified of a lack of capacity to satisfy transportation concurrency on a transportation facility governed by the city's concurrency management system, including transportation facilities maintained by Bay County, FDOT, or another jurisdiction that are relied upon for concurrency determinations.~~

Sec. 113A-3. Exclusions.

~~The proportionate share program does not apply to developments exempted from concurrency as provided in the comprehensive plan, in chapter 113 of this Code, and/or pursuant to the provisions of F.S. § 163.3180, governing de minimus impacts. Also excluded are transportation improvements required for public safety, on-site roadway improvements, or off-site improvements otherwise required by the Code for non-deficient roadway segments.~~

Sec. 113A-4. Minimum requirements for proportionate share mitigation.

Notwithstanding chapter 113 of the Code, an applicant for development may choose to satisfy all transportation concurrency requirements by contributing or paying proportionate share mitigation only under the following conditions:

- A. The proposed development is consistent with the comprehensive plan and applicable land development regulations.
- B. The city's five-year capital improvement element (CIE) includes capacity of the transportation improvements that, upon completion, will fully mitigate for the additional traffic generated by the proposed development.
- C. If the city's concurrency management system indicates that the capacity of the transportation improvement set forth in the CIE has already been consumed by the allocated trips of previously approved development or the CIE does not reflect the transportation improvement needed to satisfy concurrency, then the provisions of this section shall apply.
- D. The city may choose to allow an applicant to satisfy transportation concurrency through the proportionate share program by contributing to an improvement that, upon completion, will fully mitigate for the additional traffic generated by the proposed development but is not contained in the CIE as follows:
 - 1. The applicant enters into a binding agreement to pay for or construct its proportionate share of the required improvement necessary to serve the proposed development.
 - 2. The improvement or improvements funded by the proportionate share component must be adopted into the five-year schedule of capital improvements in the capital improvements element of the comprehensive plan or the long-term schedule of capital improvements for an adopted long-term schedule of capital improvements for an adopted long-term concurrency management system at the next regularly scheduled annual capital improvements element of the comprehensive plan update.
- E. Any improvement project proposed to meet the developer's fair share obligation must meet local design standards as well as those of the Florida Department of Transportation (FDOT) for the state highway system.

Sec. 113A-5. Intergovernmental coordination.

Pursuant to the policies of the intergovernmental coordination element of the city's comprehensive plan and applicable policies in the Bay County Transportation Planning Organization's Programs as amended, the city shall coordinate with affected jurisdictions, including FDOT, regarding mitigation to impacted facilities not under the jurisdiction of the local government receiving the application for proportionate share mitigation. An interlocal agreement may be established with any other affected jurisdiction for this purpose.

Sec. 113A-6. Application process.

The proportionate share program shall be governed by the following procedures:

- A. Within ten days of a determination of a lack of capacity to satisfy transportation concurrency, the applicant for development shall be notified in writing of the city's proportionate share program.

- B. ~~Prior to submitting an application for proportionate share mitigation, a pre-application meeting shall be held to discuss eligibility, application submittal requirements, potential mitigation options, and related issues.~~
 - C. ~~Eligible applicants shall submit an application to the city that includes an application fee of \$250.00 and the following:~~
 - 1. ~~Name, address, and phone number(s) of owner(s), developer, and any authorized agent;~~
 - 2. ~~Property location, including parcel identification numbers;~~
 - 3. ~~Legal description and survey of property;~~
 - 4. ~~Project description, including type, intensity, and distribution of development;~~
 - 5. ~~Any proposed phasing schedule;~~
 - 6. ~~Description of proposed proportionate share mitigation methods;~~
 - 7. ~~Estimated value of the proposed fair share mitigation pursuant to this chapter;~~
 - 8. ~~All necessary applications.~~
 - D. ~~Within ten business days of submittal, the director or their designee shall review the application and determine whether the application is complete and sufficient. If an application is determined to be insufficient, incomplete, or inconsistent with the general requirements of the program and this chapter, the applicant will be notified in writing within 20 business days of the submittal of the application. If the deficiencies are not remedied within 45 business days of notification, the director shall deny the application. The director may grant an extension of time if requested in writing. Any extension shall be no longer than 60 days and shall be subject to the applicant showing good cause for the extension and verification that the applicant has taken reasonable steps to remedy the deficiencies.~~
 - E. ~~Pursuant to F.S. § 163.3180, proposed proportionate share mitigation for development impacts to facilities on the strategic intermodal system requires the consultation and coordination with the Florida Department of Transportation (FDOT). In such event, the applicant shall submit evidence that FDOT concurs with the proposed proportionate share mitigation.~~
 - F. ~~Within 60 business days from the date at which the application is deemed sufficient, complete, and eligible, the director shall evaluate the application pursuant to this chapter and subsequently notify the applicant in writing of the status of approval. A copy of the notification shall be provided to the FDOT for any proportionate share mitigation proposed on a strategic intermodal system (SIS) facility or any other FDOT facility.~~
 - G. ~~Appeals of decisions of the director pursuant to this chapter shall be made directly to the city commission.~~
- Sec. 113A-7. Methodology for determining proportionate share mitigation.**
~~The following shall describe the methodology to determine proportionate share mitigation.~~
- A. ~~Proportionate share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities, and may include public funds if the city commission authorizes the use of public funds.~~
 - B. ~~A development shall not be required to pay more than its proportionate share. The applicant will be assessed a proportionate share of the cost of providing the~~

transportation facilities necessary to serve the proposed development. An applicant shall not be responsible for the additional cost of reducing or eliminating deficiencies.

- C. ~~The methodology to be used by the director to calculate an applicant's proportionate share mitigation shall be as provided for in F.S. § 163.3180, as follows:~~
- ~~1. The proportionate share contribution shall be calculated based upon the number of trips from the proposed development expected to reach roadways during the peak hour from the stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain or achieve the adopted level of service, multiplied by the construction cost, at the time of development payment, of the improvement necessary to maintain or achieve the adopted level of service.~~
 - ~~2. The traffic analysis shall identify those roads or facilities that have a transportation deficiency. Transportation deficiency is defined as a facility or facilities on which the adopted level of service standard is exceeded by the existing, committed, and vested trips, plus additional projected background trips from any source other than the development project under review, and trips that are forecast by established traffic standards, including traffic modeling, consistent with the University of Florida's Bureau of Economic and Business Research medium population projections. Additional projected background trips are to be coincident with the particular stage or phase of development under review.~~
 - ~~3. The proportionate share formula shall be applied only to those facilities that are determined to be significantly impacted by the project traffic under review. If any road is determined to be transportation deficient without the project traffic under review, the costs of correcting that deficiency shall be removed from the project's proportionate share calculation and the necessary transportation improvements to correct that deficiency shall be considered to be in place for purposes of the proportionate share calculation. The improvement necessary to correct the transportation deficiency is the funding responsibility of the entity that has maintenance responsibility for the facility. The development's proportionate share shall be calculated only for the needed transportation improvements that are greater than the identified deficiency.~~
 - ~~4. When proportionate share has been satisfied for a particular stage or phase of development, all transportation impacts from that stage or phase for which mitigation was required and provided shall be deemed fully mitigated in any transportation analysis for a subsequent stage or phase of development. Trips from a previous stage or phase that did not result in impacts for which mitigation was required or provided may be cumulatively analyzed with trips from a subsequent stage or phase to determine whether an impact requires mitigation for the subsequent stage or phase.~~
 - ~~5. In projecting the number of trips to be generated by the development under review, any trips assigned to a toll financed facility shall be eliminated from the analysis.~~
 - ~~6. The applicant shall receive a credit on a dollar for dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements paid or payable in the future for the project. The credit shall be reduced up to 20~~

percent by the percentage share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by local ordinance, whichever yields the greater credit.

D. For the purpose of determining proportionate share mitigation, the city shall determine improvement costs based upon the actual cost of the improvement as obtained from the capital improvements element, the CIP, the TPO Transportation Improvement Program, or the FDOT Work Program. Where such information is not available, improvement cost shall be determined using one of the following methods:

1. An analysis by the city of costs by cross section type that incorporates data from recent projects and is updated annually. In order to accommodate increases in construction material costs, project costs shall be adjusted by the inflation factor established by the U. S. Department of Commerce; or
2. The most recent issue of FDOT Transportation Costs report, as adjusted based upon the type of cross section; locally available data from recent projects on acquisition, drainage, and utility costs; and significant changes in the cost of materials due to unforeseeable events. Cost estimates for state road improvements not included in the adopted FDOT Work Program shall be determined using this method in coordination with the FDOT District.

E. If a proposed form of proportionate share mitigation is other than financial, then the value of the proportionate share mitigation improvement shall be determined using one of the methods provided in this section.

F. If the conveyance of land or a right of way dedication is proposed as a form of proportionate share mitigation, the value of the land or right of way shall be the fair market value established by an independent appraisal approved by the city at the time of the application and at no expense to the city. The applicant shall supply with the application a survey and legal description of the land or right of way and a certificate of title or title search of the land to the city at no expense to the city, and shall deliver clear title by warranty deed to the city at closing.

Sec. 113A-8. Certificate of concurrency for proportionate share mitigation.

Upon approval of an application for proportionate share mitigation, the following requirements shall apply:

- A. The city shall issue to the applicant a certificate of concurrency governing concurrency for transportation facilities, which shall explicitly set forth the proportionate share mitigation required by this chapter.
- B. If within 12 months of the date of the certificate of concurrency the applicant should fail to apply for a building permit, the approval of the application for proportionate share mitigation shall be considered null and void. At that time, the applicant will be required to reapply for a certificate of concurrency for the project. Extensions may only be granted by the director should the applicant show good cause in due diligence in their permitting process.
- C. Dedication of land or right of way for facility improvements to the city as proportionate share mitigation must be completed prior to issuance of the certificate of acceptance or recordation of the final plat.
- D. Any requested change to a development project subsequent to a development order may be subject to additional proportionate share mitigation to the extent the change

would generate additional traffic that would require mitigation. In such event, the applicant for development must submit an application pursuant to this chapter.

- E. Applicants may submit a letter to withdraw from the proportionate share program at any time prior to the issuance of the certificate of concurrency. The application fee and any associated advertising costs to the city will be nonrefundable.
- F. The city may consider joint applications for proportionate share mitigation to facilitate collaboration among multiple applicants on improvements to a shared transportation facility, and may coordinate with other jurisdictions on proportionate share mitigation through inter local agreements.

Sec. 113A-9. Appropriation of fair share revenues.

At the time the proportionate share mitigation funds are received pursuant to this Chapter, they shall be deposited as follows:

- A. Proportionate share mitigation funds shall be placed in the appropriate project account for funding of scheduled improvements in the CIE or CIP, or as otherwise established in the terms of the certificate of concurrency, or as a condition of development approval. At the discretion of the city, proportionate share revenues may be used for operational improvements prior to construction of a project from which the proportionate share funds were derived. Proportionate share mitigation funds may also be used as the 50 percent local match for funding under the FDOT Transportation Regional Incentive Program (TRIP).
- B. In the event a scheduled facility improvement is removed from the CIP, then the revenues collected for its construction may be applied toward the construction of another improvement within that same corridor or sector that the city determines will mitigate the impacts of development.
- C. Where an impacted regional facility has been designated as a regionally significant transportation facility in an adopted regional transportation plan pursuant to F.S. § 339.155, then the city may coordinate with other impacted jurisdictions and agencies to apply proportionate share mitigation and public contributions and seek funding for improving the impacted regional facility under the FDOT Transportation Regional Incentive Program (TRIP). Such coordination shall be ratified by the city through an interlocal agreement that establishes a procedure for earmarking of the developer contributions for this purpose.

Sec. 113A-10. Impact fee credit for proportionate share mitigation.

The following requirements shall apply regarding impact fee credits and proportionate share mitigation:

- A. Proportionate share mitigation shall be applied as a credit against impact fees only when a transportation impact fee is applied. Credits will be given for that portion of the applicant's transportation impact fees that would have been used to fund the improvements on which the proportionate share mitigation is calculated. If the proportionate share mitigation is based on only a portion of the development's traffic, the credit will be limited to that portion of the impact fees on which the proportionate share mitigation is based.
- B. Impact fee credits for the proportionate share mitigation will be determined when the transportation impact fee is calculated for the proposed development. If the applicant's proportionate share mitigation is less than the development's anticipated road impact

- fee for the specific stage or phase of development under review, then the applicant or its successor must pay the remaining impact fee amount to the city.
- C. ~~The proportionate share mitigation is intended to mitigate the transportation impacts of a proposed development at a specific location. As a result, any road impact fee credit based upon proportionate share mitigation for a proposed development cannot be transferred to any other location.~~

Sec. 113A-1. Purpose and authority.

- (a) The city commission of the City of Panama City recognizes the urban nature of the city and that growth and development in the city will require that the capacity of the city's transportation be expanded in order to maintain adequate levels of service and transportation choices, and that without a funded program for transportation improvements, new growth and development would have to be limited in order to protect the health, safety and welfare of the citizens of the City of Panama City.
- (b) The city commission has completed a study identifying the cost, credit, and demand components of the transportation impact fee.
- (c) The purpose of this chapter is to ensure that new growth and development that is approved by the city pays its portion of the costs of transportation facilities needed to serve new growth and development.
- (d) This chapter, which requires new development to pay reasonable impact fees, requires new development to pay its portion of the reasonably anticipated expansion costs of new transportation facilities created by new growth and development to assist the city in effectively implementing and carrying out the city's comprehensive plan, as amended and adopted under § 163.3161 et seq., Florida Statutes, and ensuing capital improvements program in the best interests of the public health, safety, and welfare.
- (e) The technical data, findings and conclusions herein are based on the report entitled "Transportation Impact Fee Report, City of Panama City, Florida," prepared by Kimley-Horn and Associates, Inc., and dated June 2025 (referred to in this Chapter as the "Technical Report").

Sec. 113A-2. Adoption of technical report as basis of impact fees.

The city hereby adopts and incorporates by reference, the report entitled "Transportation Impact Fee Report, City of Panama City, Florida," prepared by Kimley-Horn and Associates, Inc., and dated June 2025 (referred to in this Chapter as the "Technical Report"), which was used as the basis for and supports the rates and reasonableness of the impact fees imposed by this chapter.

Sec. 113A-3. Interpretations of this chapter.

Interpretation of the provisions of this chapter will be made by the Director of Development Services.

Sec. 113A-4. Effect on other regulations and requirements.

