

Legislative #

150780

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

CASE NO.: 2016-CA-414
DIVISION: K

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1,

Petitioner,

Parcels 2 and I

vs.

HOUSING PARTNERS OF GAINESVILLE,
FL, LTD., a Florida limited partnership; FIRST
HOUSING DEVELOPMENT CORPORATION
OF FLORIDA, a Florida corporation; CHAPMAN
ASSOCIATES, LTD., a Florida limited liability
Partnership; CITY OF GAINESVILLE, Florida, a
Municipal corporation; BELLSOUTH TELE-
COMMUNICATIONS, INC., a Georgia corpora-
tion; ALACHUA COUNTY, FLORIDA, a
political subdivision of the State of Florida;
RESERVE AT KANAPAHA II, LTD. a Florida
Limited partnership; and JOHN POWER, Alachua
County Tax Collector,

Defendants.

Date: _____	Time: _____
Initials: _____	PS#: _____

2/22/16 at 11:45am
SK

SUMMONS TO SHOW CAUSE AND NOTICE OF HEARING DATE
(Parcels 2 and I)

THE STATE OF FLORIDA:
To All and Singular Sheriffs of Florida:

YOU ARE HEREBY COMMANDED to serve this Summons and a copy of the Petition,
Declaration of Taking, Lis Pendens, and Petitioner's E-Service Designation in this action upon
the following defendants:

Housing Partners of Gainesville, FL, Ltd. a Florida Limited Partnership
Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

First Housing Development Corporation of Florida, a Florida corporation

Attn: Douglas I. McCree, President
107 South Willow Avenue
Tampa, FL 33606

Chapman Associates, Ltd., a Florida limited liability partnership

Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

City of Gainesville, Florida, a municipal corporation

Attn: Edward Braddy, Mayor
City Hall
200 E. University Avenue
Gainesville, FL 32601

BellSouth Telecommunications, Inc., a Georgia corporation

Attn: Robert D. Daniel, President
675 West Peachtree Street, NW, #4510
Atlanta, GA 30375

Alachua County, Florida, a political subdivision of the State of Florida

Attn: Robert Hutchinson, Chair
Alachua County BOCC
12 SE 1st Street, 2nd Floor
Gainesville, FL 32601

Reserve at Kanapaha II, Ltd., a Florida limited partnership

Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

John Power, Tax Collector for Alachua County

12 SE 1st Street
Gainesville, FL 32601

This action has been filed to acquire certain property interests in Alachua County, Florida.

Each defendant is required to serve written defenses to the Petition on Petitioner's Attorney, Bruce B. Humphrey, whose address is:

1031 LaSalle Street
Jacksonville, FL 32207
904/396-6625; 904/396-6624 (facsimile)
bhumphrey@birchfieldhumphrey.com

within twenty (20) days after service of this summons on that defendant, exclusive of the day of service, and to file the original of the defenses with the clerk of this court either before service on Petitioner's attorney or immediately thereafter. If a defendant fails to do so, a default will be entered against that defendant for the relief demanded in the Petition.

PLEASE TAKE NOTICE that a declaration of taking has been filed in this cause and that Petitioner will apply for an Order of Taking and any other order the court deems proper before the **Honorable Monica J. Brasington**, one of the judges of this Court, on **Friday, April 1, 2016 at 2:30 p.m.** (45 minutes reserved) in hearing room 301 at the Alachua County Courthouse, 201 East University Avenue, Gainesville, Florida. All defendants to this suit may request a hearing at the time and place designated and be heard. Any defendant failing to file a request for hearing shall waive any right to object to the Order of Taking.

WITNESS MY HAND AND SEAL of this Court on the 9th day of February 2016.



J. K. IRBY,
CLERK OF THE CIRCUIT COURT
CIVIL DIVISION
201 E UNIVERSITY AVE
GAINESVILLE, FL 32601

J. K. IRBY
As Clerk of the Court

By: Mary Kaye Cairns
As Deputy Clerk

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact the Court Administrator's office not later than seven (7) days prior to the proceeding at (352) 374-3636; or if hearing impaired, 1-352-491-4497 (TDD); or 1-800-955-8770 (V), via Florida Relay Service.

IMPORTANTE

Usted ha sido demandado legalmente. Tiene veinte (20) días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefónica no lo protegerá; si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas en dicho caso. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, deberá usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney." (Demandante O Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce Tribunal. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligé de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le Tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du Tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie au carbone ou une photocopie de votre réponse écrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou à son avocat) nommé ci-dessous.

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

CASE NO.: 2016-CA-414
DIVISION: K

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1,

Petitioner,
vs.

Parcels 2 and I

HOUSING PARTNERS OF GAINESVILLE,
FL, LTD., a Florida limited partnership; FIRST
HOUSING DEVELOPMENT CORPORATION
OF FLORIDA, a Florida corporation; CHAPMAN
ASSOCIATES, LTD., a Florida limited liability
Partnership; CITY OF GAINESVILLE, Florida, a
Municipal corporation; BELLSOUTH TELE-
COMMUNICATIONS, INC., a Georgia corpora-
tion; ALACHUA COUNTY, FLORIDA, a
political subdivision of the State of Florida;
RESERVE AT KANAPAHA II, LTD. a Florida
Limited partnership; and JOHN POWER, Alachua
County Tax Collector,

Defendants.

ORDER APPOINTING ELISOR

THIS CAUSE having come on to be heard on the Petitioner's Motion to Appoint Elisor,
and the Court being fully advised in the premises, it is thereupon

ORDERED AND ADJUDGED as follows:

1. The motion is GRANTED.
2. That **STEVE LEHR** certified in the Fifth Circuit of Florida with ID Number 98-6-22 and **SHAWN MAZZERLE** certified in the Fifth Circuit of Florida with ID Number 08-1-11 as experienced process servers, and disinterested persons, are hereby appointed Elisors in

2016 CA 414
pg 2 of 2

this cause and are authorized to affect service of process upon the Defendant(s) in Alachua County.

DONE AND ORDERED in Chambers in Alachua County, Florida, this 10th day of February 2016.


Circuit Court Judge

Hon. Monica J. Brasington, Circuit Judge

Copy to: 2/11/16 @uo

Bruce B. Humphrey
bhumphrey@birchfieldhumphrey.com
tpurdy@birchfieldhumphrey.com
Attorney for Petitioner

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

CASE NO.:
DIVISION:

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1,

Petitioner,

Parcels 2 and I

vs.

HOUSING PARTNERS OF GAINESVILLE,
FL, LTD., a Florida limited partnership; FIRST
HOUSING DEVELOPMENT CORPORATION
OF FLORIDA, a Florida corporation; CHAPMAN
ASSOCIATES, LTD., a Florida limited liability
Partnership; CITY OF GAINESVILLE, Florida, a
Municipal corporation; BELLSOUTH TELE-
COMMUNICATIONS, INC., a Georgia corpora-
tion; ALACHUA COUNTY, FLORIDA, a
political subdivision of the State of Florida;
RESERVE AT KANAPAHA II, LTD. a Florida
Limited partnership; and JOHN POWER, Alachua
County Tax Collector,

Defendants.

LIS PENDENS
(Parcels 2 and I)

TO ALL DEFENDANTS NAMED AND LISTED IN AN ATTACHMENT HERETO AND TO
ALL OTHERS WHOM IT MAY CONCERN:

You are hereby notified of the filing of a lawsuit by the Petitioner against you seeking to
condemn and acquire by eminent domain proceedings in accordance with Chapters 73 and 74,
and 190, Florida Statutes, as amended, the property described herein by attachment. This
property is located in the State of Florida, County of Alachua.

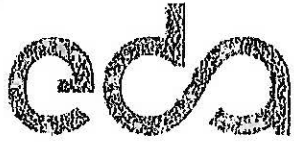
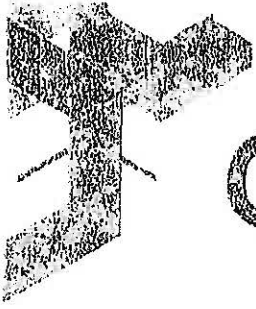
PLEASE BE GOVERNED ACCORDINGLY.

Dated this 4th day of February 2016.

BIRCHFIELD & HUMPHREY, P.A.

/s/ Bruce B. Humphrey

Bruce B. Humphrey
Florida Bar I.D. No.: 0166855
W. O. Birchfield
Florida Bar I. D. No: 0006157
1031 LaSalle Street
Jacksonville, FL 32207
904/396-6625
904/396-6624 (facsimile)
bhumphrey@birchfieldhumphrey.com
wobirchfield@birchfieldhumphrey.com
Attorneys for Celebration Pointe Community
Development District No. 1



engineers • surveyors • planners, inc.

November 20, 2015

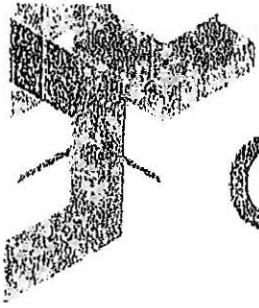
Legal Description

For: Future Right-of-Way **PARCEL 2**
The Reserve Phase I
Tax Parcel no. 06938-000-000

A portion of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida, and run thence South $00^{\circ}51'46''$ East, along the east line of said Southeast $\frac{1}{4}$, a distance of 870.68 feet to the Point of Beginning; thence continue South $00^{\circ}51'46''$ East, along said east line, 813.11 feet; thence North $99^{\circ}51'46''$ West, 8.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular); thence North $00^{\circ}51'46''$ West, parallel with said east line, 168.16 feet; thence South $89^{\circ}08'14''$ West, 7.00 feet; thence North $00^{\circ}51'46''$ West, 20.00 feet; thence North $89^{\circ}08'14''$ East, 7.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular); thence North $00^{\circ}51'46''$ West, parallel with said east line, 416.64 feet to a point lying on the arc of a curve, concave southwesterly, having a radius of 482.00 feet; thence northwesterly, along the arc of said curve, through a central angle of $27^{\circ}47'27''$, an arc distance of 233.79 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of North $14^{\circ}45'30''$ West, 231.51 feet; thence North $28^{\circ}39'13''$ West, 392.17 feet; thence South $89^{\circ}51'34''$ East, 55.91 feet to a point on the southwesterly line of a 15 foot wide service road as per Part B of Official Records Book 933, page 972 of the Public Records of Alachua County, Florida; thence South $28^{\circ}39'13''$ East, along said southwesterly line, 351.18 feet to the beginning of a curve, concave southwesterly, having a radius of 3,710.72 feet; thence southeasterly, along said southwesterly line and along the arc of said curve, through a central angle of $00^{\circ}54'04''$, an arc distance of 58.36 feet to a point on said east line of the Southeast $\frac{1}{4}$ and to the Point of Beginning, said arc being subtended by a chord, having a bearing and distance of South $28^{\circ}12'11''$ East, 58.36 feet.

Containing 0.688 of an acre (29,957 square feet), more or less.



engineers • surveyors • planners, inc.

November 20, 2015

Legal Description

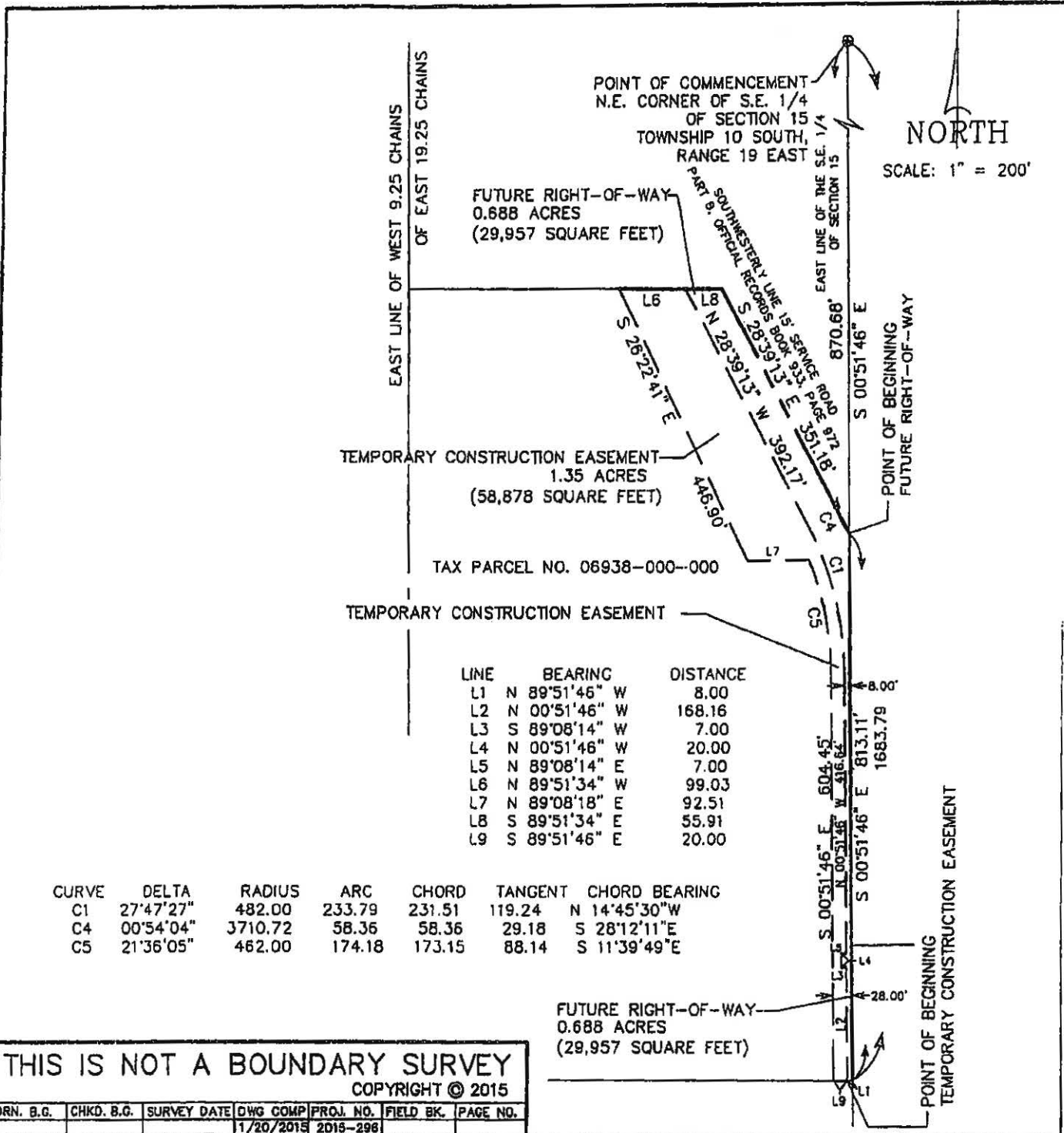
For: Temporary Construction Easement **PARCEL 1**
The Reserve Phase I
Tax parcel No. 06938-000-000

A portion of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida, and run thence South $00^{\circ}51'46''$ East, along the east line of said Southeast $\frac{1}{4}$, a distance of 1,683.79 feet; thence North $89^{\circ}51'46''$ West, 8.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular) and to the Point of Beginning; thence North $00^{\circ}51'46''$ West, parallel with said east line, 168.16 feet; thence South $89^{\circ}08'14''$ West, 7.00 feet; thence North $00^{\circ}51'46''$ West, 20.00 feet; thence North $89^{\circ}08'14''$ East, 7.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular); thence North $00^{\circ}51'46''$ West, parallel with said east line, 416.64 feet to the beginning of a curve, concave southwesterly, having a radius of 482.00 feet; thence northwesterly, along the arc of said curve, through a central angle of $27^{\circ}47'27''$, an arc distance of 233.79 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of North $14^{\circ}45'30''$ West, 231.51 feet; thence North $28^{\circ}39'13''$ West, 392.17 feet; thence North $89^{\circ}51'34''$ West, 99.03 feet; thence South $26^{\circ}22'41''$ East, 446.90 feet; thence North $89^{\circ}08'18''$ East, 92.51 feet to a point lying on the arc of a curve, concave westerly, having a radius of 462.00 feet; thence southerly, along the arc of said curve through a central angle of $21^{\circ}36'05''$, an arc distance of 174.18 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of South $11^{\circ}39'49''$ East, 173.15 feet; thence South $00^{\circ}51'46''$ East, parallel with, and 28.00 feet westerly of said east line (measured perpendicular), 604.45 feet; thence South $89^{\circ}51'46''$ East, 20.00 feet to the Point of Beginning.

Containing 1.35 of an acre (58,878 square feet), more or less.

**Server: \\svr0001\sgain\cal\alain\m\Polinet\Calain\2015\Pointe - Temp Construction Easement.doc



LINE	BEARING	DISTANCE
L1	N 89°51'46" W	8.00
L2	N 00°51'46" W	168.16
L3	S 89°08'14" W	7.00
L4	N 00°51'46" W	20.00
L5	N 89°08'14" E	7.00
L6	N 89°51'34" W	99.03
L7	N 89°08'18" E	92.51
L8	S 89°51'34" E	55.91
L9	S 89°51'46" E	20.00

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C1	27°47'27"	482.00	233.79	231.51	119.24	N 14°45'30"W
C4	00°54'04"	3710.72	58.36	58.36	29.18	S 28°12'11"E
C5	21°36'05"	462.00	174.18	173.15	88.14	S 11°39'49"E

FUTURE RIGHT-OF-WAY
0.688 ACRES
(29,957 SQUARE FEET)

THIS IS NOT A BOUNDARY SURVEY
COPYRIGHT © 2015

DRN. B.G.	CHKD. B.G.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
		1/20/2015	2015-296			

LEGAL DESCRIPTION SKETCH OF

A PORTION OF SECTION 15, TOWNSHIP 10 SOUTH,
RANGE 19 EAST, ALACHUA COUNTY FLORIDA
TAX PARCEL NO. 06938-000-000
FOR: CELEBRATION POINTE HOLDINGS, LLC

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 (2015), FLORIDA STATUTES.