- (a) This chapter may not be construed to alter, amend, or modify any other provision of the city's code of ordinances, including the city's land development regulations. Other provisions of the city's code of ordinances will be operative and remain in full force and effect regardless of any contrary provisions, definitions, or intentions that are or may be expressed or implied in this chapter.
- (b) The payment of impact fees does not entitle the applicant to a building permit or certificate of occupancy unless all other applicable land use, land development, zoning, planning, and other applicable requirements, standards, and conditions have been met. Such other requirements, standards, and conditions are independent of the requirement for payment of multi-modal transportation impact fees required by this chapter.
- (c) This chapter, including the specific impact fee ordinances for particular public facilities, does not affect, in any manner, the permissible use of property, density, or intensity of development, design and improvement standards, or other applicable standards or requirements of the city's land development regulations.

Sec. 113A-5. Definitions.

The following words, terms, and phrases, when used in this chapter, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Panama City, Florida.

Demand component of the impact fee means the vehicle miles traveled calculated for each land use, which is comprised of three (3) components: the trip generation rate; trip length; and percent new trips. The components for each land use are set forth in the technical report.

Developer means a person, corporation, limited liability company, partnership, trust, organization, or other legal entity undertaking development.

Development means any construction or expansion of building(s) or structure(s), or any changes in the use of any building(s) or structure(s) or land use that will generate additional impact on the city's public facilities.

Director means the Director of Development Services Department, or successor office or department, of the city or his/her designee.

Encumbered means legally obligated or otherwise committed to use by appropriation or contract.

Essential public services means services or buildings owned, managed, or operated by or in the interest of a governmental entity, which provide a function critical to the health, safety, and welfare of the public, but which are not proprietary in nature. Essential public services may specifically include, but not be limited to, public schools, water and sewer services, parks and recreation facilities, emergency services, publicly owned housing, and public safety facilities and services.

Fee payer means a person undertaking development who pays a transportation impact fee in accordance with the terms of this chapter.

Impact fee means a fee imposed pursuant to this chapter.

Impact fee account means an account established by the city for the purpose of segregating multimodal transportation impact fee revenues from all other city funds. This fund account shall be titled "multimodal transportation impact fee fund."

Infrastructure shall have the same meaning ascribed to such term in § 163.31801, Florida Statutes, as such definition may be amended or transferred.

Level of service means a measure of the availability and accessibility of public facilities in support of public facility services.

Transportation impact fee (or impact fee) means a proportional share impact fee, imposed by this chapter, necessary to mitigate the multi-modal capital costs to the city to provide the multi-modal facilities needed to offset the impacts of new residential and nonresidential growth in the city.

Multi-modal facilities means transportation (roadway, bicycle, ADA accessibility, and pedestrian) and transit facilities, including land, that are planned and designed to provide off-site transportation capacity to new development, in contrast to "on-site" improvements, which are necessary to provide safe and/or efficient access to a particular development. The fact that either type of improvement may have incidental benefits of special or general character may not be considered in determining which facilities are considered a multimodal facility. The character of the improvement will control a determination of whether an improvement meets the definition of a multimodal facility, and the physical location of the improvement on or off-site will not be considered determinative.

Multi-modal capital costs include, but are not limited to, costs associated with the planning, design, and construction of new or expanded roadway, bicycle, ADA accessibility, and pedestrian improvements to the city's classified road system and transit facilities, which improvements have a life expectancy of five (5) or more years, and the land acquisition, land improvement, design, and engineering, materials, and construction costs related thereto. Additionally, such assets must have an individual cost of more than five hundred dollars (\$500.00) for tangible personal property or one thousand dollars (\$1,000.00) for buildings, improvements, infrastructure, capital equipment, accessibility improvements, and utility systems. Such costs do not include the cost of repair or maintenance or personnel, training, or other operating costs but do include the following costs as they relate to the provision of multimodal improvements to and capital equipment for the city's classified road system and transit facilities:

- (1) The cost of all labor and materials;
- (2) The cost of all lands, property, rights, easements and franchises acquired, including costs of acquisition or condemnation;
- (3) The cost of all plans and specifications;
- (4) The cost of all construction including new through lanes, new turn lanes, new bridges, new drainage facilities in conjunction with roadway improvements which add capacity to the roadway system, new street lighting, new traffic signalization and landscaping, and new curbs, sidewalks, medians and shoulders, all in accordance with the City of Panama City comprehensive plan and its zoning regulations;

- (5) The costs of transit capital equipment and capital improvements, including lighting, landscaping, bus shelters, bus stops, benches, transfer stations, and park and ride lots;
- (6) The cost of bicycle facilities and pedestrian walkway improvements, including bridges;
- (7) The cost of accessibility projects and improvements in compliance with the requirements of the Americans with Disabilities Act of 1990;
- (8) The cost of relocating utilities to accommodate new roadway construction;
- (9) The cost of planning, engineering and legal services;
- (10) The cost of all land surveying, environmental testing, soils testing and materials testing;
- (11) The cost of mitigating negative impacts of construction including natural resource impacts, environmental impacts, noise impacts, air quality impacts, and community impacts;
- (12) Intelligent Transportation Systems (ITS); and
- (13) Other mobility improvements.

Regardless of the foregoing, multi-modal capital costs do not include any costs to which impact fees may not be applied pursuant to applicable statute.

Non-commencement means the cancellation of construction activity making a material change in a structure, or the cancellation of any other development activity making a material change in the use or appearance of land.

Person means an individual, corporation, governmental agency, business trust, estate, trust, partnership, limited liability company, association, two (2) or more persons having joint or common interest, or any other legal entity.

Planning board means the local planning agency and board appointed by the city commission to hear appeals as provided by the Unified Land Development Code.

Public facilities means capacity-adding multi-modal facilities for which impact fees are collected pursuant to this chapter.

Technical report means the "Transportation Impact Fee Report, City of Panama City, Florida," prepared by Kimley-Horn and Associates, Inc., and dated June 2025.

Temporary uses means uses that are required in the construction phase of development or are uniquely seasonal in nature, including, but not limited to: contractor's project offices, project sales offices, seasonal sales of trees or farm produce, carnivals, and tent meetings.

Sec. 113A-6. Applicability of this chapter.

- (a) Affected area. This chapter applies to all new development within the city.
- (b) Type of development affected. Except where specifically exempted by the provisions of this chapter, this chapter applies to all new development.

- (c) Type of development exempted. The following types of development are exempt from the payment of multi-modal transportation impact fees pursuant to this chapter:
- (1) Alterations of an existing dwelling unit where no additional units or square footage are created and the use is not changed;
 - (2) The construction of accessory buildings or structures that will not increase the traffic generation associated with the principal building or structure or the land;
 - (3) The construction of Accessory Dwelling Units pursuant to section 110-3 which are less than 1,200 square feet;
 - (4) The construction of a dwelling, building or structure, or any approvals in conjunction with an application filed with the City of Panama City and approved by the City Commission or other appropriate City body including, but not limited to conditional use approval, zoning approval development order deemed complete as of September 30, 2025 or building permit prior to the effective date of this chapter. The effective date of this chapter shall be [INSERT DATE OF ADOPTION OF ORDINANCE].
 - (5) Temporary uses;
 - (6) Essential public services, including, but not limited to construction projects paid for using public funds for a federal, state, political subdivision or municipal purpose
 - (7) Construction of a dwelling unit less than 2,400 square feet on a lot that existed prior to [INSERT DATE OF ADOPTION OF ORDINANCE].
 - (8) Reconstruction of a dwelling unit on a lot that existed prior to [INSERT DATE OF ADOPTION OF ORDINANCE] or which previously paid the multimodal transportation impact fee shall receive a credit up to the amount of the fee assessed or which would be assessed for the square footage of the previously existing dwelling unit. In order to qualify for this exemption, the newly constructed dwelling unit must begin construction within 36 months of the demolition or destruction of the prior dwelling unit.
 - (9) Construction of affordable housing as defined by the State Housing Initiative Partnership Act, chapter 420, Florida Statutes.
- (d) Reductions. Reductions from the requirement to pay impact fees pursuant to this chapter may be granted only as specifically provided in this chapter; provided, however, that, from time to time, the City Commission may, by resolution, adjust the amount of the fees to be collected, by either decreasing or increasing the amount, but never increasing the amount by more than the adopted multi-modal impact fee schedule (sec. 113A-14) and not more than 50% of the fee being charged at the time of the adoption of the resolution. Any resolution to adjust the fees shall be adopted after two (2) public hearings, one before the Planning Board and one before the City Commission, and shall consider the state of the economy and make a finding that the need for the adjustment in the fees will not be detrimental to the health, safety and welfare of the City. Where new development involves the redevelopment of land or a

change in use such that existing impact generating development is removed or substantially altered, the new development impact fees will be computed on the additional or new impacts only by computing impact fees for the existing development and subtracting such from the impact fees calculated for the new development. No impact fee credits or refunds will be given in the event a redevelopment of land or change in use results in a lower impact generating development. It being the city's intent to collect impact fees for only that additional impact generated by redevelopment or change in use over and above the impact attributable to the existing development. For properties where a building or structure has been demolished, destroyed or sits vacant and a replacement building or structure has not been permitted for reconstruction or redevelopment the previously existing building or structure will not be considered as previously existing for impact fee purposes and the new development will be charged at the full impact fee amount due (without reduction) based on the new development unless the newly constructed building or structure begins construction within 36 months of the demolition or destruction of the previously existing building or structure.

Sec. 113A-7. Collection of impact fees.

- (a) Beginning October 1, 2026, impact fees required by this chapter will be assessed against new development not exempted pursuant to section 113A-6(c) and will be collected at the time of issuance of a building permit by the city. Any person who seeks to develop or redevelop real property located in the city by applying for a building permit shall pay the impact fees in the manner and amounts set forth in this chapter, unless such development or redevelopment is exempt pursuant to section 113A-6(c). If the building permit is for less than the entire contemplated development, the fee shall be computed for the amount of development covered by the permit. The obligation to pay impact fees due shall run with the land. The city commission may, by resolution, establish and collect an administrative charge to offset its actual costs of impact fee collection.
- (b) In the event impact fees due under this chapter, or any portion or combination thereof, are not paid when due for any reason, including by impact fee payment based on incorrect land use activity, mistake or inadvertence, the city shall have the right to proceed to collect such fees as follows:

 - (1) The city shall serve, by certified mail-return receipt requested and regular U.S. Mail, a notice of nonpayment upon the building permit applicant at the address set forth in the building permit application, and then current owner of the property based on the ownership information appearing on the Bay County Property Appraiser website. Provided the city sends the notice of nonpayment, the applicant's and/or current owner's failure to receive delivery of such notice of nonpayment shall not invalidate or otherwise impact the city's ability to collect the outstanding amount owed and place and foreclose a notice of lien against the applicable property.
 - (2) The notice of nonpayment shall contain:

 - a. A description of the property;
 - b. Advise the applicant and the property owner of the amount due and the fee and/or charges that were not paid; and

- c. Advise that in the event the impact fees are not paid within 30 calendar days from the date of the notice of nonpayment, that a notice of lien against the applicable property for which the building permit was secured may be recorded in the official records of the county and such notice of lien may be foreclosed upon by the city to collect the outstanding sums owed plus accrued interest and attorneys' fees and other collection expenses.
- (3) If the amount set forth in the notice of nonpayment is not paid within 30 days from the date of the notice of nonpayment, then:
- a. The outstanding balance owed to the city shall accrue interest at the rate of 12 percent per annum until such amount is paid in full;
 - b. The city may proceed to record a notice of lien against the applicable property in the official records of the county. Once recorded, the notice of lien shall constitute a lien against the property described therein; and
 - c. A copy of the notice of lien shall be served by U.S. Mail to the applicant and the property owner at the same addresses as set forth in subsection (1) above.
- (4) After the expiration of 60 days from the date of recording of the notice of lien, a suit may be filed to foreclose said lien. Such foreclosure proceedings shall be instituted and prosecuted in conformity with the procedures for the foreclosure of liens as set forth in the Florida Statutes. The city shall also have the right to bring an action for monetary judgment to collect past due amounts owed.
- (5) The owner shall be responsible for and the city shall be entitled to reimbursement for the payment of all collection expenses and costs, including attorneys' fees and litigation costs and recording and filing fees, incurred by the city in the collection of fees and charges, filing of liens and in actions to foreclose such liens or actions for a monetary judgment.
- (6) If impact fees or any portion or combination thereof have not been paid when due, the city shall have the right to, without notice, immediately withhold the issuance of and not process for review any certificate of occupancy, development permit or development order applications associated with the development and property at issue and may issue and enforce a stop work order on construction associated with the development and property at issue until such fees and charges and the city's associated collection costs are paid in full.
- (d) The collection and enforcement procedures set forth in this section shall be cumulative with, supplemental to and in addition to any applicable procedures provided in any other ordinance or administrative regulations of the city, any applicable law or administrative regulation of the state, or any agreement. Failure of the city to follow the procedure set forth in this section shall not constitute a waiver of its rights to proceed under any other ordinances or administrative regulations of the city, any applicable law or administrative regulation of the state, or any agreement.

Sec. 113A-8. Alternative calculation of transportation impact fees.

- (a) In the event an applicant believes that the cost of off-site transportation improvements needed to serve his or her proposed development is less than the fee established in section 113A-20, the applicant may, at no expense to the city, submit an alternative fee calculation to the director, or the director's designee, pursuant to the provisions of this section. At the time of issuance of a building permit, an applicant must pay or defer the assessed impact fee clearly marked as "under protest," if he or she intends to submit an alternative fee calculation to the city. In such case, the applicant must, no later than ninety (90) days after payment or deferral under protest, notify the city, in writing, of his or her intent to submit the alternative impact fee calculation; failure to provide such written notification shall waive the applicant's right to submit an alternative fee calculation. Such an alternative fee calculation shall be timely submitted to the director for review and approval and is subject to approval by the city commission, including executing and entering into an alternative impact fee agreement with the city, prior to issuance of any certificate of occupancy, temporary or permanent. The alternative impact fee agreement must be in a form and with terms acceptable to the city.
- If the data, information, and assumptions used by the applicant to calculate the alternative impact fee satisfy the requirements of this section, the alternative impact fee shall be deemed the impact fee due and owing for the proposed development.
- (b) The alternative impact fee shall be calculated by use of the following formula for each land use:

$$\text{Fee} = (\text{Capacity Consumed} \times \text{Cost of Capacity}) - \text{Credit}$$

Where:

Capacity Consumed = (Trip Rate x Assessable Trip Length x % New Trips) / 2
x (1 - Interstate & Toll Facility Discount Factor)

Cost of Capacity = Cost per Added Lane Mile / Average Vehicle-Capacity Added per Lane Mile

Credit = Present Value Gas Tax Credit + Present Value of Ad Valorem Credit, given 4.0% interest rate and a 25-year facility life

Trip Rate = the average daily trip generation rate for the type of development (land use) proposed, in vehicle-trips/day

Assessable Trip Length = the average trip length on collector roads or above for the proposed land use, in miles (this excludes travel on local neighborhood roads).