BY: ROBERT W. GRAVER P.S.M. 4239

Corporate Authorization
No. LB 2389



eda engineers-surveyors-planners, inc.

2404 N.W. 43rd ST, GAINESVILLE, FLORIDA 32606-6602
TEL: (352) 373-3541 FAX: (352) 373-7249
E-MAIL: mail@edapl.com

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

CASE NO.:
DIVISION:

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1,

Petitioner,

Parcels 2 and I

vs.

HOUSING PARTNERS OF GAINESVILLE,
FL, LTD., a Florida limited partnership; FIRST
HOUSING DEVELOPMENT CORPORATION
OF FLORIDA, a Florida corporation; CHAPMAN
ASSOCIATES, LTD., a Florida limited liability
Partnership; CITY OF GAINESVILLE, Florida, a
Municipal corporation; BELLSOUTH TELE-
COMMUNICATIONS, INC., a Georgia corpora-
tion; ALACHUA COUNTY, FLORIDA, a
political subdivision of the State of Florida;
RESERVE AT KANAPAHA II, LTD. a Florida
Limited partnership; and JOHN POWER, Alachua
County Tax Collector,

Defendants.

PETITION FOR CONDEMNATION
(Parcels 2 and I)

Petitioner, CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO.
1, sues each of the Defendants named herein, and alleges:

1. This is an action of eminent domain to condemn certain property lying, being
located, and situated in Alachua County, Florida.

2. Petitioner, CELEBRATION POINTE COMMUNITY DEVELOPMENT
DISTRICT NO. 1, is a unit of special-purpose government established pursuant to the Uniform
Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes

("Uniform Act"), brings these proceedings under authority of the Constitution and Laws of Florida, including Chapters 73, 74 and 190, Florida Statutes, and Board of Supervisors of Celebration Pointe Community Development District No. 1 Resolution No. 2015-10 dated July 30, 2015, Alachua County Resolution No. 15-126 dated November 10, 2015 and Board of Supervisors of Celebration Pointe Community Development Resolution 2016-04 dated November 11, 2015, copies of which are attached as "Composite Schedule A".

3. The property described on Composite Exhibit "A" attached is necessary for the purpose of constructing road improvements to SW 43rd Street and SW 32nd Street in Alachua County, Florida, this being a public purpose.

4. Parcels 2 and I are owned by:

HOUSING PARTNERS OF GAINESVILLE, FL, LTD.

Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

SUBJECT TO
INTERESTS OF:

First Housing Development Corporation of Florida, a Florida corporation

Attn: Douglas I. McCree, President
107 South Willow Avenue
Tampa, FL 33606

by virtue of Multifamily Mortgage, Assignment of Leases and Rents and Security Agreement dated 17 January 2013 recorded in Alachua County Official Records Book 4167, Page 87

Chapman Associates, Ltd., a Florida limited liability partnership

Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

by virtue of Grant of Easement dated July 9, 2010 recorded in Alachua County Official Records Book 4067, page 2487

City of Gainesville, Florida, a municipal corporation

Attn: Edward Braddy, Mayor

City Hall
200 E. University Avenue
Gainesville, FL 32601

by virtue of Easement dated 22 day of October 1997 recorded in Alachua County Official Records Book 2140, page 764

BellSouth Telecommunications, Inc., a Georgia corporation
Attn: Robert D. Daniel, President
675 West Peachtree Street, NW, #4510
Atlanta, GA 30375

by virtue of Easement dated 14 day of November 1997 recorded in Alachua County Official Records Book 2147, page 847

Alachua County, Florida, a political subdivision of the State of Florida
Attn: Robert Hutchinson, Chair
Alachua County BOCC
12 SE 1st Street, 2nd Floor
Gainesville, FL 32601

by virtue of Drainage Easement dated 4th day of August 1997 recorded in Alachua County Official Records Book 2221, page 1014

Reserve at Kanapaha II, Ltd., a Florida limited partnership
Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

by virtue of Easement Agreement dated 22nd day of June 2005 recorded in Alachua County Official Records Book 3151, page 1286

John Power, Tax Collector for Alachua County
12 SE 1st Street
Gainesville, FL 32601

for Taxes, if any

5. The interest sought to be condemned herein as to Parcel 2 is fee simple and Parcel I is a temporary construction easement, as more fully appears from the resolution attached hereto.

6. That the ages of each and all natural Defendants named in these proceedings are unknown to the Petitioner.

7. The Petitioner has made a diligent search and inquiry to discover the names, residences, and legal disabilities, if any, and interests in the property of all owners, lessees, mortgagees, judgment creditors, lienholders, persons in possession, and all persons having or claiming to have any interest in said property and the same is particularly set forth as follows, to-wit:

TO ALL THOSE RESPONDENTS WHO ARE RESIDENTS OF THE STATE OF FLORIDA:
AS TO PARCELS 2 and I

Housing Partners of Gainesville, FL, Ltd.
Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

First Housing Development Corporation of Florida, a Florida corporation
Attn: Douglas I. McCree, President
107 South Willow Avenue
Tampa, FL 33606

Chapman Associates, Ltd., a Florida limited liability partnership
Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

City of Gainesville, Florida, a municipal corporation
Attn: Edward Braddy, Mayor
City Hall
200 E. University Avenue
Gainesville, FL 32601

BellSouth Telecommunications, Inc., a Georgia corporation
Attn: Robert D. Daniel, President
675 West Peachtree Street, NW, #4510
Atlanta, GA 30375

Alachua County, Florida, a political subdivision of the State of Florida
Attn: Robert Hutchinson, Chair
Alachua County BOCC

12 SE 1st Street, 2nd Floor
Gainesville, FL 32601

Reserve at Kanapaha II, Ltd., a Florida limited partnership
Attn: Laretta J. Pippin, Registered Agent
1002 West 23rd Street, Suite 400
Panama City, FL 32405

John Power, Tax Collector for Alachua County
12 SE 1st Street
Gainesville, FL 32601

And to all the foregoing Defendants if said Defendants are living and if any or all of said Defendants are deceased, the unknown spouse, heirs, devisees, grantees, creditors, lienors, or other parties claiming by, through, under or against any such deceased Defendant or Defendants, if alive, and, if dead, their unknown spouses, heirs, devisees, grantees, creditors, lienors, or other parties claiming by, through, under or against any such deceased Defendant or Defendants; and all parties having or claiming to have any right, title, or interest in the property described in these proceedings who are unknown to the Petitioner.

8. The Petitioner has surveyed and located its line or area of construction. Petitioner has prepared and adopted a map of survey and location of its line or area of construction as surveyed and located and intends in good faith to construct the project on or over the property described in this Petition.

9. There are no mobile homes located on the property sought to be acquired.

10. Before initiating this action, Petitioner has made a good faith attempt to comply with the negotiation procedures and notice procedures as required by F.S. 73.015.

WHEREFORE, Petitioner demands:

(A) That the property described in the Petition be condemned and taken by the Petitioner for the uses and purposes set forth in this Petition and that the interest sought by

Petitioner in said property, as set forth in the Petition, be vested in the Petitioner,
CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1.

- (B) That a trial by jury be held on all matters triable as a matter of right by a jury.
- (C) That the jury be required to view the property.
- (D) Petitioner be granted possession and title in advance of final judgment under F.S.

Chapter 74.

DATED this 4th day of February 2016.

BIRCHFIELD & HUMPHREY, P.A.