Total Trip Length = the assessable trip length plus an adjustment factor of half a mile, which is added to the trip length to account for the fact that gas taxes are collected for travel on all roads including local roads

% New Trips = adjustment factor to account for pass-by trips associated with the proposed land use that are already on the roadway

Divide by 2 = the total daily miles of travel generated by the proposed land use is divided by two to prevent the double-counting of travel generated between two land use codes since every trip has an origin and a destination

Interstate & Toll Facility Discount Factor = discount factor to account for travel demand occurring on interstate highways and/or toll facilities

Cost per Added Lane Mile = unit cost to construct one lane mile of roadway, including multi-modal elements, in \$/lane-mile (\$4,540,000)

Average Vehicle-Capacity Added per Lane Mile = represents the average daily traffic on one travel lane at capacity for one lane mile of roadway, in vehicles/lane-mile/day (9,000)

Cost per Vehicle-Mile of Capacity = Cost per added lane mile divided by average capacity added per lane mile (\$504.44)

\$Tax/Gallon to Capital = the amount of equivalent gas tax revenue per gallon of fuel that is used for capital improvements, in \$/gallon (\$0.197)

Fuel Efficiency = average fuel efficiency of vehicles, in vehicle-miles/gallon (18.92)

Present Value = calculation of the present value of a uniform series of cash flows, gas tax payments in this case, given an interest rate, "i," and a number of periods, "n;" for 4.00% interest and a 25-year facility life, the uniform series present worth factor is 15.6221

Effective Days per Year = 365 days

Annual Gas Tax Credit = ((Trip Rate x Total Trip Length x % New Trips) / 2) x (Effective Days per Year x \$Tax/Gallon to Capital) / Fuel Efficiency

Ad Valorem Credit = present value of the amount of ad valorem taxes used toward transportation capacity, calculated based on the projected property value of the proposed land use (see calculations in Appendix D of Appendix A to the City of Panama City Transportation Impact Fee Report, June 2025)

Fees are based on the applicable Trip Rate variable (i.e., 1,000 square feet, dwelling unit, rooms, etc.). The total impact fee is calculated as the size of the proposed development (measured by the Trip Rate variable) x the alternative impact fee (per the Trip Rate variable).

Sec. 113A-9. Credits.

- (a) Any person who initiates any development may apply for a credit against the impact fees imposed by this chapter for any contribution, payment, construction, or dedication of land accepted and received by the city for public facilities, not otherwise required in order to obtain development approval, consistent with the capital improvements program, including all public facilities capital costs. Consistent with state law, the city must credit against the collection of the impact fees any contribution, whether identified in a proportionate share agreement or other form of exaction, related to public facilities or infrastructure consistent with the city's capital improvements program, including land dedication, site planning and design, or

construction. Any such contribution must be applied on a dollar-for-dollar basis at fair market value to reduce any impact fee to be collected for the general category or class of public facilities or infrastructure for which the contribution was made.

- (b) Development agreements entered into prior to the adoption of this chapter that contained public facility improvements may be entitled to a credit under the provisions of this section if the improvement is a public facility and is consistent with the capital improvements program.
- (c) In the case of Lot Split, as defined by section 116-3, the credit or exemption applicable to the Lot being split shall be divided equally across the newly created Lots. Similarly, in the event an owner of a Lot has combined Lots into a single use, for example a single dwelling unit constructed on two adjoining Lots where the owner has used the Lots as one larger lot, then, in the event the combined Lots are returned to separate Lots, the credit or exemption applicable to the combined Lots shall be divided equally across the newly returned separated Lots. In both cases above, it shall be the responsibility of the owner or applicant of the Lots to apply for the credit or exemption at the time of application for a building permit for the first of the Lots to be developed and failure to make such application shall be deemed a waiver.
- (d) A developer may apply for a credit against the impact fees imposed by this chapter upon development of a vacant parcel or the redevelopment of a parcel. It is the responsibility of the developer to provide evidence to the director as to the highest intensity building or structure constructed, or previously constructed upon the parcel by which to calculate the reduction in the total amount of impact fees otherwise required for the subject parcel. If this evidence cannot be ascertained, the city must use the trip generation rate of the last known building or structure on the parcel to determine whether payment of additional impact fees apply.
- (e) Except as limited above, if an applicant is entitled to a credit, such credit must be equal to the dollar value of the cost of the public facilities contributed, paid for, constructed, or dedicated to the city, based on the following criteria:
 - (1) The value of the construction of an improvement or the value of conveyed capital equipment shall be based upon the actual cost of construction or acquisition of said improvement or capital equipment as certified by a professional architect or engineer as registered by the State of Florida or as shown by a manufacturer's or supplier's invoice. However, as to the construction of improvements to land, in no event shall any credit be granted in excess of the estimated construction costs provided by a professional architect or engineer as registered by the State of Florida and approved by the city as reasonable, unless the construction project is competitively bid, in which case, the credit shall be limited to the actual cost of construction. The cost of professional services shall be reasonable as approved by the city and in accordance with local industry standards, in order to be eligible for impact fee credits. In the city's determination of reasonableness of the costs of construction, capital equipment and professional services, among other things, the city shall have the right to review and evaluate cost information provided by the applicant, or property owner and use and rely on the opinion of other professionals; and

- (2) The value of conveyed land shall be based upon a written appraisal of fair market value as determined by a Member Appraisal Institute (MAI) appraiser who was selected and paid for by the applicant, and who used generally accepted appraisal techniques. If the appraisal does not conform to the requirements of this section and any applicable administrative regulations, the appraisal shall be corrected and resubmitted. In the event the city manager or city manager's designee disagrees with the appraised value, he or she may engage another MAI appraiser at the city's expense and the value shall be an amount equal to the average of the two appraisals. If either party does not accept the average of the two appraisals, a third appraisal shall be obtained, with the cost of said third appraisal being shared equally by the city and the owner or applicant. The third appraiser shall be selected by the first two appraisers and the third appraisal shall be binding on the parties.
- (f) The developer shall initiate a determination of entitlement to credit by submitting a proposed credit agreement to the director. The credit agreement must include the following information:
 - (1) The property and project for which the credit agreement is being proposed;
 - (2) A proposed plan of specific public facility improvements, prepared and certified by a duly qualified and licensed Florida engineer. The estimated costs for the suggested public facilities improvements consistent with the definition of public facilities capital costs, which shall be based on local information for similar public facilities improvements, along with a construction timetable for the completion of such improvements;
 - (3) A legal description and sketch for any land proposed to be conveyed to the city and a written appraisal prepared in conformity with subsection (d)(2) of this section; and
 - (4) General terms of a credit agreement as the director, the city manager and/or the city attorney may require.
- (g) The proposed credit agreement shall be prepared by qualified professionals in the field of planning and engineering, impact analysis, and economics, as related to the particular impact fee to be credited.
- (h) Within ten (10) business days of receipt of the proposed credit agreement, the director shall determine if the proposal is complete. If it is determined that the proposed credit agreement is not complete, the director will send a written statement to the applicant outlining the deficiencies. The director shall take no further action on the proposed credit agreement until all deficiencies have been corrected or otherwise settled.
- (i) Once the director determines the credit agreement is complete, the director will review it to determine: (1) if such proposed credit agreement is in conformity with needed contemplated improvements and additions to the city facilities impacted by the

construction; (2) if the proposed conveyance of land or capital equipment and construction by the applicant is consistent with the public interest; and (3) if the proposed time schedule is consistent with the capital improvement program for the city facilities impacted by the construction. If the director determines that either the suggested public facilities improvement is not consistent with the capital improvements program or that the proposed costs are not acceptable, the director may propose a suggested public facility improvement similar to that proposed, but consistent with the provisions of this chapter. The director will make a recommendation to the city commission on the proposed credit agreement when such matter is scheduled for consideration.

- (j) If the proposed credit agreement is approved by the city commission, a credit agreement will be prepared and signed by the applicant and the city. The credit agreement must specifically outline the public facility improvement that will be constructed by the applicant, the time by which it shall be completed, and the dollar credit the applicant will receive for construction of the public facilities improvement.
- (k) After execution by the city, the credit agreement will be recorded in the public records of Bay County.
- (l) Credits shall expire 36 months from the effective date of the credit agreement. No credits given shall exceed the total amount of impact fees that become due under this chapter concerning impact construction upon the property.

Sec. 113A-10. Use of funds collected; impact fee accounts.

- (a) There is hereby established two separate trust fund accounts, one for each impact fee benefit zone, titled the "transportation impact fee fund – Panama City Proper", and "transportation impact fee fund – Panama City North". Impact fees collected pursuant to this chapter must be used solely for the purpose of acquisition, expansion, and development of infrastructure as identified in the capital improvements program, the need for which results from and the provision of which will benefit new development paying impact fees. All funds must be expended within the impact fee benefit zone which they was collected. Allowable expenditures include, but are not limited to:
 - (1) Public facilities and public facilities capital costs, including projects and improvements related to accessibility pursuant to the requirements set forth in the Americans with Disabilities Act of 1990 identified in the capital improvements program;
 - (2) Repayment of monies transferred or borrowed from any budgetary fund of the city which were used to fund the acquisition, expense and development of the public facilities identified in the capital improvements program;

- (3) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the city to provide funds for acquisition, expansion and development of public facilities identified in the capital improvements program; and
- (4) Administration of the city's impact fee program to the extent that such administration costs do not exceed actual costs.
- (b) Impact fees collected will be spent or encumbered for the construction of public facilities within seven (7) years of the date of collection.
- (c) In order to ensure that impact fee revenues are earmarked and spent solely for the expansion of public facilities necessary to offset the impacts of new development, the following provisions apply:
 - (1) The city shall establish and maintain one separate impact fee account for each impact fee benefit zone for which the impact fee is collected, in accordance with the provisions of this chapter. This fund shall be the multimodal transportation impact fee fund.
 - (2) Impact fees must be spent solely for capacity-adding improvements to the city's multimodal transportation system. Any amounts in the multimodal transportation impact fee funds not immediately necessary for expenditure must be invested in an interest bearing account, and all interest income derived from such investments must be deposited in the multimodal transportation impact fee fund.
- (d) Impact fee revenues must remain segregated from other city funds, and only impact fees and accrued interest may be maintained in the multimodal transportation impact fee funds.
- (e) Amounts withdrawn from the transportation impact fee funds must be used solely in accordance with the provisions of this chapter. Amounts on deposit in the multimodal transportation impact fee funds must not be used for any expenditure that would be classified as a maintenance, operations, or repair expense.

Sec. 113A-11. Refunds.

- (a) In the event transportation impact fees paid are not spent or encumbered prior to the end of the city fiscal year immediately following the seventh (7th) year anniversary of the fee collection date, the city will refund the amount of the fees paid to the then current owner of the land for which the fee was collected upon the timely written application of the then current owner of the land. For purposes of refunds, the owner of the land on which an impact fee was paid is the owner of record at the time that the refund is paid. No refunds are due under this section if the impact fee payer or the owner of land for which the impact fee was paid voluntarily signed a waiver or release of the right to seek or claim a refund of an impact fee paid. The owner of the land for which an impact fee has been paid has standing to file suit for a refund under the provisions of this section. No cause of action may be commenced for receiving a refund of impact fees paid following one (1) year after the date of the required expenditure or encumbrance date for the impact fees paid.

- (b) A refund application must include the following information:
- (1) A notarized sworn statement that the fee payer paid the impact fee for the land at issue, the amount paid and the date paid;
 - (2) A copy of the dated receipt issued by the city for payment of the impact fee;
 - (3) A certified copy of the latest recorded deed for the property and proof that the applicant is the current owner of the land;
 - (4) A copy of the most recent ad valorem tax bill;
 - (3) A statement indicating the applicant's position on the entitlement to the requested impact fee refund; and
- (c) The name, address and telephone number of the person for which the refund payment is being requested. Within ten (10) business days of receipt of a refund application, the director shall determine if it is complete. If the director determines the refund application is not complete, he or she will send a written statement specifying the deficiencies by mail to the person submitting the refund application. Unless the deficiencies are corrected, the director will take no further action on the refund application.
- (d) When the director determines the refund application is complete, the director will review it within thirty (30) days and approve the proposed refund if he or she determines that the city has not spent or encumbered an impact fee when required under subsection (a).
- (e) When the refund application is approved, the money will be returned, less any administrative charges paid to offset the city's costs of collection. A refund shall not include interest or investment income on the impact fee while in the city's possession. A person for which an impact fee refund is to be paid may be required to fill out and sign a W-9 or other appropriate federal taxpayer identification form as a condition of receiving the refund.
- (f) An impact fee payer may not retain the right to seek or collect a refund of an impact fee paid after the impact fee payer no longer owns fee simple title to the land for which the impact fee is paid. Only the then current owner of the land for which the impact fee was paid is entitled to seek and receive an impact fee refund that may be due.
- (g) Any requestor of an impact fee refund may appeal the director's decision regarding a refund application by filing with the director and the city clerk within ten (10) business days of the date of the director's decision a written notice of appeal along with a statement explaining the legal and factual basis of the appeal. The failure to timely file an appeal shall constitute a waiver of the right to appeal or challenge the decision. The city commission shall hold a de novo public hearing to consider the appeal and may affirm, affirm with conditions, or reverse the decision of the director. The city commission's determination constitutes a final decision for the city.

Sec. 113A-12. Annual reporting and audits.

- a) On an annual basis, a report to the city commission will be made for each of the two impact fee benefit zones on the following:

- (1) The amount of impact fee revenues currently on account for which impact fees are collected;
 - (2) The amount and nature of any expenditure or encumbrance of impact fees since the prior annual report; and
 - (3) The amount and nature of any planned expenditures or encumbrances of impact fees prior to the next annual report.
- (b) Audits of the city's financial statements, which are performed by a certified public accountant pursuant to § 218.39, Florida Statutes, as may be amended or transferred, and submitted to the auditor general, must include an affidavit signed by the city treasurer, stating that the city has complied with the requirements of § 163.31801, Florida Statutes, as may be amended or transferred.

Sec. 113A-13. Appeals.