/s/ Bruce B. Humphrey

Bruce B. Humphrey
Florida Bar I.D. No.: 0166855
W. O. Birchfield
Florida Bar I. D. No: 0006157
1031 LaSalle Street
Jacksonville, FL 32207
904/396-6625
904/396-6624 (facsimile)
bhumphrey@birchfieldhumphrey.com
wobirchfield@birchfieldhumphrey.com
Attorneys for Celebration Pointe Community
Development District No. 1

RESOLUTION 2015 - 10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1 DIRECTING THE DISTRICT ENGINEER TO UPDATE THE ENGINEER'S REPORT TO BE CONSISTENT WITH THE REQUIREMENTS OF THE DEVELOPMENT APPROVALS FOR DEVELOPMENT OF LAND WITHIN THE DISTRICT, INCLUDING THE IMPROVEMENT OF CERTAIN INFRASTRUCTURE LOCATED OUTSIDE OF THE BOUNDARIES OF THE DISTRICT; DIRECTING DISTRICT STAFF TO FILE A REQUEST WITH ALACHUA COUNTY TO REQUEST AUTHORIZATION TO EXERCISE POWERS OF EMINENT DOMAIN OF CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1; AND AUTHORIZING DISTRICT STAFF TO PROCEED WITH EMINENT DOMAIN PROCEEDINGS UPON APPROVAL BY ALACHUA COUNTY, FLORIDA

WHEREAS, Celebration Pointe Community Development District No. 1 (hereinafter the "District") is a local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes, being situated entirely within the County of Alachua, Florida; and

WHEREAS, the District was established by Ordinance 2012-17 of the Board of County Commissioners of Alachua County, Florida which became effective on December 11, 2012 and expanded by Ordinance 2014-03 of the Board of County Commissioners of Alachua County, Florida, Florida which became effective on January 28, 2014; and

WHEREAS, the District has adopted an Engineer's Report prepared by England, Thims and Miller, Inc. and dated November 19, 2014 (the "Engineer's Report") which details the public infrastructure to be constructed or acquired by the District or landowners within the District in support of the planned development that is under construction within the District boundaries; and

WHEREAS, Alachua County (the "County") adopted Resolution DR-15-21 on June 23, 2015, which approved a modification to the Preliminary Development Plan (the "PDP") for the property within the District and required the development of additional public infrastructure with within the District's boundaries and outside of the District's boundaries in support of the modified development plans; and

WHEREAS, the new public infrastructure required in connection with the PDP approved by County Resolution DR-15-21 included roadway improvements to SW 43rd Street and SW 32nd Street and associated stormwater facilities, utilities, easements and temporary construction easements that are outside of the boundary of the District and that will require acquisition of

additional right of way from third party owners and construction of certain roadway improvements; and

WHEREAS, the District must updated the Engineer's Report to reflect the requirements of the approved PDP, including the addition of improvements to SW 43rd Street and SW 32nd Street as shown on Exhibit "A"; and

WHEREAS, the District finds that it is necessary and proper and in the best interest of the District, its present and future landowners, to acquire the right of way parcels generally shown on Exhibit "B" from third party landowners through either a negotiated acquisition or through the exercise of eminent domain to enable the District to construct or acquire the public improvements outlined in the PDP; and

WHEREAS, the District is authorized to exercise eminent domain authority outside the boundaries of the District when specific authorization is granted by the County in accordance with Fla. Stat. §190.011(11); and

WHEREAS, the District hereby directs its staff to submit a request for approval of the exercise of eminent domain authority by the District to acquire the parcels of right of way identified on Exhibit "B" in accordance with Fla. Stat. §190.011(11) to the County; and

WHEREAS, upon approval by the County of the exercise of eminent domain authority outside of the District boundaries in accordance with this Resolution, the District hereby directs its District Manager, District Engineer and District Counsel to take such actions as are needed to exercise such authority and acquire the parcels of right of way parcels generally identified on Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1:

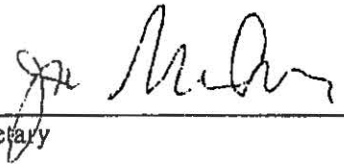
1. The foregoing recitals are incorporated herein by reference.
2. The District Engineer is hereby directed to update the Engineer's Report to reflect the additional off-site improvements, including improvements and right of way required for SW 43rd Street and SW 32nd Street, together with all associated stormwater facilities, utilities, easements and temporary construction easements, required by the PDP approved by County Resolution DR-15-21 and submit the updated Engineer's Report to the Board of approval at its next scheduled meeting.
3. The District Manager, District Engineer and District Counsel are hereby directed to finalize the configuration and description of the right of way parcels generally identified on Exhibit "B" and submit a petition to the County in accordance with Fla. Stat. §190.011(11) seeking authorization for the exercise of eminent domain authority by the District outside the District's boundaries to acquire the necessary right of way parcels for SW 43rd Street and SW

32nd Street, together with all associated stormwater facilities, utilities, easements and temporary construction easements

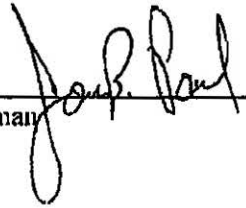
PASSED AND ADOPTED this 30th day of July, 2015.

ATTEST:

**BOARD OF SUPERVISORS OF THE
CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1**



Secretary



Chairman

Exhibit "A" – SW 43rd Street and SW 32nd Street Improvements

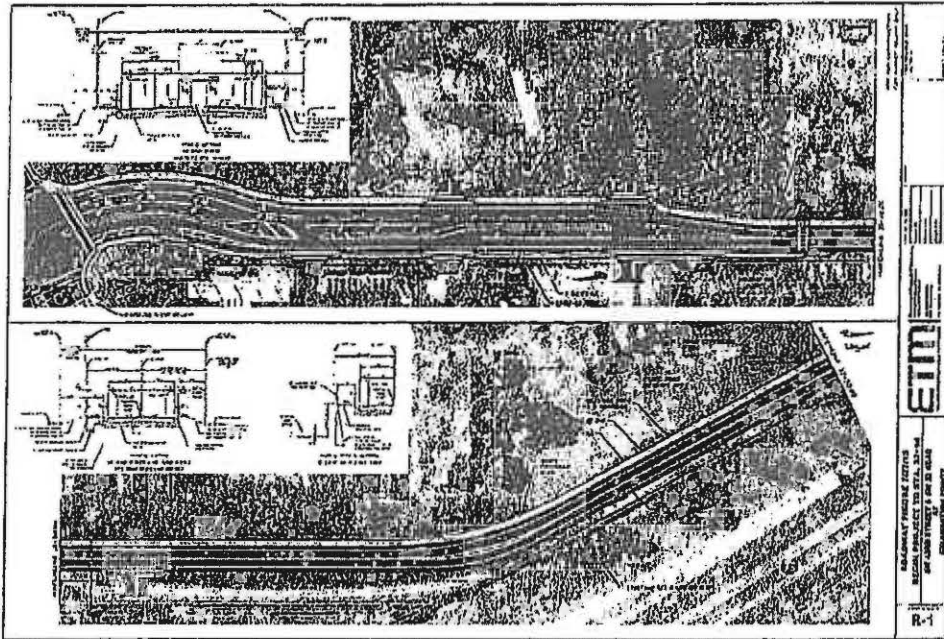
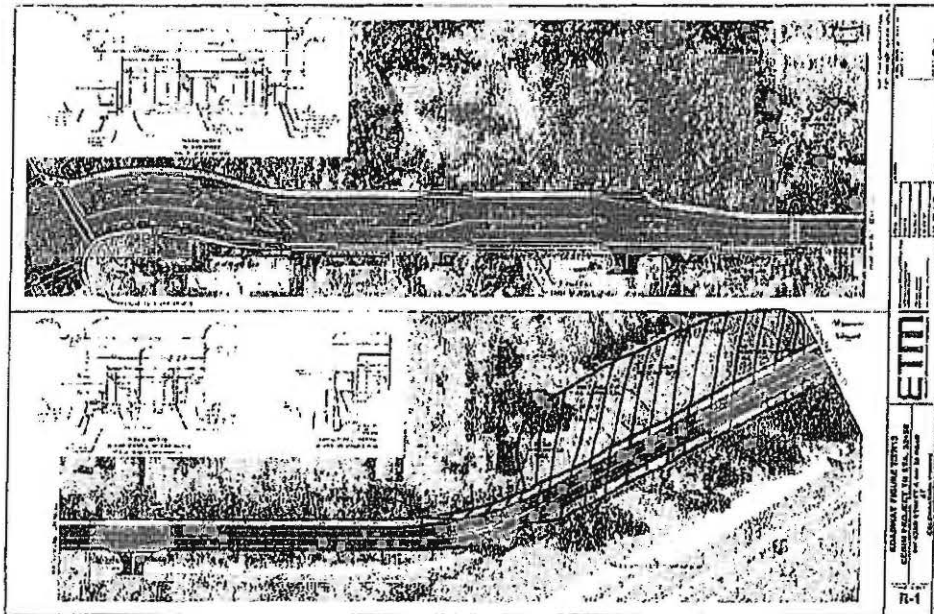


Exhibit "B" – Offsite Right-of-Way Parcels



1
2
3
4
5
6
7
8
9
10
11
12

RESOLUTION NO.15- 126

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA GRANTING APPROVAL OF THE
RIGHT OF THE CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT #1 ("DISTRICT") TO EXERCISE EMINENT
DOMAIN POWER OUTSIDE OF THE DISTRICT FOR CERTAIN
DISTRICT ROADS AS SPECIFICALLY STATED HEREIN, PURSUANT
TO SECTION 190.011(11), FLORIDA STATUTES*

13 **WHEREAS**, the Celebration Pointe Community Development District #1 ("District")
14 was established by Ordinance No. 2012-17 and subsequently expanded by Ordinance No. 2014-
15 03 for the express purpose of financing infrastructure improvements relating to a development in
16 Alachua County commonly known as Celebration Pointe; and

17 **WHEREAS**, pursuant to Section 190.011(11), Fla. Stat., the District, has requested the
18 County of Alachua approve the right of the District to exercise eminent domain power outside of
19 the District for district roads, pursuant Section 190.011(11), Fla. Stat;

20 **WHEREAS**, the safe, efficient and uninterrupted transportation of people and property
21 from place to place on the County Road System of Alachua County is a matter of great concern
22 to the people of the County and is necessary to ensure the smooth operation of commerce and
23 other activities within Alachua County;

24 **WHEREAS**, SW 43rd Street is existing and its continuation and connection to SW 32nd
25 Road would create a safe, efficient and valuable multimodal transportation route choice for
26 properties along this road and traffic from both Archer Road and the Celebration Pointe
27 Development;

28 **WHEREAS**, the Board of County Commissioners of Alachua County hereby determines
29 that the actions taken herein are consistent with the goals, policies and objectives of the Alachua
County Comprehensive Plan;

1 NOW, THEREFORE, BE IT, RESOLVED BY THE BOARD OF COUNTY
2 COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

3 **Section 1.** Pursuant to the District's request, the County of Alachua grants to the
4 Celebration Pointe Community Development District #1 ("District") the right to exercise
5 eminent domain power outside of the District for district roads and related improvements,
6 pursuant to Section 190.011(11), Fla. Stat. (2014). The County's approval of eminent domain
7 power is specifically limited to offsite District road improvements required for the extension of
8 SW 43rd Street/SW 32nd Road as described in the District's Supplemental Engineer's Report #2,
9 adopted by the board of supervisors of the District on September 25, 2015. A copy of the
10 District's adopted Supplemental Engineer's Report #2 is attached as Exhibit 1.


11 **Section 2.** It is necessary, serves a County public purpose, and is in the best interests of
12 the citizens of Alachua County and the traveling public to continue SW 42 Street/ SW 32nd Road
13 in order to enhance public transportation within Alachua County and to alleviate traffic
14 congestion.

15

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

DULY ADOPTED in regular session this 10th day of November, A.D., 2015.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: 
Robert Hutchinson, Chair

ATTEST:



J. K. Irby, Clerk

APPROVED AS TO FORM


Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS



Department of Growth Management

Authorized Designee

Exhibit 1

**Celebration Pointe CDD No. 1
Eminent Domain Request**

**CELEBRATION POINTE
COMMUNITY DEVELOPMENT DISTRICT NO. 1
SUPPLEMENTAL ENGINEER'S REPORT # 2
FOR CAPITAL IMPROVEMENTS**

Prepared For:

**Board of Supervisors
CELEBRATION POINTE
Community Development District No. 1**

Engineers:

**England, Thims, and Miller, Inc.
14775 Old St. Augustine Road
Jacksonville, Florida 32258
(904) 642-8990**

Financial Advisor:

**Fishkind And Associates
12051 Corporate Boulevard
Orlando, Florida 32817**

ETM No. 14-129-1

September 25, 2015

This is a report that serves as a supplemental addendum to the adopted Celebration Pointe Community Development District Improvement Plan dated April 18, 2014 (the "Master Report") as prepared by Jarvis and Folsoin, Inc.; as amended on November 19, 2014 (Supplemental No.1) as prepared by England, Thims and Miller, Inc.

The Celebration Pointe Community Development District (the "District") is a 212± acre community development district located in an unincorporated portion of Alachua County, Florida at the northwest quadrant of Archer Road and I-75. Of the total 212±/- acres, approximately 97.93± acres (excluding land planned for stormwater pond areas, rights of way for the SW 45th Street-Entry Road and the planned park and ride lot) will be used for development, 88± acres will be placed in conservation as part of obtaining development rights for the Celebration Pointe project hereafter described and the balance of the acres will be developed with roadways, common areas, etc.. The undeveloped parcels within the District are being developed as the mixed-use project known as "Celebration Pointe". The authorized land uses within the District include commercial, institutional and residential development as well as substantial open space and recreational amenities.

In order to serve the land in the District, the District has developed and adopted an Improvement Plan dated April 18, 2014 and Supplemental Engineering Report No.1 dated November 19, 2014, describing certain infrastructure, transportation and mitigation facilities within and adjacent to the District. Some of these public improvements will be financed by the District. All of the Improvement Plan components to be financed by the District's proposed Special Assessment Revenue Bonds, Series 2014 (the "2014 Bonds") or any future District bonds (the "Future Bonds") will provide a special benefit to the land within the boundaries of the District.

As the District continues to evolve, this supplemental report amends the Improvement Plan to meet the needs of the District. This amendment has identified the need for the District to acquire certain right-of-way for the SW 43rd / 32nd Street. This proposed road is approximately 4,000 linear feet with curb and gutter, multi-use path, sidewalk and stormwater collection system. It is generally a two-lane road with additional lanes toward SW Archer Road intersection that will accommodate existing uses.

This proposed SW 43rd / 32nd Street will provide additional access for the District along with SW 45th Street and SW30th Road/Bridge as identified in the previous Engineer Report. The proposed road is situated just east of the District's boundary. It is anticipated that this offsite road will serve up to 15% of the District's projected traffic. Table III has been amended to include the Right-of-Way (ROW) acquisition to include this roadway with the funding to be determined.

The proposed SW 43rd / 32nd Street will be connected to the existing SW 43rd Street right-of-way that currently terminates approximately a 1000 feet north of Archer Road at the existing Holiday Inn parking lot. The Master Developer has already acquired the property to the west of this 1000' portion in order for the intersection improvement as well as having an agreement to modify the Holiday Inn parking lot. He has also acquired the McNamara parcel to allow the roadway to turn westward via SW 32nd Street and connect to the Celebration Pointe CDD boundary.

The attached Exhibit A shows the general location of the proposed road in relation to the District; the attached Exhibit B depicts the current configuration of the roadway alignment and the proposed right-of-way/easement to be acquired; and Exhibit C is the legal and sketch related to the right-of-ways and easements that may be needed for this proposed improvement.

The Improvement Plan contained in this report reflects the present intentions of the Celebration Pointe Community Development District. However, the Improvement Plan may be subject to modification in the future. The implementation of any improvement outlined within the Plan requires final approval by the Celebration Pointe Community Development District Board of Supervisors.

TABLE III
CIP Component Summary of Opinion of Probable Cost and Estimated Timetable

Funding Timeline	Costs Funded 2014-2016			Costs Funded 2016 or Later		Grand Total
	CDD 2014 Bonds *	2014 SIB Loan	Private Funding	District Bonds	Private Funding	
Ph. I Public Infrastructure Improvements						
Archer Median & Signal Improvement	\$485,772					\$485,772
Signal On SW 47th Street (Onsite 45 th)	\$533,059					\$533,059
SW 45th Street Improvements (Offsite 45 th)	\$2,077,967					\$2,077,967
SW 45th/47th Street Improvements (Onsite 45 th)	\$2,523,684					\$2,523,684
SW 32 nd , 50 th , 26 th Street Improvements	\$10,462,214					\$10,462,214
Bridge/SW 30th Avenue Improvements		\$12,000,000	\$387,999			\$12,387,999
SW 42nd Way Road Improvements	\$838,896					\$838,896
Master Stormwater Facilities	\$782,944					\$782,944
Storm Drain Infrastructure (Related to Master Stormwater Facilities)	\$585,502					\$585,502
Offsite Oak Park Baptist Church			\$100,000			\$100,000
Park & Ride Trail Improvements	\$429,018					\$429,018
Archer Braid Trail	\$1,391,483					\$1,391,483
TOTAL Ph. I Public Infrastructure Improvements	\$20,110,639	\$12,000,000	\$487,999			\$32,598,638

Phase I ROW Acquisitions						
SW Business Park	\$1,700,000					\$1,700,000
AutoCraft	\$1,200,000					\$1,200,000
Self Storage	\$100					\$100
SW 45th/47th Street	\$1,800,000					\$1,800,000
Park and Ride Lot	\$400,000					\$400,000
SW 43rd/32nd Street			TBD***			\$0
TOTAL Phase I ROW Acquisitions**	\$5,100,100					\$5,100,100