- (a) Initiation. A fee payer may appeal a final decision of the director made pursuant to any provision of this chapter to the planning board, by filing a written appeal with the city, within ten (10) business days of the decision. The appeal must include a written notice stating and specifying briefly the legal and factual grounds of the appeal. The city shall place the appeal on the planning board's agenda for a regularly scheduled meeting or a special meeting called for that purpose, and forward the record of the matter that is on appeal to the planning board.
- (b) Record. The record considered by the planning board will be the record of the application associated with the final decision being appealed and any other documents related to such decision.
- (c) Notice. The city shall provide the applicant at least fifteen (15) calendar days' notice of the appeal before the planning board by mail or hand delivery.
- (d) Hearing on appeal. At the hearing on the appeal, the planning board shall provide the appellant an opportunity to identify the grounds for the appeal and the basis for the director's alleged error on the decision, based on the record. To the extent relevant, the director will be allowed to respond, based on the record. After the presentations, the planning board may hear from any other person(s) it deems appropriate and then, based on the testimony heard at the hearing and the record, affirm, modify, or reverse the decision of the director.
- (e) Standards. To reverse a decision of the director, the planning board must find that there is a clear and demonstrable error in the application of the facts in the record to the applicable standards set forth in this chapter. If the planning board reverses or modifies the decision, it must provide the director clear direction on the proper decision. In no case does the planning board have the authority to negotiate the amount of the impact fees or waive the impact fees otherwise specified in this chapter. The decision of planning board is final.
- (f) Form of decision. The planning board's decision on the appeal must be in writing and include findings of fact and the application of those facts to the relevant standards.

(g) *Appeal of Planning Board Decision.* The appellant or the City may appeal the decision of the planning board to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the planning board. An appeal shall be filed within 30 days of the execution of the order to be appealed.

Sec. 113A-14. Transportation Impact Fee Schedule

(a) *Multi-modal impact fee schedule.* A multi-modal impact fee will be assessed and collected from new development pursuant to all applicable provisions of this chapter in accordance with the following fee schedule:

Panama City Transportation Impact Fee Schedule

SCHEDULE ATTACHED AS EXHIBIT "A".

(b) In the event an applicant for building permit contends that the land use for which the building permit is proposed is not within the above categories, the director will make a determination as to the appropriate land use designation for charging the impact fee. The director's determination as to the appropriate land use designation may be appealed to the planning board.

...

Section 3. Codification. Section 2 of this Ordinance will be incorporated into the Panama City Unified Land Development Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other Ordinance or provision of law, this Ordinance governs and controls to the extent of any such conflict.

Section 6. Directions to City Staff. City Staff under the direction of the City Manager are directed and authorized to take such actions as are necessary and advisable to effect and carry out this Ordinance.

Section 7. Effective Dates. This Ordinance shall become effective on July 22, 2025 after its adoption by the City Commission of the City of Panama City, Florida.

First Reading held on January 14, 2025

Second Reading held on July 22, 2025

Section 8. Sunset. This Ordinance shall be repealed on September 30, 2035, unless extended by a two-thirds (2/3) majority of the City Commission.

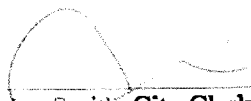
ADOPTED at a regular meeting of the City Commission of the City of Panama City, Florida, on this 22nd day of July, 2025.

CITY OF PANAMA CITY, FLORIDA

By: 

Allan Branch, Mayor

ATTEST:


Jan Smith, City Clerk-Treasurer
(Seal)

APPROVED AS TO FORM:

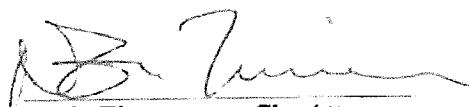
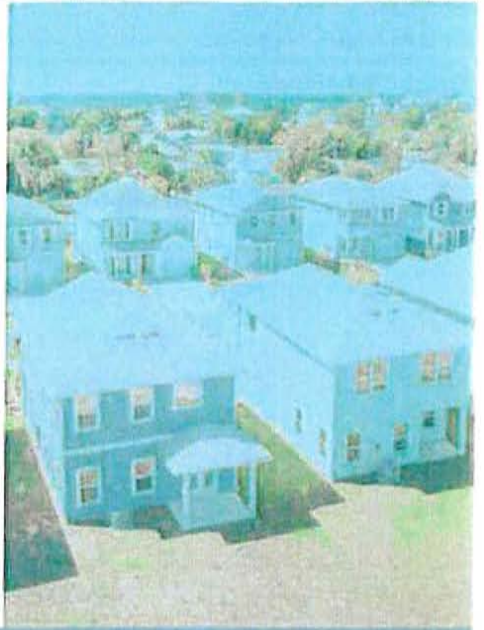
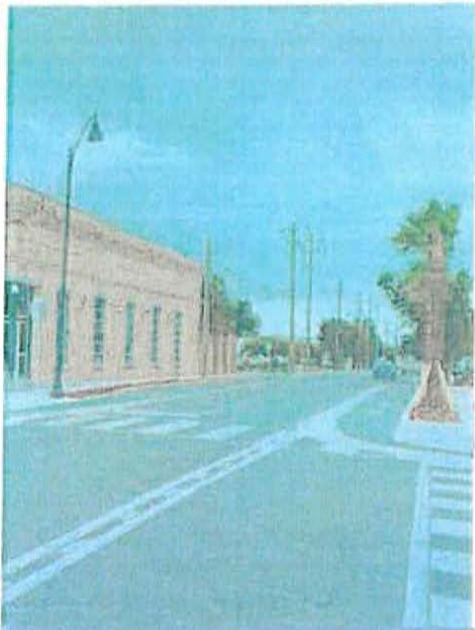
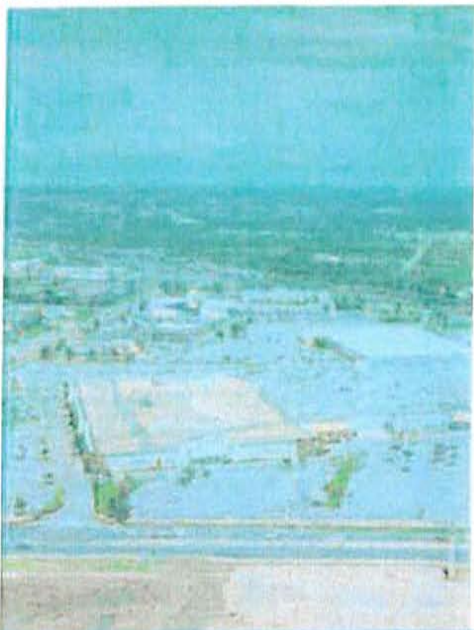

Nevin Zimmerman, City Attorney

Exhibit A

Land Use	Unit	Panama City Proper Fee	Panama City North Fee
Residential			
Single-Family Attached Residential	Dwelling Unit	\$3,653	\$4,360
Single-Family Detached Residential (<1,200 sq. ft.)	Dwelling Unit	\$821	\$1,175
Single-Family Residential (1,200-1,799 sq. ft.)	Dwelling Unit	\$2,762	\$3,524
Single-Family Residential (1,800-2,400 sq. ft.)	Dwelling Unit	\$3,683	\$4,609
Single-Family Residential (>2,400 sq. ft.)	Dwelling Unit	\$4,604	\$5,874
Multi-Family Residential (<4 floors)	Dwelling Unit	\$1,931	\$3,238
Multi-Family Residential (4+ floors)	Dwelling Unit	\$1,210	\$2,091
Senior Adult Housing - Single Family	Dwelling Unit	\$2,038	\$2,496
Assisted Living	Bed	\$1,332	\$2,042
Lodging			
Hotel	Room	\$2,147	\$3,650
Recreational			
Golf Course	Hole	\$13,603	\$22,404
Institutional			
University/College	Student	\$489	\$898
Day Care	Student	\$836	\$1,362
Medical			
Hospital	Bed	\$11,467	\$9,784
Nursing Home	Bed	\$1,571	\$1,332
Clinic (Outpatient)	1,000 sq. ft.	\$18,316	\$16,444
Animal Hospital	1,000 sq. ft.	\$11,045	\$9,402
Office			
General Office	1,000 sq. ft.	\$4,519	\$7,149
Medical/Dental Office	1,000 sq. ft.	\$15,146	\$23,881
Retail/Commercial			
General Retail	1,000 sq. ft.	\$12,488	\$20,785
Automobile/RV Sales	1,000 sq. ft.	\$13,305	\$22,098
Supermarket	1,000 sq. ft.	\$34,248	\$56,772
Pharmacy	1,000 sq. ft.	\$26,448	\$43,907
Restaurant (Sit-Down)	1,000 sq. ft.	\$16,148	\$28,101
Automobile Service/Parts Sales	1,000 sq. ft.	\$14,878	\$24,699
Gas Station	Fueling Position	\$33,676	\$58,707
Industrial			
General Light Industrial	1,000 sq. ft.	\$2,762	\$4,326
Warehousing	1,000 sq. ft.	\$835	\$1,486
High Cube Fulfillment Center Warehouse	1,000 sq. ft.	\$993	\$1,576



TRANSPORTATION IMPACT FEE STUDY



DRAFT FINAL REPORT

CITY OF PANAMA CITY, FL

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1.0 INTRODUCTION

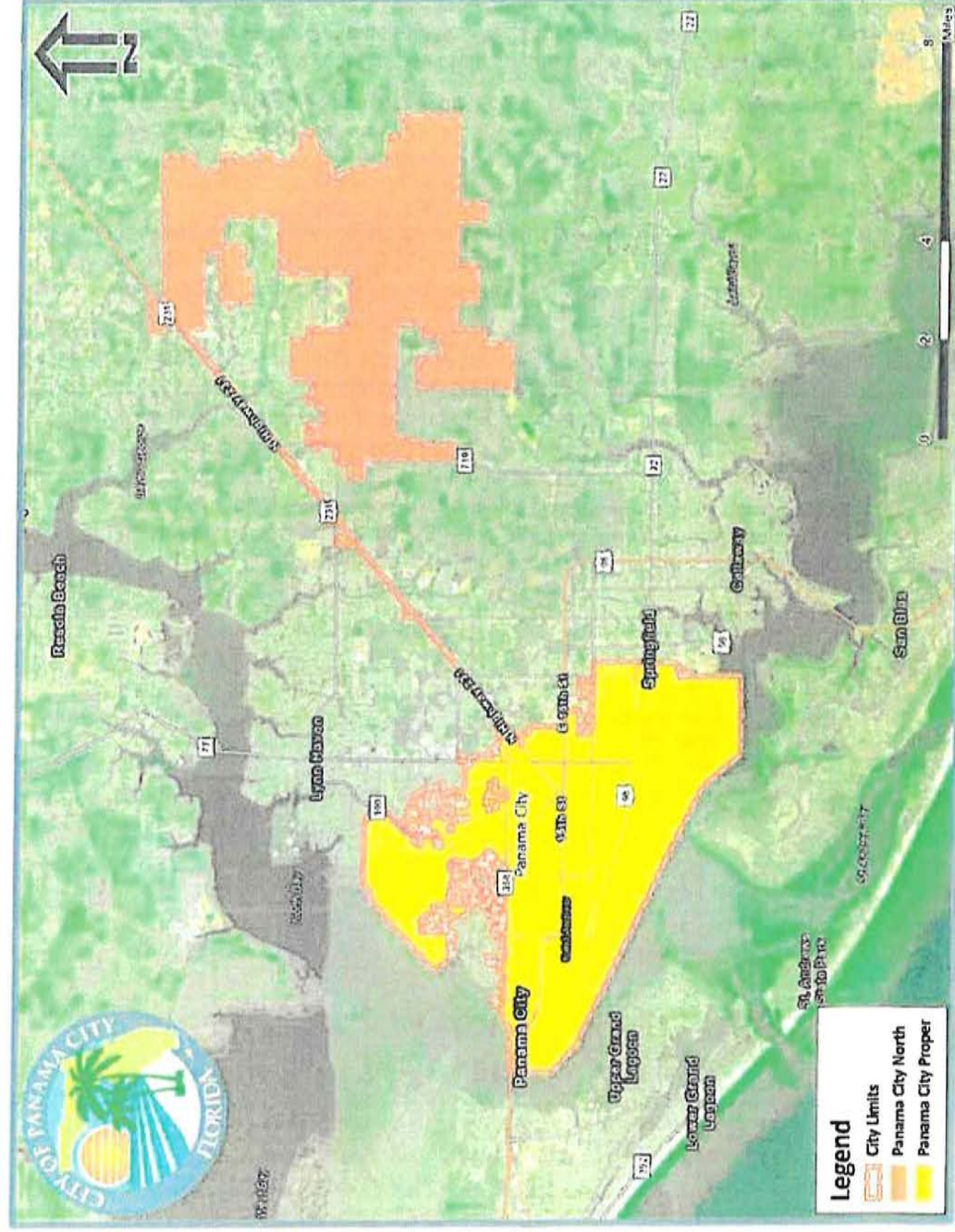
Consistent with the Florida Impact Fee Act, Florida Statutes (F.S.) 163.31801, the City of Panama City has undertaken an effort to develop and implement a Transportation Impact Fee Ordinance which will require new private development to fund public infrastructure necessitated by new growth.

This transportation impact fee will include a proportionate fee for new development that will be used to fund infrastructure projects that increase roadway capacity. This fee ensures that new developments will help fund the cost of capacity-improving capital projects that will ultimately also serve the new developments in the City of Panama City.

Methods for calculating and implementing this fee are consistent with the requirements described in the Florida Impact Fee Act, F.S. 163.31801. Calculation of the fee is based on the most recent and localized data available, and the fee is proportional to the need for additional capital facilities due to the impacts of new development.

Two (2) Impact Fee districts were determined based on the Panama City Urban Infill/Redevelopment Overlay District and the Panama City North Planning Area (*Panama City's Comprehensive Plan*, October 2018). Maps from the City's Comprehensive Plan showing the boundaries of the Panama City Urban Infill/Redevelopment District and the Panama City North Planning Area are provided in **Appendix A**. The Impact Fee districts were created to reflect the differences in travel patterns and infrastructure within each area. The Panama City Proper Impact Fee District has a more robust road network already in place and shorter trip lengths compared to the Panama City North Impact Fee District. **Figure 1-1** shows a map of the Panama City Proper and Panama City North Impact Fee Districts.

Figure 1-1. Panama City Impact Fee Districts



1.1 PANAMA CITY PROPER IMPACT FEE DISTRICT

The Panama City Proper Impact Fee District includes the central area of Panama City and the area of the City adjacent to US 231. This district includes community focal points and employment centers such as Downtown Panama City, City Hall, The Panama City Marina, Port Panama City (Seaport), Florida State University – Panama City Campus, and Gulf Coast State College.

The Panama City Urban Infill/Redevelopment District, which was created in the City's 2018 Comprehensive Plan, is intended to promote density and alternative forms of transportation.

1.2 PANAMA CITY NORTH IMPACT FEE DISTRICT

The Panama City North Impact Fee District includes the northernmost areas of the City. This district includes the Port of Panama City Distribution Center but is otherwise characterized by single-family residential areas.