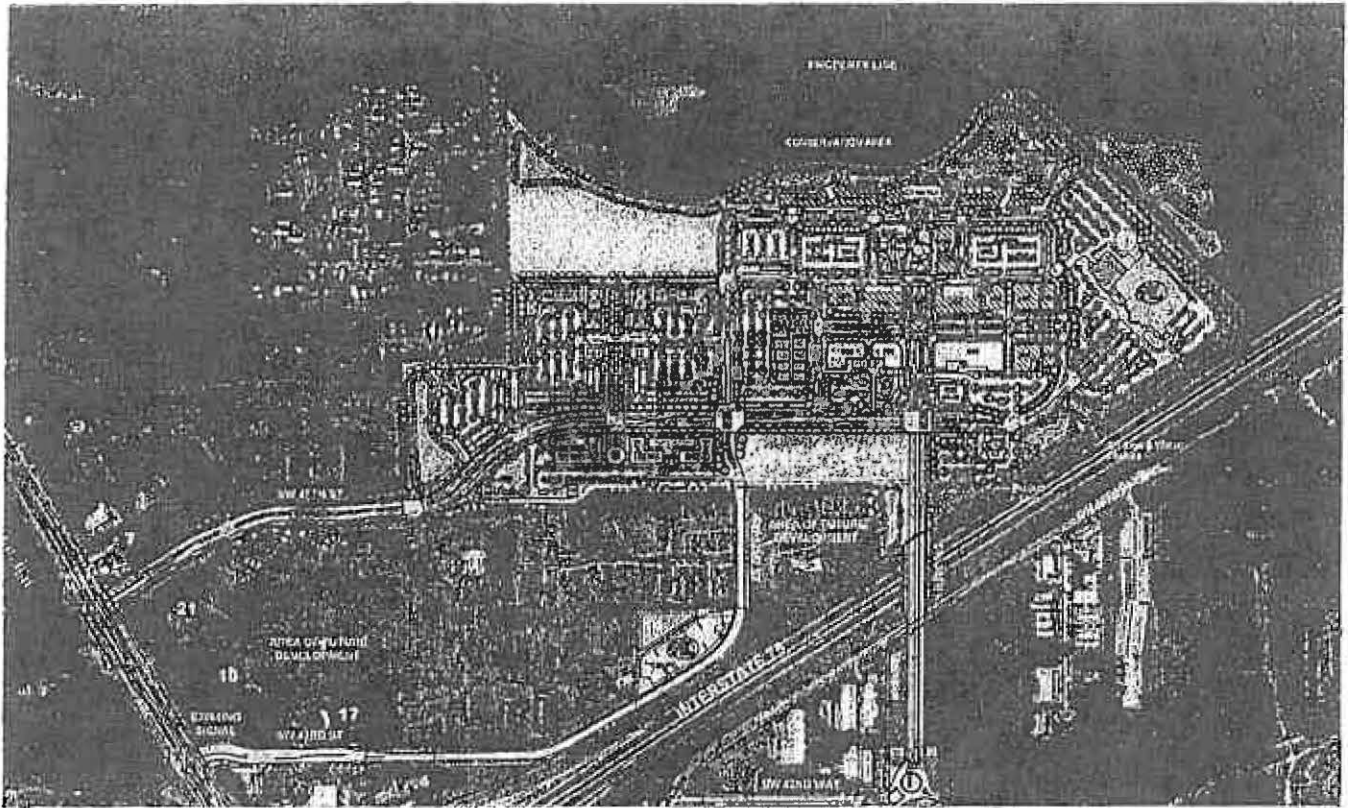
Phase I Construction/Development Fees						
Development Mgmt. Services (2.5%)	\$568,552		\$406,887			\$975,439
Construction Mgmt. Services (3.0%)	\$676,319		\$465,850			\$1,142,169
TOTAL Phase I Construction Development Fees	\$1,244,871		\$872,737			\$2,117,608

Funding Timeline	Costs Funded 2014-2016			Costs Funded 2016 or Later		Grand Total
	CDD 2014 Bonds	2014 SIB Loan	Private Funding	District Bonds	Private Funding	
Phase I Master Infrastructure						
Demolition & Clearing			\$249,900			\$249,900
Rough Grading			\$2,240,561			\$2,240,561
Erosion Control			\$211,451			\$211,451
Domestic Water System			\$297,960			\$297,960
Storm Drain Infrastructure			\$0			\$0
Jack & Bore 16" Waterline @I-75			\$189,500			\$189,500
Landscaping & Irrigation			\$843,459			\$843,459
Contingency (10%)			\$604,924			\$604,924
Performance Bond(s)			\$40,328			\$40,328
Consulting Services			\$612,355			\$612,355
Trey Mitigation Allowance			\$148,509			\$148,509
Building Permit-Related Fees			\$19,279			\$19,279
Contingency (3%)			\$39,007			\$39,007
Development Mgmt. Services (2.5%)			\$123,687			\$123,687
Construction Mgmt. Services (3.0%)			\$154,575			\$154,575
TOTAL Phase I Master Infrastructure			\$5,775,495			\$5,775,495

* As described earlier, other public components of the Improvement Plan may be funded by the 2014 Bonds.

** Based on the appraised value of the right-of-way parcels as shown on the appraisal prepared for the District by Custumn and Wakefield dated November 18, 2014.

*** To be Determined



DISCLAIMER:
 FOR ILLUSTRATIVE PURPOSES
 ONLY. PLAN MAY NOT REPRESENT
 FINAL CONFIGURATION.

EXHIBIT "A"
 (REVISED SEPTEMBER 25, 2015) / JUNE 11, 2015



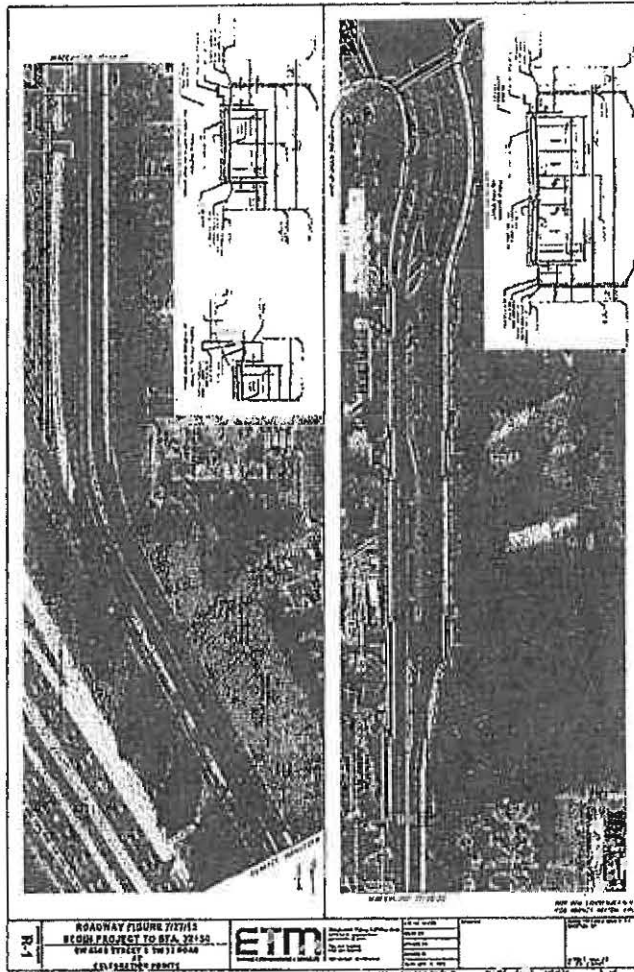
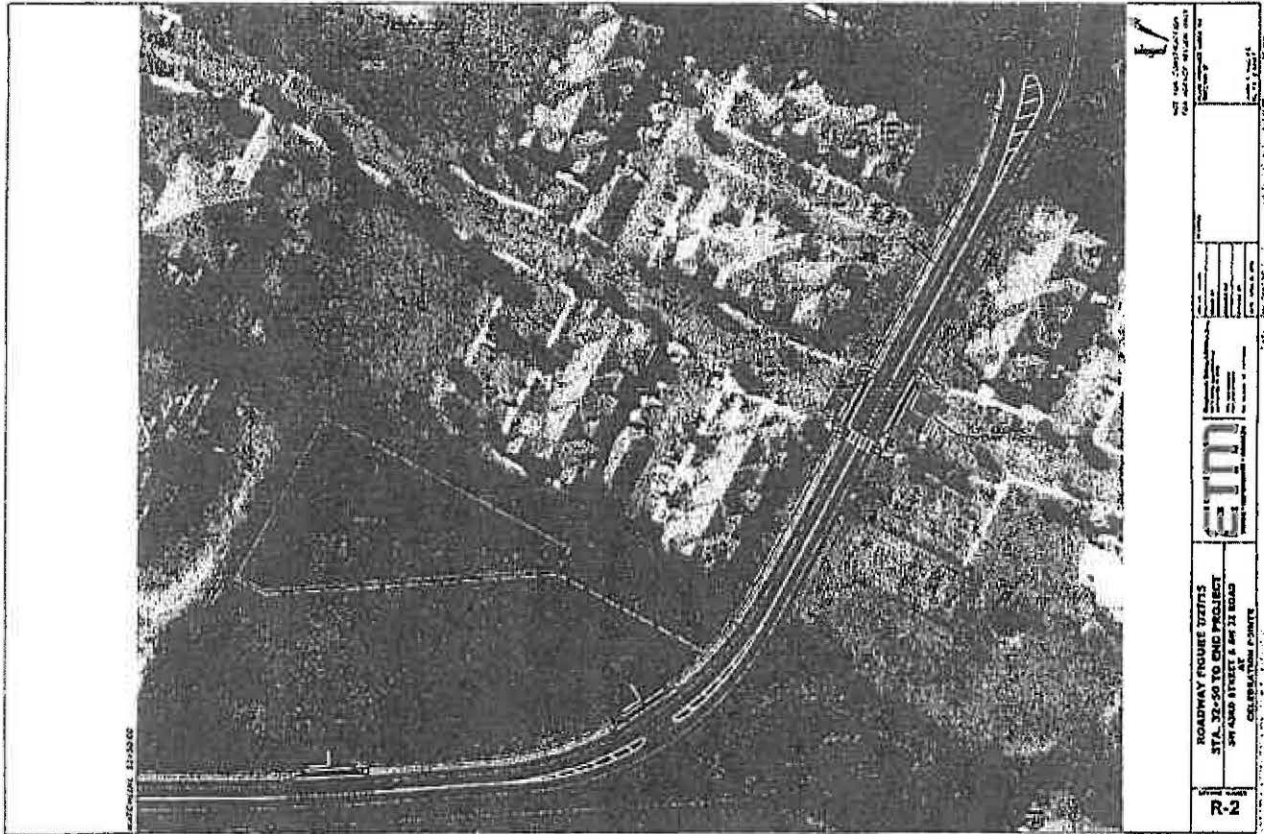
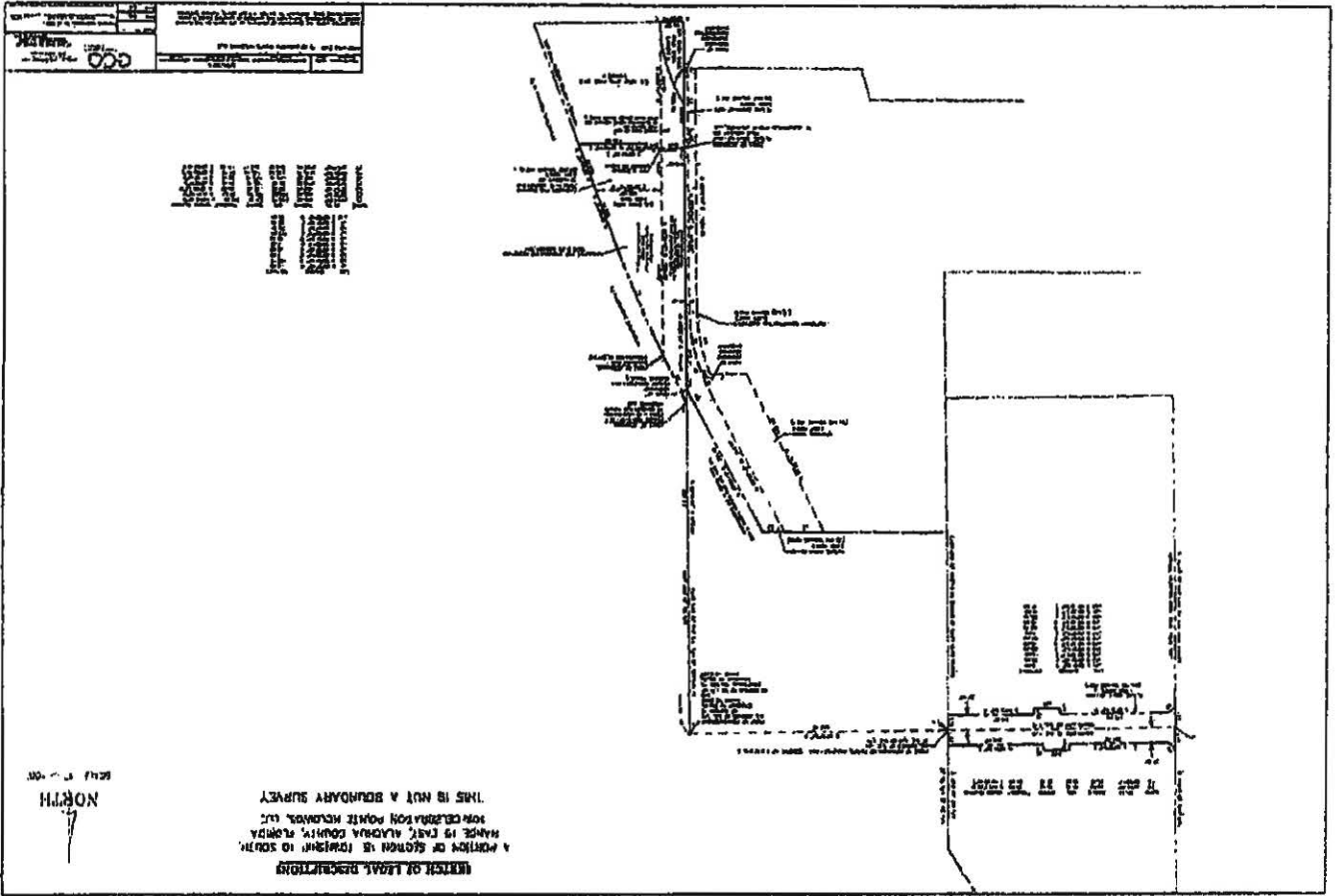


EXHIBIT "B"

EXHIBIT "B"





RESOLUTION NO. 2016-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1 AUTHORIZING THE CHAIRMAN AND DISTRICT STAFF TO INITIATE EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF CERTAIN REAL PROPERTY FOR USE AS RIGHT OF WAY PURSUANT TO CHAPTER 73 AND CHAPTER 74 OF THE FLORIDA STATUTES, AUTHORIZING THE RETENTION OF ANY NECESSARY CONSULTANTS TO PROCESS THE EMINENT DOMAIN PROCEEDINGS AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE ACQUISITION OF CERTAIN REAL PROPERTY FOR USE AS RIGHT OF WAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Celebration Pointe Community Development District No. 1 ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes ("Uniform Act"), and County of Alachua, Alachua County Ordinance Number 2012-17 ("Ordinance"); and

WHEREAS, the original boundaries of the District were expanded pursuant to Alachua County Ordinance 2014-03, enacted by the Board of County Commissioners of the County of Alachua, Florida (the "County") on January 28, 2014; and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roads, a fire station, utility relocation, utility improvements, offsite road improvements, entry features, landscaping, stormwater management, wetlands mitigation, street lighting and other infrastructure; and

WHEREAS, the District has adopted an Engineer's Report prepared by England, Thims and Miller, Inc. and dated November 19, 2014 (the "Engineer's Report") which details the public infrastructure to be constructed or acquired by the District or landowners within the District in support of the planned development that is under construction within the District boundaries; and

WHEREAS, Alachua County (the "County") adopted Resolution DR-15-21 on June 23, 2015, which approved a modification to the Preliminary Development Plan (the "PDP") for the property within the District and required the development of additional public infrastructure within the District's boundaries and outside the District's boundaries in support of the modified development plans; and

WHEREAS, the new public infrastructure required in connection with the PDP approved by County Resolution DR-15-21 included roadway improvements to SW 43rd Street and SW 32nd Street and associated stormwater facilities, utilities, easements and temporary construction easements that are outside the boundary of the District and that will require acquisition of additional right of way from third party owners and construction of certain roadway improvements; and

WHEREAS, the District updated the Engineer's Report to reflect the requirements of the approved PDP, including the addition of improvements to SW 43rd Street and SW 32nd Street as shown on Exhibit "A"; and

WHEREAS, the District finds it necessary and proper and in the best interest of the District, its present and future landowners, to acquire the right of way parcels generally shown on Exhibit "B" from third party landowners through either a negotiated acquisition or through the exercise of eminent domain to enable the District to construct or acquire the public improvements outlined in the PDP; and

WHEREAS, the District is authorized to exercise eminent domain authority outside the boundaries of the District when specific authorization is granted by the County in accordance with Fla. Stat. §190.011(1); and

WHEREAS, the District authorized its staff via District Resolution 2015-10 to submit a request to the County for approval of the exercise of eminent domain authority by the District to acquire the parcels of right of way identified in Exhibit "B" in accordance with Fla. Stat. §190.011(1); and

WHEREAS, the County approved the District's request to exercise eminent domain authority on November 10, 2015 via Resolution No. 15-
126;

WHEREAS, with the approval by the County of the exercise of eminent domain authority outside of the District's boundaries and in accordance with this Resolution, the District hereby directs its District Manager, District Engineer and District Counsel to take such actions as are needed to exercise such authority and acquire the parcels of right of way generally identified in Exhibit "B";

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CELEBRATION POINTE COMMUNITY DEVELOPMENT DISTRICT NO. 1:

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

SECTION 2. The Board recognizes that the eminent domain proceeding contemplated herein helps to facilitate and is accordance with those Goals, Objectives and Policies of the Alachua County Comprehensive Plan identified in a letter dated September 25th, 2015 from Jonathan Paul, as Chair of Celebration Pointe Community Development District, to Steven Lachnicht, Director of the
(04197-006; MWATTA\WATT\01939265.DOC; 2)

Alachua County Department of Growth Management, and a copy of said letter is attached hereto and incorporated herein as Exhibit "C".