The Panama City North Planning Area (PCNPA) was established in the City's 2018 Comprehensive Plan, with the intent to better serve the unique characteristics of Panama City North. The PCNPA includes policies that are focused transportation, which require developments to attempt to develop a transportation system that provides alternatives to US 231, provides for multiple travel modes, and provides internal and external connectivity.

1.3 LEGAL REQUIREMENTS

F.S. 163.31801, also known as the Florida Impact Fee Act, identifies the minimum requirements for implementing an impact fee. The requirements are outlined below:

- Ensure that the calculation of the impact fee is based on the most recent and localized data.
- Provide for accounting and reporting of impact fee collections and expenditures, and account for the revenues and expenditures of such impact fee in a separate accounting fund.
- Limit administrative charges for the collection of impacts fees to actual costs.
- Provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A local government is not required to wait 90 days to decrease, suspend, or eliminate an impact fee. Unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant, new or increased impact fees may not apply to current or pending permit applications submitted before the effective date of a new or increased impact fee.
- Ensure that collection of the impact fee may not be required to occur earlier than the date of issuance of the building permit for the property that is subject to the fee.
- Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.
- Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.
- Specifically earmark funds collected under the impact fee for use in acquiring, constructing, or improving capital facilities to benefit new users.
- Ensure that revenues generated by the impact fee are not used, in whole or in part, to pay existing debt for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or nonresidential construction.

2.0 METHODOLOGY

The methodology for calculating the Multi-Modal Transportation Impact Fee uses a consumption-based impact fee approach where new development pays the cost of the transportation capacity which it consumes. Recognizing that as development traffic consumes capacity, they are also paying gas taxes, some of which are used to provide capacity. Therefore, a credit for this is included in the calculation. The basic equation is:

$$\text{Fee} = \left(\text{Capacity Consumed} \times \text{Cost of Capacity} \right) - \text{Credit}$$

There are several factors that are used to determine capacity consumed, or demand, including:

- Trip generation rate
- Trip length
- Percent new trips

Similarly, there are several factors that are used to determine the cost of capacity, or cost, including:

- Roadway cost per added lane mile
- Capacity per lane mile

Credit variables include:

- Gas tax credit
- Fuel efficiency
- Ad Valorem credit

The actual calculation is more complex, but broken down into individual steps below:

$$\text{Fee} = \left(\text{Capacity Consumed} \times \text{Cost of Capacity} \right) - \text{Credit}$$

Where:

- **Capacity Consumed** = $\left(\text{Trip Generation Rate} \times \text{Assessable Trip Length} \times \text{Percent New Trips} \right) / 2 \times (1 - \text{Interstate and Toll Facility Discount Factor})$
 - **Trip Generation Rate** = the average daily trip generation rate for the type of development (land use) proposed, in vehicle-trips per day
 - **Total Trip Length** = the average trip length, for the land use category, in miles (including travel on local neighborhood roads)

- **Assessable Trip Length** = total trip length minus an adjustment factor of half a mile, which is subtracted from the trip length to account for travel on local neighborhood roads, which are excluded from the fee calculation
- **Percent New Trips** = adjustment factor to account for pass-by trips associated with the proposed land use that are already on the roadway
- **Divide by 2** = the total daily miles of travel generated by a particular land use category is divided by two (2) to prevent the double-counting of travel generated between two (2) land use codes since every trip has an origin and a destination
- **Interstate and Toll Facility Discount Factor** = discount factor to account for travel demand occurring on interstate highways and/or toll facilities

Cost of Capacity = Cost per Added Lane Mile / Average Vehicle-Capacity Added per Lane Mile

- **Cost per Added Lane Mile** = unit cost to construct one (1) lane mile of roadway, including multimodal elements, in dollar per lane-mile
- **Average Vehicle-Capacity Added per Lane Mile** = represents the average daily traffic on one (1) travel lane at capacity for one (1) lane mile of roadway, in vehicles per lane-mile per day
- **Cost per Vehicle-Mile of Capacity** = cost per added lane mile divided by average capacity added per lane mile

Credit = Present Value Gas Tax Credit + Present Value of Ad Valorem Credit, given 4.0% interest rate and a 25-year facility life

- **Present Value** = calculation of the present value of a uniform series of cash flows, gas tax payments in this case, given an interest rate, "i," and a number of periods, "n;" for 4.0% interest and a 25-year facility life, the uniform series present worth factor is 15.6221
- **Annual Gas Tax Credit** = $([\text{Trip Generation Rate} \times \text{Total Trip Length} \times \text{Percent New Trips}] / 2) \times (\text{Effective Days per Year} \times \text{Gas Tax Revenue per Gallon of Fuel to Capital}) / \text{Fuel Efficiency}$
 - **Gas Tax Revenue per Gallon of Fuel to Capital** = the amount of equivalent gas tax revenue per gallon of fuel that is used for capital improvements, in dollars per gallon
 - **Fuel Efficiency** = average fuel efficiency of vehicles, in vehicle-miles per gallon (mpg)
 - **Effective Days per Year** = 365 days
- **Ad Valorem Credit** = present value of the amount of ad valorem taxes used toward transportation capacity, calculated based on the average property value of each land use

2.1 CAPACITY CONSUMED

Capacity consumed is calculated based on trip generation rate, trip length, assessable trip length, percent new trips, and discount factors. The equation is:

$$\text{Capacity Consumed} = \left(\left(\text{Trip Rate} \times \text{Assessable Trip Length} \times \text{Percent New Trips} \right) \div 2 \right) \times \left(1 - \text{Discount Factor} \right)$$

2.1.1 Trip Generation Rate

Trip generation rate is an estimate of the overall number of trips that are expected to be generated by a new development. Trip generation rates are based on the daily trip generation rate for each land use, as defined by the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition.

2.1.2 Trip Length

Total trip lengths by land use were obtained from Replica HQ (July 2024). Using Replica HQ, the project team obtained total trip length data for a sample dataset of trips that originated or terminated in Panama City, Florida on a typical Thursday in fall of 2023. **Table 2-1** shows the average total trip length by trip purpose and **Table 2-2** shows the average total trip length by land use of trip origins.

Table 2-1. Average Total Trip Length by Trip Purpose

Trip Purpose	Total Trip Length (mi)		% Relation to Panama City Proper
	Panama City Proper	Panama City North	
Home	9.4	13.9	47.7%
Shop	6.5	14.4	122.3%
Eat	7.3	11.5	56.9%
Work	10.5	14.2	35.4%
Social	10.3	11.6	11.8%
School	7.0	10.9	56.8%
Commercial (Freight)	10.2	18.1	77.1%
Recreation	8.3	13.1	56.9%
Lodging (Hotels, etc.)	5.4	8.5	56.9%
Other	7.3	10.7	46.8%

Table 2-2. Average Total Trip Length by Land Use of Trip Origins

Land Use of Trip Origins	Total Trip Length (mi)		% Relation to Panama City Proper
	Panama City Proper	Panama City North	
Single-Family Residential	10.2	11.9	16.7%
Multi-Family Residential	6.4	9.5	49.9%
Non-retail Attraction	8.5	14.0	65.2%
Mixed Use	10.4	18.1	73.1%
Civic/Institutional	9.4	8.2	-13.3%
Office	8.0	11.9	49.9%
Retail	8.9	14.1	58.2%
Industrial	10.5	15.8	49.9%
Agriculture	7.0	10.5	49.9%
Open Space	9.5	19.0	99.5%
Transportation/Utilities	9.3	13.9	49.8%

2.1.3 Assessable Trip Length

Assessable trip length excludes distance traveled on neighborhood roads, and only considers trip length on collector roads or above. Assessable trip length was estimated by subtracting 0.5 miles from each overall trip length that was obtained in the dataset from Replica HQ.

2.1.4 Percent New Trips

Percent new trips is determined by subtracting the percent of pass-by trips that are associated with a given land use. Pass-by trips are trips that already on the network. An example of a pass-by trip is a person who stops at a coffee shop on the way to their place of employment. In this example, the coffee shop has not generated a new trip, since the person traveling to work would have been counted as a vehicle on the roadway network regardless of whether the person stopped for coffee on their morning commute. The *ITE Trip Generation Manual, 11th Edition* provides an estimate of the percentage of pass-by trips by land use.

2.1.5 Discount Factor

The discount factor reduces the overall capacity consumed to account for trips on Interstate 10 (I-10), since I-10 is located outside of Bay County and not eligible to be maintained via impact fee revenue. The discount factor was determined using the latest adopted *Northwest Florida Regional Planning Model (NWFRPM)*, version 3.1.4. The model results estimated that 0.02% of all daily trips on the road network in Panama City utilized I-10; therefore, a discount factor of 0.02% was used to calculate capacity consumed. Note that the discount factor was applied to both Panama City North and Panama City Proper.

2.2 COST OF CAPACITY

Cost of capacity, expressed as cost per vehicle-mile, is a function of cost per added lane mile and average vehicle-capacity added per lane mile. The basic equation is:

$$\begin{array}{c} \text{Cost per Vehicle} \\ \text{Mile of Capacity} \end{array} = \begin{array}{c} \text{Cost per Added} \\ \text{Lane Mile} \end{array} \div \begin{array}{c} \text{Average Vehicle} \\ \text{Capacity Added per} \\ \text{Lane Mile} \end{array}$$

2.2.1 Cost per Added Lane Mile

Cost per added lane mile is the cost to add one (1) lane mile of capacity to a roadway. Five (5) recently constructed roadway capacity improvement projects in the Panama City area were analyzed to determine the average cost of increasing roadway capacity by one lane-mile. Based on the five (5) projects analyzed, the cost to add one (1) lane mile of roadway capacity in Panama City is approximately \$3,450,000. Table 2-3 shows the calculated cost per added lane mile.

Table 2-3. Calculated Cost Per Added Lane Mile

Project Attributes				Roadway Attributes			Costs (To Date)				
Project Name	Roadway Name	From	To	Description	Total Length (mi)	Existing Lanes	Lanes Added	Total	Cost per Lane Mile	Source	
City of Panama City											
Nehi Spine Rd	Nehi Rd	US 231	CR 719 (N Star Ave)	New roadway construction (2-lane)	2.24	0	2	4.48	\$776,024	\$173,220	City of Panama City Staff
Blackwater Project SR 390 & SR 75	Undsey Crossing	SR 390	SR 75	New roadway construction (2-lane)	0.28	0	2	0.52	\$3,240,000	\$6,230,769	City of Panama City Staff
Bay County											
CR 2321 to SR 390 Connector Rd (Titus)	Titus Rd	CR 2321	SR 390	New roadway construction (2-lane)	1.32	0	2	2.64	\$3,040,000	\$1,151,515	Bay County Staff
Florida Department of Transportation (FDOT)											
SR 75 (US 231) @ CR 2327 Transmitter Rd Intersection	CR 2327 (Transmitter Rd)	-	-	Add turn lane(s)	0.54	1	1	0.54	\$2,597,018	\$4,809,293	FDOT Five Year Work Program (FY 2017-2022, FY 2023-2028)
SR 388 from SR 79 to Northwest Florida Beaches International Airport	SR 388	SR 79	Northwest Florida Beaches International Airport	Adding new 4-lane roadway	3.88	0	4	15.44	\$75,575,778	\$4,894,804	FDOT Five Year Work Program (FY 2017-2022, FY 2023-2028)
Average Cost Per Lane Mile									\$3,450,000		

2.2.2 Average Vehicle-Capacity Added per Lane Mile

The average vehicle-capacity added per lane-mile is the average increase in vehicle capacity for one (1) lane mile of a roadway capacity improvement project. To estimate the average vehicle-capacity added per lane mile, the same five (5) recently constructed roadway capacity improvement projects that were used to estimate cost per added lane mile were used to estimate the average vehicle-capacity added per lane mile. It was determined that the average vehicle-capacity added per lane mile in Panama City is approximately 13,700. Table 2-4 shows the calculated average vehicle-capacity added per lane mile.

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Table 2-4. Calculated Average Vehicle-Capacity Added Per Lane Mile

Improvements																
Road	Project Name	From	To	Length (mi)	Change	New Lanes, Classification ¹	Functional LOS ²	Adopted LOS ²	Class/Speed Limit/ Divided/Lanes	Context/ Classification ³	Existing ⁴	Future ⁴	Capacity	Length x Added Capacity Per Lane		
Thus Rd	CR 2321 to SR 390 Connector Road (Titus)	CR 2321	SR 390	1.32	New roadway construction	2	Urban - Local	D	2 Lanes, 35 mph, Undivided	C3R - Suburban Residential	0	22,400	22,400	14,800		
Undsey Crossing	Blackwater Project SR 390 & SR 75	SR 390	US 231	0.26	New roadway construction	2	Urban - Local	E	2 Lanes, 35 mph, Divided	C3C - Suburban Commercial	0	21,700	21,700	2,800		
CR 2327	SR 75 (US 231) @ CR 2327 Transmitter Road Intersection	-	-	0.54	Adding turn lane	1	Urban - Minor Arterial	D	2 Lanes, 45 mph, Undivided	C3C - Suburban Commercial	58,180	73,910	17,750	9,600		
Nehl Road	Nehl Spine Road	US 231	CR 719 (N Star Ave)	2.24	New roadway construction	2	Urban - Local	E	2 Lanes, 30 mph, Undivided	C2 - Rural	0	28,500	28,500	31,900		
SR 388	SR 388 from SR 79 to Northwest Florida Beaches International Airport	SR 79	Northwest Florida Beaches International Airport	3.86	New roadway construction	4	Urban - Principal Arterial	D	4 Lanes, 60 mph, Divided	C2 - Rural	0	55,700	55,700	53,800		
			Total Length (mi)	8.22											Total Miles of Capacity Per Lane	112,900
														Capacity Added Per Lane Mile	13,700	

¹ Functional Classification is based on the published 2020 FDOT Functional Classification and Bay County's Interactive ArcGIS Online Map.

² Adopted LOS is defined based on the Bay County Concurrency/Management System (April 2024) and FDOT Motor Vehicle Highway Generalized Service Volume Tables (January 2023)

³ Context classification is defined based on FDOT's Preliminary Context Classification TDA Dataset (April 2024)

⁴ Capacity is defined based on the 2023 FDOT Quality Level of Service (QLOS) ADT Tables

2.2.3 Cost per Vehicle Mile of Capacity

The cost per vehicle mile of capacity is calculated as the cost per added lane mile divided by the average vehicle capacity added per lane mile. Based on the aforementioned calculations, the average cost per lane mile (\$3,450,000) divided by the added capacity per lane mile (13,700 vehicles) yields a cost per vehicle-mile of approximately \$252.

2.3 CREDIT

Credits that are reduced from the impact fee calculation are estimates of future non-impact fee revenues generated by new development that are allocated to provide transportation capacity expansion. The impact fee is considered to be an "upfront" payment for a portion of the cost of building a lane-mile of capacity that is directly related to the amount of capacity consumed by each unit of land use contained in the impact fee schedule, that is not paid for by future tax revenues generated by new development activity. These credits are required under the supporting case law for the calculation of impact fees where a new development activity must be reasonably assured that they are not being charged twice for the same capacity improvements. Credits for impact fees in Panama City include gas tax credits and ad valorem credits.

2.3.1 Fuel Tax Credit

Fuel tax credit accounts for roadway capacity improvement projects that are funded by gas taxes collected by Bay County. In fiscal year (FY) 2023-2024, \$10,867,147 was allocated to roadway improvement projects in Bay County. The equation to calculate gas tax credit is:

$$\text{Fuel Tax Credit} = ((\text{Trip Generation Rate} \times \text{Total Trip Length} \times \text{Percent New Trips}) / 2) \times (\text{Present Worth Factor}) \times ((\text{Effective Days per Year} \times \text{Fuel Tax Equivalent}) / \text{Fuel Efficiency})$$

Present worth factor is the discount rate at which tax revenues might be bonded and is used to compute the present value of gas taxes generated by new development.

Effective days per year assumes that travel for all land uses is 365 effective days per year. This is a conservative assumption given that some land uses are not open every day of the year.

Fuel tax equivalent is the amount of fuel tax revenue per gallon of gas that is used for capital improvements. Approximately \$0.52 per gallon of gas of fuel tax revenue is used for capital improvements. The calculations for fuel tax equivalent are shown in **Table 2-6** (page 15).

Fuel efficiency is based on the total vehicle miles traveled divided by total fuel consumed (in gallons) for all vehicles in the United States. The latest available vehicle miles traveled and fuel consumption data from the Federal Highway Administration (FHWA) was used to estimate that fuel efficiency is 19.47 miles per gallon.

Table 2-5 shows the estimated fuel tax distribution allocated to capital programs for Bay County and municipalities for FY 2023-2024. Distribution per penny is the amount of fuel tax that allocated to capital programs for Bay County and Municipalities for every penny of fuel tax collected per gallon of fuel in FY 2023-2024.

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Table 2-5. Estimated Fuel Tax Distribution Allocated to Capital Programs for Bay County and Municipalities, FY 2023-2024

Fuel Tax	Tax per Gallon	Bay County Distribution	Distribution per Penny
State "Constitutional" Fuel Tax	\$0.02	\$2,558,556	\$1,279,278
County Fuel Tax	\$0.01	\$1,131,413	\$1,131,413
1st Local Option (Up to 6 cents)	\$0.06	\$7,177,178	\$1,196,196
Total	\$0.09	\$10,867,147	\$1,207,461

Data obtained from the Florida Legislature's Office of Economic and Demographic Research, 2023 Local Government Financial Information Handbook

Table 2-6 shows the total estimated fuel tax equivalent and the fuel tax equivalent for the City of Panama City, Bay County, and the State of Florida. Note that revenue per penny is rounded, based on the distribution per penny as shown in Table 2-5.

Table 2-6 Estimated Fuel Tax Equivalent

Source	Improvement Costs	Number of Years	Revenue per Penny	Fuel Tax Equivalent
City of Panama City				
Fuel Tax Expenditures	\$4,094,149	5	\$1,210,000	\$0.01
Bay County				
Fuel Tax Expenditures	\$3,040,000	5	\$1,210,000	\$0.01
State of Florida				
FDOT Five Year Work Program (FY 2017- 2028)	\$304,701,553	5	\$1,210,000	\$0.50
Total				\$0.52

2.3.2 Ad Valorem Credit to Capacity

Ad valorem credit to capacity is estimated as the ad valorem tax revenue contribution based on the average property value of each land use. The equation for calculating ad valorem credit by land use is:

$$\text{Ad Valorem Credit to Capacity} = ((\text{Average Assessable Value} \times \text{Average Size}) \times (\text{Millage Rate}/1,000) \times 30) \times \text{Percent of Ad Valorem Funds Paid for Transportation Projects}$$

Average assessable value represents the average tax assessable value for each type of use and average size represents the average unit size for each type of use. Both average assessable value and average unit size were obtained from the Bay County Property Appraiser's website.

Millage rate is the rate that is used to assess property tax in the City of Panama City. The current millage rate for property within Panama City is 4.7999 and was approved by the City Commission in September 2022.

The Percent of Ad Valorem Funds Paid for Transportation Projects is the percentage of the overall ad valorem funds collected that were ultimately utilized to fund transportation projects. This information was obtained from the City's Budget Office.

Table 2-7 shows the ad valorem funding data for the City of Panama City. Approximately 0.9% of the overall ad valorem taxes collected within the City were utilized to fund transportation improvements from 2018 through 2023.

Table 2-7. Panama City Ad Valorem Funding (2018-2023)

Year	Total Ad Valorem	Paid for Transportation	Percent Paid for Transportation
2018	\$76,200,000	\$442,500	1.0%
2019	\$72,700,000	\$585,000	1.0%
2020	\$67,500,000	\$1,000,000	1.0%
2021	\$75,100,000	\$0	0.0%
2022	\$83,300,000	\$0	0.0%
2023	\$96,500,000	\$2,200,000	2.0%
Total	\$471,300,000	\$4,227,500	0.9%

2.4 CALCULATED NON-VARIABLE FACTORS

The calculated non-variable factors that were utilized to calculate the impact fee by land use are shown in Table 2-8.

Table 2-8. Calculated Non-Variable Factors

Non-Variable Factors	Panama City Proper	Panama City North
Interstate & Toll Discount Factor	0.020	0.020
Cost per Added Lane Mile	\$3,450,000	\$3,450,000
Average Vehicle Capacity Added per Lane Mile	13,700	13,700
Cost per Vehicle Mile of Capacity	\$252	\$252
Capital Improvement Credit (Fuel Tax Equiv)	\$0.52	
Fuel Efficiency (mpg)	19.47	
Effective Days per Year	365	
Facility Life (years)	25	
Interest Rate	6.0%	
Present Worth Factor	12.7834	

3.0 CALCULATED IMPACT FEE

Using the methodology described in Section 2.0, the Transportation Impact Fee was calculated for various land use categories. The Calculated Transportation Impact Fee by Land Use for are shown for Panama City Proper and Panama City North in Table 3-1. Appendix B includes a detailed breakdown of the inputs used to determine the calculated impact fee by each land use within Panama City North and Panama City Proper.

Table 3-1. Calculated Impact Fee by Land Use

Land Use	Unit	Panama City Proper Fee	Panama City North Fee
Residential			
Single-Family Attached Residential	Dwelling Unit	\$3,653	\$4,399
Single-Family Detached Residential (<1,200 sq. ft.)	Dwelling Unit	\$921	\$1,175
Single-Family Residential (1,200-1,799 sq. ft.)	Dwelling Unit	\$2,762	\$3,524
Single-Family Residential (1,800-2,400 sq. ft.)	Dwelling Unit	\$3,683	\$4,699
Single-Family Residential (>2,400 sq. ft.)	Dwelling Unit	\$4,604	\$5,874
Multi-Family Residential (<4 floors)	Dwelling Unit	\$1,931	\$3,238
Multi-Family Residential (4+ floors)	Dwelling Unit	\$1,210	\$2,091
Senior Adult Housing - Single Family	Dwelling Unit	\$2,038	\$2,486
Assisted Living	Bed	\$1,332	\$2,042
Lodging			
Hotel	Room	\$2,147	\$3,850
Recreational			
Golf Course	Hole	\$13,603	\$22,404
Institutional			
University/College	Student	\$489	\$866
Day Care	Student	\$835	\$1,392
Medical			
Hospital	Bed	\$11,487	\$9,764
Nursing Home	Bed	\$1,571	\$1,338
Clinic (Outpatient)	1,000 sq. ft.	\$19,316	\$16,444
Animal Hospital	1,000 sq. ft.	\$11,045	\$9,402
Office			
General Office	1,000 sq. ft.	\$4,519	\$7,149
Medical/Dental Office	1,000 sq. ft.	\$15,146	\$23,881
Retail/Commercial			
General Retail	1,000 sq. ft.	\$12,486	\$20,785
Automobile/RV Sales	1,000 sq. ft.	\$13,305	\$22,098
Supermarket	1,000 sq. ft.	\$34,248	\$56,772
Pharmacy	1,000 sq. ft.	\$26,448	\$43,907
Restaurant (Sit-Down)	1,000 sq. ft.	\$16,148	\$28,101
Automobile Service/Parts Sales	1,000 sq. ft.	\$14,878	\$24,689
Gas Station	Fueling Position	\$33,678	\$58,707
Industrial			
General Light Industrial	1,000 sq. ft.	\$2,782	\$4,326
Warehousing	1,000 sq. ft.	\$935	\$1,486
High Cube Fulfillment Center Warehouse	1,000 sq. ft.	\$993	\$1,576

TRANSPORTATION IMPACT FEE STUDY

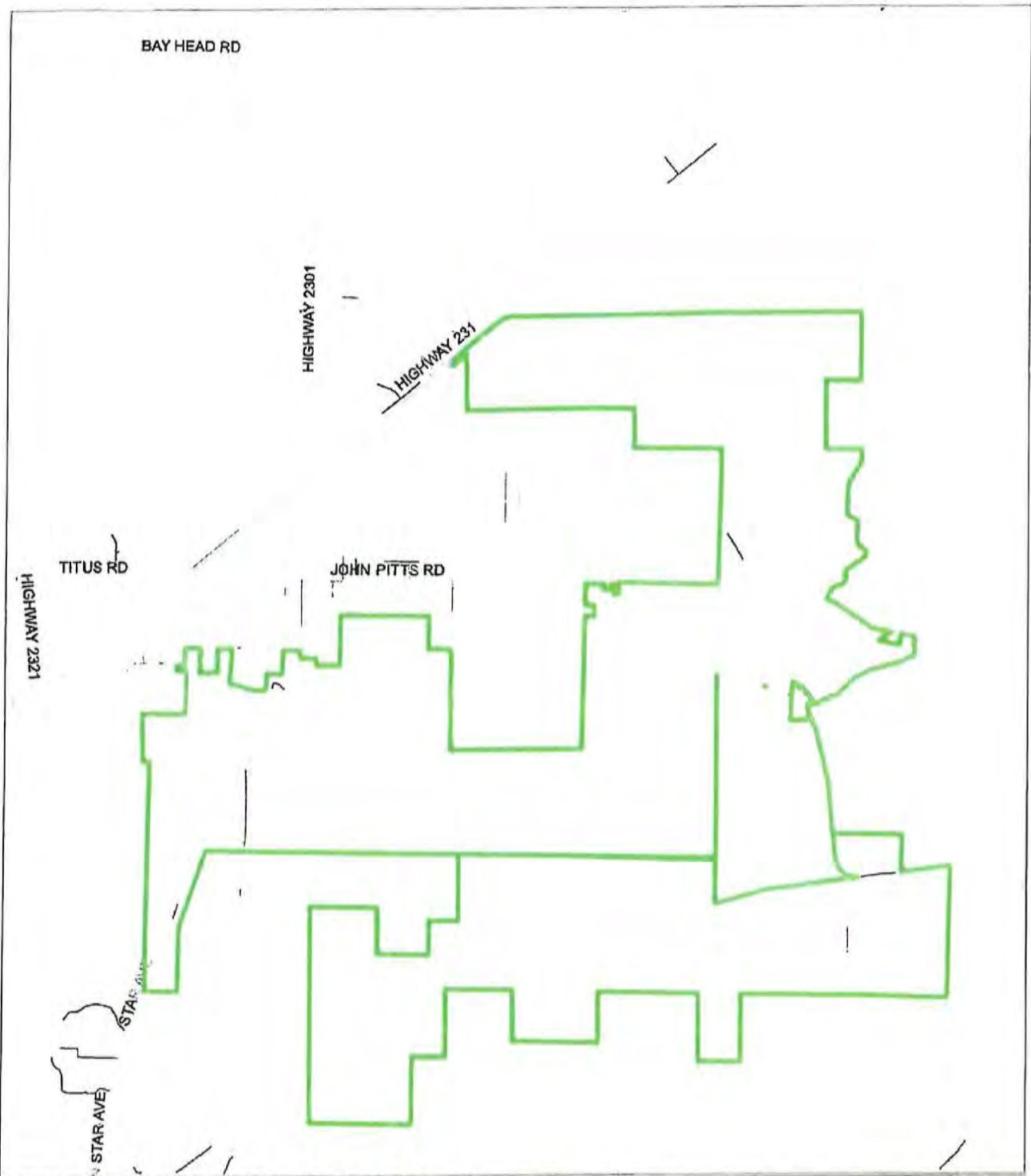
DRAFT FINAL REPORT

CITY OF PANAMA CITY, FL

APPENDIX A:

Selected Panama City Comprehensive Plan Maps





Panama City North Planning Area
City of Panama City



**Map
1.3**

Comprehensive Plan 2035
Source: City of Panama City
Date: August 2010

Legend
 PCNSPA
 Panama City City Limits

Roads



TRANSPORTATION IMPACT FEE STUDY

DRAFT FINAL REPORT

CITY OF PANAMA CITY, FL

APPENDIX B:

Calculated Impact Fee by Land Use Table with Inputs



EXHIBIT 8

Deeann Aldred
Deputy City Clerk
8-5-2026

ORDINANCE NO. 3155

AN ORDINANCE OF THE BOARD OF CITY COMMISSIONERS OF PANAMA CITY, FLORIDA, ESTABLISHING NINE SWEETBAY COMMUNITY DEVELOPMENT DISTRICTS (SEVEN RESIDENTIAL DISTRICTS AND TWO COMMERCIAL DISTRICTS) PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING EACH OF THE DISTRICTS; DESCRIBING THE EXTERNAL BOUNDARIES OF EACH OF THE DISTRICTS; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICTS; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF EACH OF THE NINE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 190, Florida Statutes, provides for the creation of community development districts to provide various local government services; and

WHEREAS, St. Andrew Bay Land Company, LLC. has filed a petition to establish nine community development districts to be known as the SweetBay Community Development Districts in Sections 18, 19, 20, 29 and 30, Township 3 South, Range 14 West in Panama City, Bay County, Florida; and

WHEREAS, the Panama City Commission has determined that the petition dated March 1, 2023, complies with the requirements of Florida law and should be granted.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF PANAMA CITY, FLORIDA:

SECTION ONE. TITLE.

This Ordinance shall be known as the SweetBay Community Development Districts establishment ordinance.

SECTION TWO. FINDINGS.

The City Commission finds that the petition dated March 1, 2023, meets the

requirements of Section 190.005, Florida Statutes, and that the SweetBay Community Development District should be created.

SECTION THREE. CREATING AND NAMING OF DISTRICTS.

Community development districts pursuant to Chapter 190, Florida Statutes, to be known as the SweetBay Community Development Districts (collectively hereinafter, "the Districts") are hereby created and referred to as follows:

1. SweetBay Residential Community Development District 1
2. SweetBay Residential Community Development District 2
3. SweetBay Residential Community Development District 3
4. SweetBay Residential Community Development District 4
5. SweetBay Residential Community Development District 5
6. SweetBay Residential Community Development District 6
7. SweetBay Residential Community Development District 7
8. SweetBay Commercial Community Development District 1
9. SweetBay Commercial Community Development District 2

SECTION FOUR. BOUNDARIES OF THE DISTRICTS.

The boundaries of the Districts shall be as set forth in Exhibit "A" attached hereto.

SECTION FIVE. FUNCTIONS AND POWERS OF THE DISTRICT.

In addition to the general powers provided for in Chapter 190, Florida Statutes, the Districts shall have the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for:

- (1) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses and
- (2) Public Improvements, including but not limited to, (A) SweetBay Avenue from CR390 to North Bay – 2-lane divided roadway 60'+ ROW, with landscaped median and integrated drainage and utility systems, (B) Loop Road System – 2-lane loop road system with landscaping and integrated drainage

and utility systems, (C) Water/Wastewater distribution and collection systems and lift stations, (D) Culverts and Trunkline systems for transportation and electrical services, (E) Boardwalks, parks, and community trail system, (F) Landscaping, entryways, and signage, (G) Irrigation systems, (H) Streetlights, (I) Stormwater systems including lakes, culverts, and piping (J) Subdivision improvements including streets, curbs, drainage, earthwork, and utilities, (K) Forest Park Mobility Plan improvements, (L) Potable water tank, (M) Michigan Ave. wastewater improvements, (N) Fire station and (O) Education facilities with related improvements, (P) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, when authorized by proper governmental agencies, and (Q) other similar Public Improvements.

(3) Land uses within the Districts shall consistent with (1) Ordinance No. 2435, the Planned Unit Development of SweetBay dated November 8, 2011, and as amended, and (2) the City of Panama City St. Andrew Bay Land Company, LLC. Developer's Agreement of May 28, 2013 and as amended.

The foregoing notwithstanding, lands within the District shall still be subject to non-ad valorem special fire assessments at the same rate or rates as similar lands that are not within a community development district.

SECTION SIX. BOARD OF SUPERVISORS.

The persons designated to be the initial members of the board of supervisors of each of the nine Districts shall be:

Will Randle
St. Andrew Bay Land Company, LLC
3204 Heartleaf Ave. Unit E
Panama City, FL 32405

Jessica Renella
St. Andrew Bay Land Company, LLC
3204 Heartleaf Ave. Unit E
Panama City, FL 32405

Melissa Lupton
St. Andrew Bay Land Company, LLC
3204 Heartleaf Ave. Unit E
Panama City, FL 32405

Hank Fishkind, Ph.D.
Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive
Suite 107
Orlando, FL 32817

Anthony DiNardo
Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive
Suite 107
Orlando, FL 32817

SECTION SEVEN. DISTRICTS' INITIAL BOARD OF DIRECTORS

The persons designated to be the initial members of the board of directors of each of the nine

Districts shall be:

Will Randle
St. Andrew Bay Land Company, LLC
3204 Heartleaf Ave. Unit E
Panama City, FL 32405

Jessica Renella
St. Andrew Bay Land Company, LLC
3204 Heartleaf Ave. Unit E
Panama City, FL 32405

Melissa Lupton
St. Andrew Bay Land Company, LLC
3204 Heartleaf Ave. Unit E
Panama City, FL 32405

Hank Fishkind, Ph.D.
Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive
Suite 107
Orlando, FL 32817

Anthony DiNardo
Fishkind Litigation Services, Inc.
3504 Lake Lynda Drive
Suite 107

SECTION EIGHT. SEVERABILITY.

The provisions of this Ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any provision of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, that portion will be deemed a separate provision and will not affect any remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such invalid or unconstitutional provision was not included.

SECTION NINE. CONFLICTS OF LAW.

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Panama City Ordinance or Florida Statutes, the more restrictive shall apply.

SECTION TEN. CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS.

It is the intention of the Panama City Commission that the provisions of this Ordinance will become and be made part of the Panama City Code; and that the sections of this ordinance may renumbered or re-lettered and that the word "Ordinance" may be changed to "section," "article" or such other appropriate word or phrase in order to accomplish such intention; and

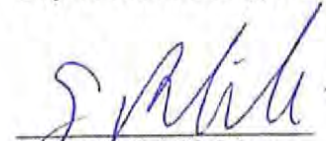
regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or re-lettered and typographical errors which do not affect the intent may be authorized by the City Clerk's designee, without need of a public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION ELEVEN. EFFECTIVE DATE.

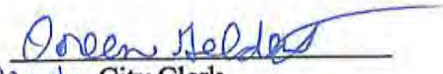
This Ordinance shall take effect immediately upon its recording in the Official Records of Bay County, Florida.

Duly passed and adopted by the Panama City Commission this 23 day of May, 2023.

City of Panama City, Florida


Greg Brudnicki, Mayor

ATTEST:


Deven Holder
Deputy City Clerk

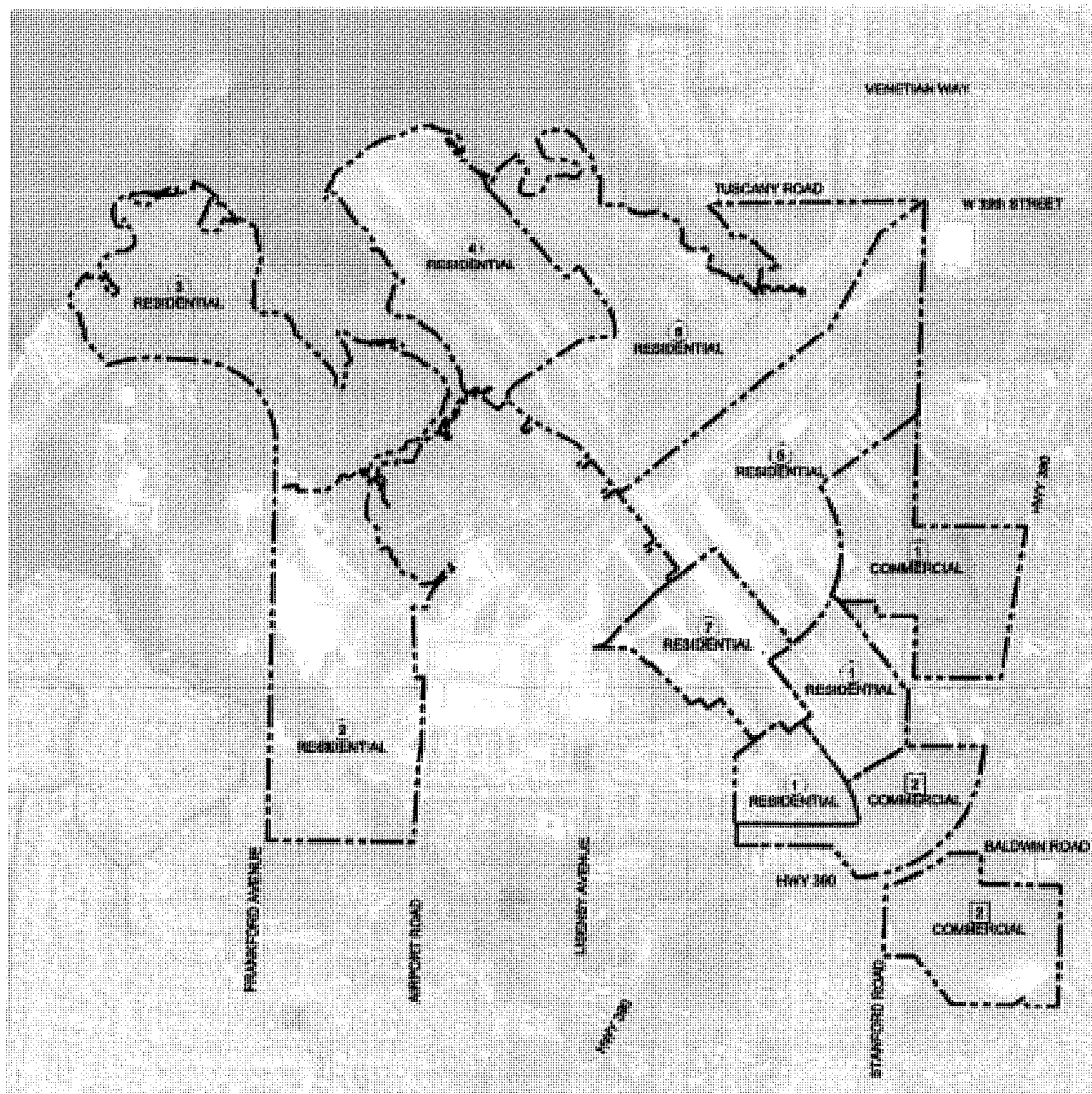
Approved as to form:


Nevin J. Zimmerman

EXHIBIT “A”

SWEETBAY COMMUNITY DEVELOPMENT DISTRICTS BOUNDARIES

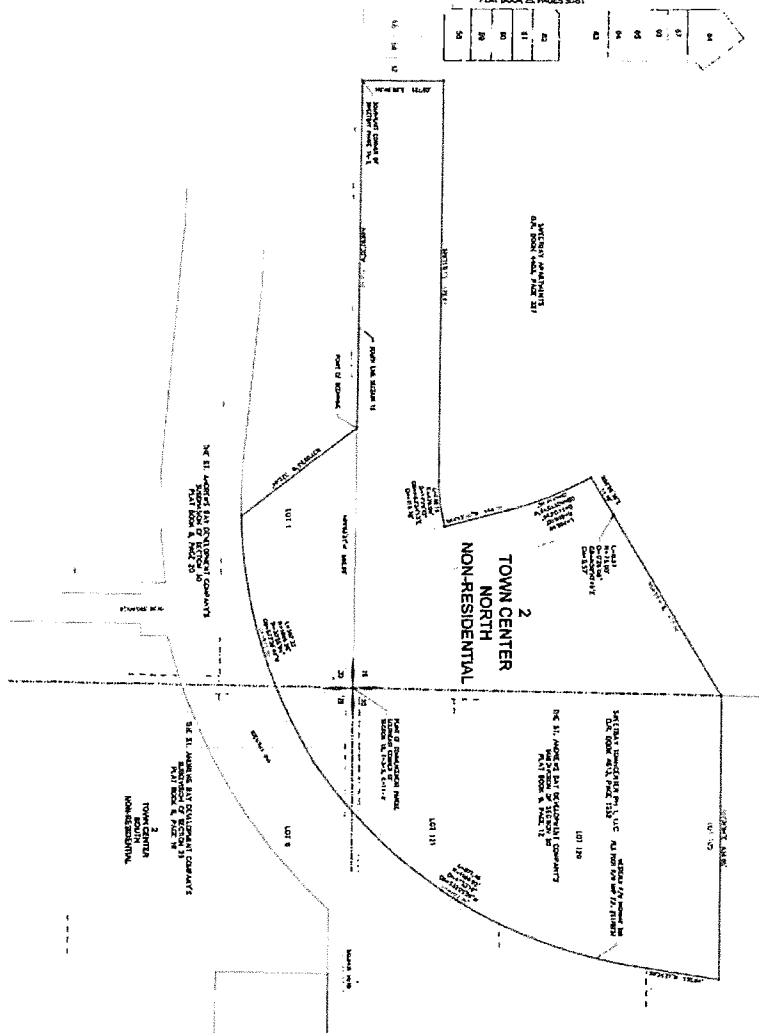
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DESCRIPTION
R-2-3-5, R-14-W
SOUTH OF S.R. 350
TAMPA CITY
FLORIDA

Dewberry
DEMOCRATIC ENGINEERING
30-AMSTERDAM ST.
PETERSBURG CITY, FLORIDA
PHONE: 941-725-6100
TELETYPE: 941-725-6100
CERTIFICATE OF AUTHORITY

SWEET LAY PHASE 14.2
PLAY BOOK 24, PAGES 50-51

[illegible]

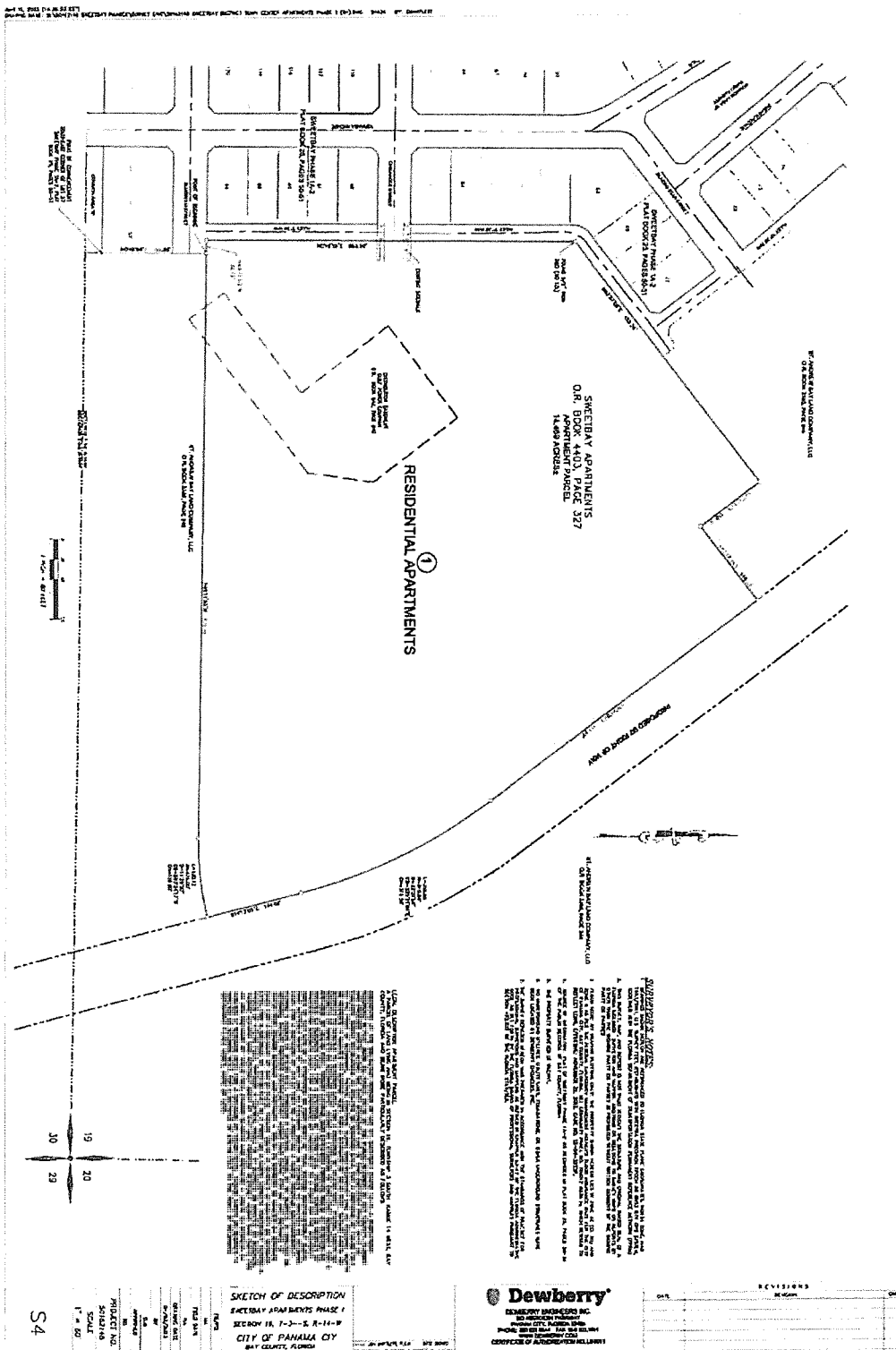
References

Dewberry
DEWBERRY ENGINEERS INC.
300 ALABAMA AVENUE
MONTGOMERY CITY, FLORIDA 36104
PHONE: 334/262-0840 FAX: 334/262-1511
WWW.DEWBERRY.COM
CIRCLE 20 ON A READER SERVICE CARD

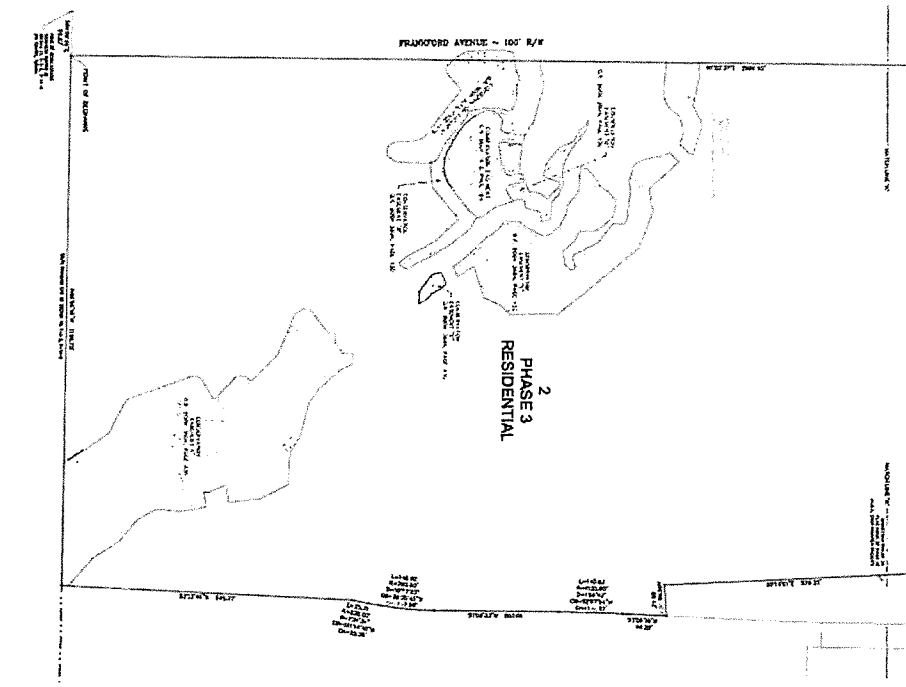
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T-3-S, R-14-W
TOWN CENTER NORTH
PANAMA CITY
BAY COUNTY, FLORIDA

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50162148
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1" = 100'

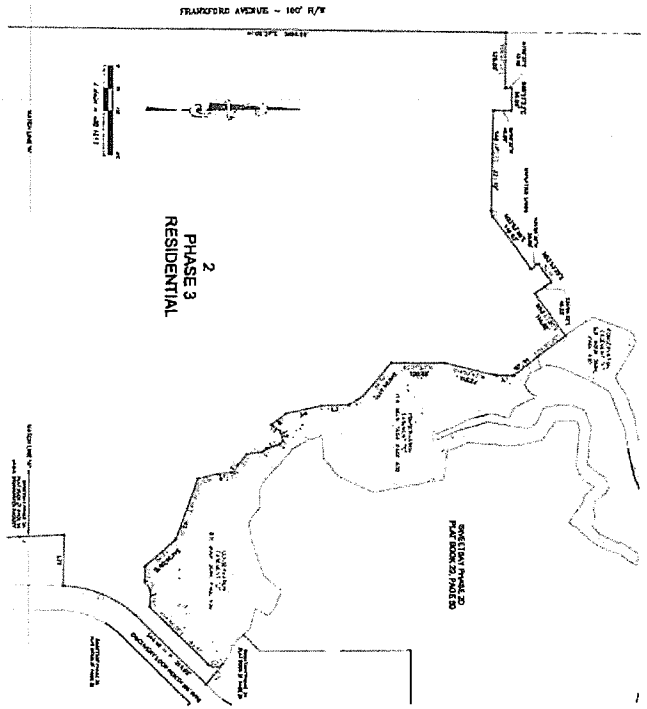
53



THIS IS THE FIRST OF TWO PAGES OF THE PLAT. THE SECOND PAGE OF THE PLAT IS ATTACHED TO THE FIRST PAGE OF THE PLAT.



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2	0.10	W. J. Smith	0.10
3	0.10	W. J. Smith	0.10
4	0.10	W. J. Smith	0.10
5	0.10	W. J. Smith	0.10
6	0.10	W. J. Smith	0.10
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SKETCH OF DESCRIPTION

SECTION 16, T-2-S, R-11-W

SUBJECT: PHASE 3

CITY OF KANAWHA CITY

WAY COUNTY, FLORIDA

Dewberry

DEWBERRY ENGINEERS INC.

1000 KANAWHA AVENUE, SUITE 100

KANAWHA CITY, FLORIDA 32909

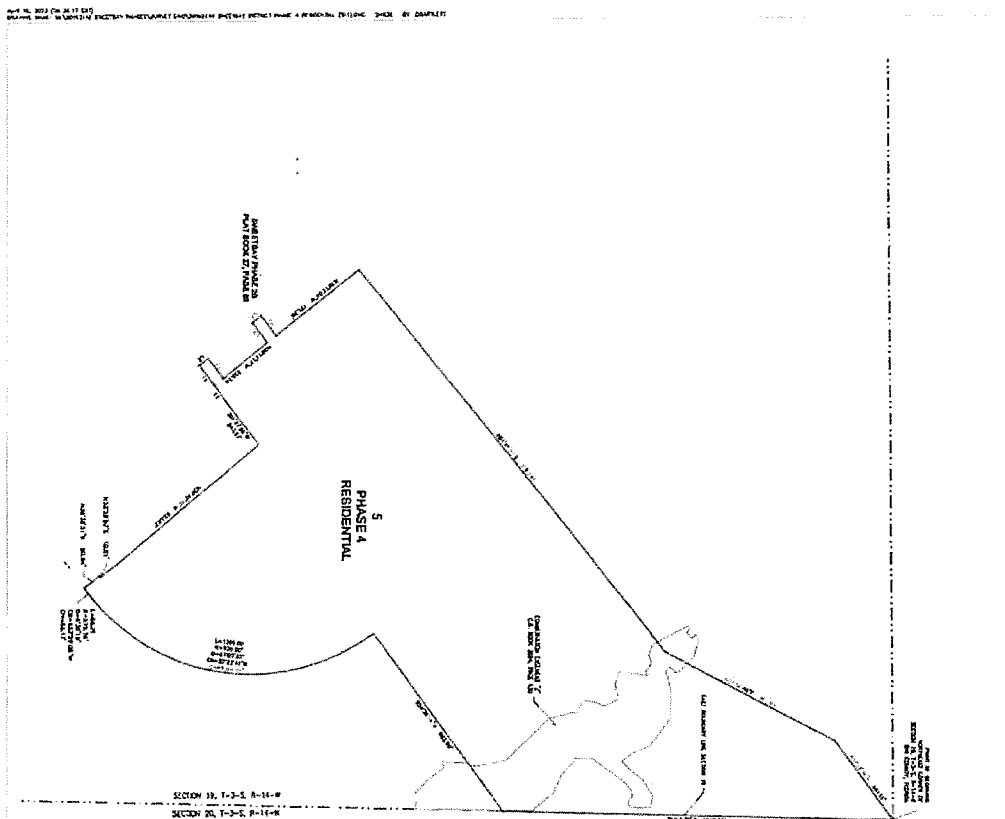
PHONE: (904) 241-1111 FAX: (904) 241-1112

CERTIFICATE OF AUTHORIZATION NO. 12345

REVISIONS

NO.	DESCRIPTION
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2	Revised Design
3	Final Design

[illegible]



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3	Barrel	10.71

[illegible]

511

NAME
FIELD DATE
BY
DRAWING DATE
DATE
BY
APP'D
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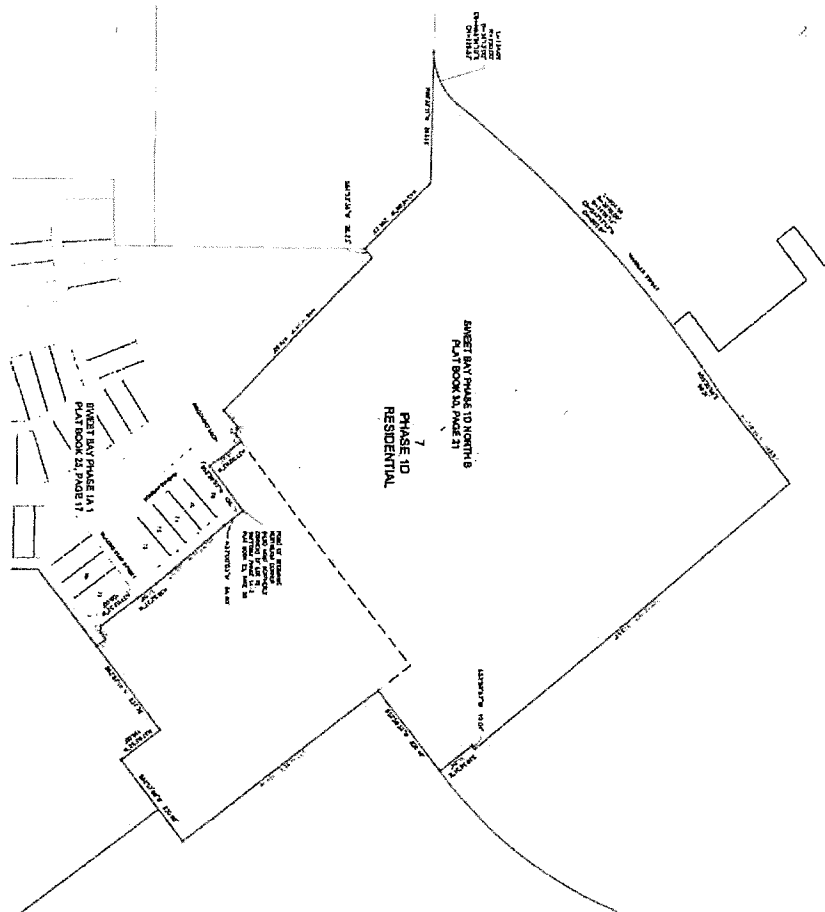
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SECTION 12 7-3-E 8-14-F
[X] PHASE 4 REDDENTAL
CITY OF PANAMA CITY
BAY COUNTY, FLORIDA

ANALYSIS

Dewberry
DEWBERRY ENGINEERS INC.
200 ANDERSON PARKWAY
POMONA CITY, FLORIDA 32668
PHONE: 904.523.4411 FAX: 904.523.4411
WWW.DWBERRY.COM
DON'T EXCEED INFORMATION NO. 12451

[illegible]

THIS PLAN IS THE PROPERTY OF DEWBERRY ENGINEERING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DEWBERRY ENGINEERING, INC.



ALL RIGHTS RESERVED. THIS PLAN IS THE PROPERTY OF DEWBERRY ENGINEERING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DEWBERRY ENGINEERING, INC.



S12

PROJECT NO.	00000000
DATE	01/11/2011
SCALE	1" = 100'

SKETCH OF DESCRIPTION
 SECTION 10 & 11, T-3-S, R-11-E
 (1) PHASE 1D RESIDENTIAL
 CITY OF PENSACOLA
 BAY COUNTY, FLORIDA

Dewberry
 DEWBERRY ENGINEERING, INC.
 10000 DEWBERRY DRIVE
 PENSACOLA, FLORIDA 32506
 PHONE: 904.438.1111 FAX: 904.438.1112
 WWW.DWBERRY.COM
 LICENSED PROFESSIONAL ENGINEER NO. 12151

DATE	REVISIONS	BY

EXHIBIT 9

**SweetBay Residential Community Development Districts 1-7 and Commercial
Community Development Districts 1-2
Performance Measures/Standards and Annual Reporting Form
10/1/2026-9/30/2027**

1. Public Meeting Compliance

Goal: Hold regular Board of Supervisors Meetings at least 2 times during FY 2027

Measurement: Number of regular Board meetings held as verified with meeting minutes

Achieved: Yes _____; No _____

2. Access to Records Compliance

Goal: Ensure that meeting minutes and other public records are available and accessible to the public

Measurement: District staff will review District's website at least once every 6 months to verify documents or links are provided on the District's website

Achieved: Yes _____; No _____

3. District Engineer or Field Operations Manager Site Inspection

Goal: Ensure that District Engineer conduct an annual inspection of the infrastructure owned by the District (if Applicable)

Measurement: The District Engineer will report to the Board when this inspection has occurred

Achieved: Yes _____; No _____

4. Annual Budget Preparation

Goal: Approve the preliminary budget for FY 2028 by date set by Florida Statute and Adopt the final budget for FY 2028 by date set by Florida Statute

Measurement: Preliminary budget approved and final budget adopted by dates set by Florida Statute

Achieved: Yes _____; No _____

5. Financial Audit

Goal: Accept the FY 2026 annual audit by July 1, 2027

Measurement: Whether the Board approves a motion to accept the annual audit before July 1, 2027

Achieved: Yes _____; No _____