SECTION 3. The Board recognizes that with the eminent domain proceeding contemplated herein, the District shall be able to facilitate the SW 43rd Street/SW 32nd Street Road Improvements as described in the Engineer's Report attached hereto as Exhibit "A".

SECTION 4. The Board hereby authorizes the District Counsel, in coordination with the Chairman, District Manager, and District staff, to initiate eminent domain proceedings pursuant to Fla. Stat. Chapter 73 and Fla. Stat. Chapter 74 to acquire for the District's use as right of way that property identified in Exhibit "B". The Board specifically directs District Counsel to seek to take possession and title of that property identified in Exhibit "B" in advance of the entry of final judgment, pursuant to Fla. Stat. Chapter 74. District Counsel, the Chairman, District Manager and District Staff shall comply with all statutory obligations, rules of civil procedure and rules of appellate procedure as may apply to this eminent domain action.

SECTION 5. The Board hereby authorizes District Counsel to secure outside counsel as co-counsel to assist the District with the eminent domain action contemplated herein. Outside counsel shall represent the District and the Chairman is authorized to execute any necessary engagement letter on behalf of the District.

SECTION 6. The Board hereby authorizes District Counsel, in coordination with District Manager and District staff, to initiate any presuit negotiations with the fee owner of the property identified in Exhibit "B", as required by Fla. Stat. § 73.015.

SECTION 7. The Board recognizes that business damages may become relevant during the eminent domain proceeding contemplated herein and that an owner of a business impacted by this eminent domain action may need to provide the District, in its capacity as the condemning authority, with certain business information related to establishing business damages under Fla. Stat. § 73.015. The Board recognizes that Fla. Stat. § 73.0155 provides a limited exemption from Fla. Stat. § 119.07(1) and § 24(a), Art. 1 of the State Constitution for certain business information provided as an offer of business damages and instructs District Counsel, District Manager and District staff to recognize and protect the confidentiality of any information provided pursuant to and in accordance with Fla. Stat. § 73.0155.

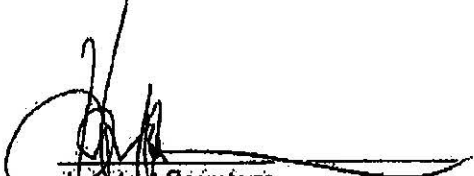
SECTION 8. This Resolution shall become effective immediately upon its passage.

[The remainder of this page left blank intentionally.]

PASSED AND ADOPTED this 11th day of November, 2015.

ATTEST:

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1


Assistant Secretary
Printed Name: Heather Ojokoko



Chairman
Printed Name: Jonathan P. Paul

EXHIBIT A
Engineer's Report

EXHIBIT "A"

**CELEBRATION POINTE
COMMUNITY DEVELOPMENT DISTRICT NO. 1
SUPPLEMENTAL ENGINEER'S REPORT # 2
FOR CAPITAL IMPROVEMENTS**

Prepared For:

**Board of Supervisors
CELEBRATION POINTE
Community Development District No. 1**

Engineers:

**England, Thims, and Miller, Inc.
14775 Old St. Augustine Road
Jacksonville, Florida 32258
(904) 642-8990**

Financial Advisor:

**Fishkind And Associates
12051 Corporate Boulevard
Orlando, Florida 32817**

HIM No. 14-129-I

September 25, 2015

This is a report that serves as a supplemental addendum to the adopted Celebration Pointe Community Development District Improvement Plan dated April 18, 2014 (the "Master Report") as prepared by Jarvis and Folsom, Inc., as amended on November 19, 2014 (Supplemental No.1) as prepared by England, Thims and Miller, Inc.

The Celebration Pointe Community Development District (the "District") is a 212± acre community development district located in an unincorporated portion of Alachua County, Florida at the northwest quadrant of Archer Road and I-75. Of the total 212± acres, approximately 97.93± acres (excluding land planned for stormwater pond areas, rights of way for the SW 45th Street-Entry Road and the planned park and ride lot) will be used for development, 88± acres will be placed in conservation as part of obtaining development rights for the Celebration Pointe project hereafter described and the balance of the acres will be developed with roadways, common areas, etc. The undeveloped parcels within the District are being developed as the mixed-use project known as "Celebration Pointe". The authorized land uses within the District include commercial, institutional and residential development as well as substantial open space and recreational amenities.

In order to serve the land in the District, the District has developed and adopted an Improvement Plan dated April 18, 2014 and Supplemental Engineering Report No.1 dated November 19, 2014, describing certain infrastructure, transportation and mitigation facilities within and adjacent to the District. Some of these public improvements will be financed by the District. All of the Improvement Plan components to be financed by the District's proposed Special Assessment Revenue Bonds, Series 2014 (the "2014 Bonds") or any future District bonds (the "Future Bonds") will provide a special benefit to the land within the boundaries of the District.

As the District continues to evolve, this supplemental report amends the Improvement Plan to meet the needs of the District. This amendment has identified the need for the District to acquire certain right-of-way for the SW 43rd / 32nd Street. This proposed road is approximately 4,000 linear feet with curb and gutter, multi-use path, sidewalk and stormwater collection system. It is generally a two-lane road with additional lanes toward SW Archer Road intersection that will accommodate existing uses.

This proposed SW 43rd / 32nd Street will provide additional access for the District along with SW 45th Street and SW 30th Road/Bridge as identified in the previous Engineer Report. The proposed road is situated just east of the District's boundary. It is anticipated that this off-site road will serve up to 15% of the District's projected traffic. Table III has been amended to include the Right-of-Way (ROW) acquisition to include this roadway with the funding to be determined.

The proposed SW 43rd / 32nd Street will be connected to the existing SW 43rd Street right-of-way that currently terminates approximately a 1,000 feet north of Archer Road at the existing Holiday Inn parking lot. The Master Developer has already acquired the property to the west of this 1,000' portion in order for the intersection improvement as well as having an agreement to modify the Holiday Inn parking lot. He has also acquired the McNamara parcel to allow the roadway to turn westward via SW 32nd Street and connect to the Celebration Pointe CDD boundary.

The attached Exhibit A shows the general location of the proposed road in relation to the District; the attached Exhibit B depicts the current configuration of the roadway alignment and the proposed right-of-way/easement to be acquired; and Exhibit C is the legal and sketch related to the right-of-ways and easements that may be needed for this proposed improvement.

The Improvement Plan contained in this report reflects the present intentions of the Celebration Pointe Community Development District. However, the Improvement Plan may be subject to modification in the future. The implementation of any improvement outlined within the Plan requires final approval by the Celebration Pointe Community Development District Board of Supervisors.

TABLE III
CIP Component Summary of Opinion of Probable Cost and Estimated Timetable

Funding Timetable	Costs Funded 2014-2016			Costs Funded 2016 or Later		Grand Total
	CDD 2014 Bonds*	2014 SIB Loan	Private Funding	District Bonds	Private Funding	
Ph. 1 Public Infrastructure Improvements						
Archer Milling & Signet Improvement	\$485,772					\$485,772
Signal On SW 47th Street (Circle 45 th)	\$533,059					\$533,059
SW 45th Street Improvements (Circle 45 th)	\$2,077,567					\$2,077,567
SW 45th/47th Street Improvements (Circle 45 th)	\$2,523,684					\$2,523,684
SW 32 nd , 36 th , 26 th Street Improvements	\$10,462,214					\$10,462,214
Bridge SW 30th Avenue Improvements		\$12,000,000	\$387,999			\$12,387,999
SW 12nd Way Road Improvements	\$838,896					\$838,896
Master Stormwater Facilities	\$782,914					\$782,914
Storm Drain Infrastructure (Robert & Moser Stormwater Facilities)	\$385,502					\$385,502
Office Park Impact Control			\$100,000			\$100,000
Park & Ride Trail Improvements	\$429,018					\$429,018
Archer Road Trail	\$1,391,483					\$1,391,483
TOTAL Ph. 1 Public Infrastructure Improvements	\$28,110,539	\$12,000,000	\$487,999			\$40,598,538

Phase I ROW Acquisitions						
SW Business Park	\$1,200,000					\$1,200,000
Auto Club	\$1,200,000					\$1,200,000
Self Storage	\$100					\$100
SW 45th/47th Street	\$1,800,000					\$1,800,000
Park and Ride Lot	\$400,000					\$400,000
SW 43rd/32nd Street			TBD**			\$0
TOTAL Phase I ROW Acquisitions**	\$5,100,100					\$5,100,100

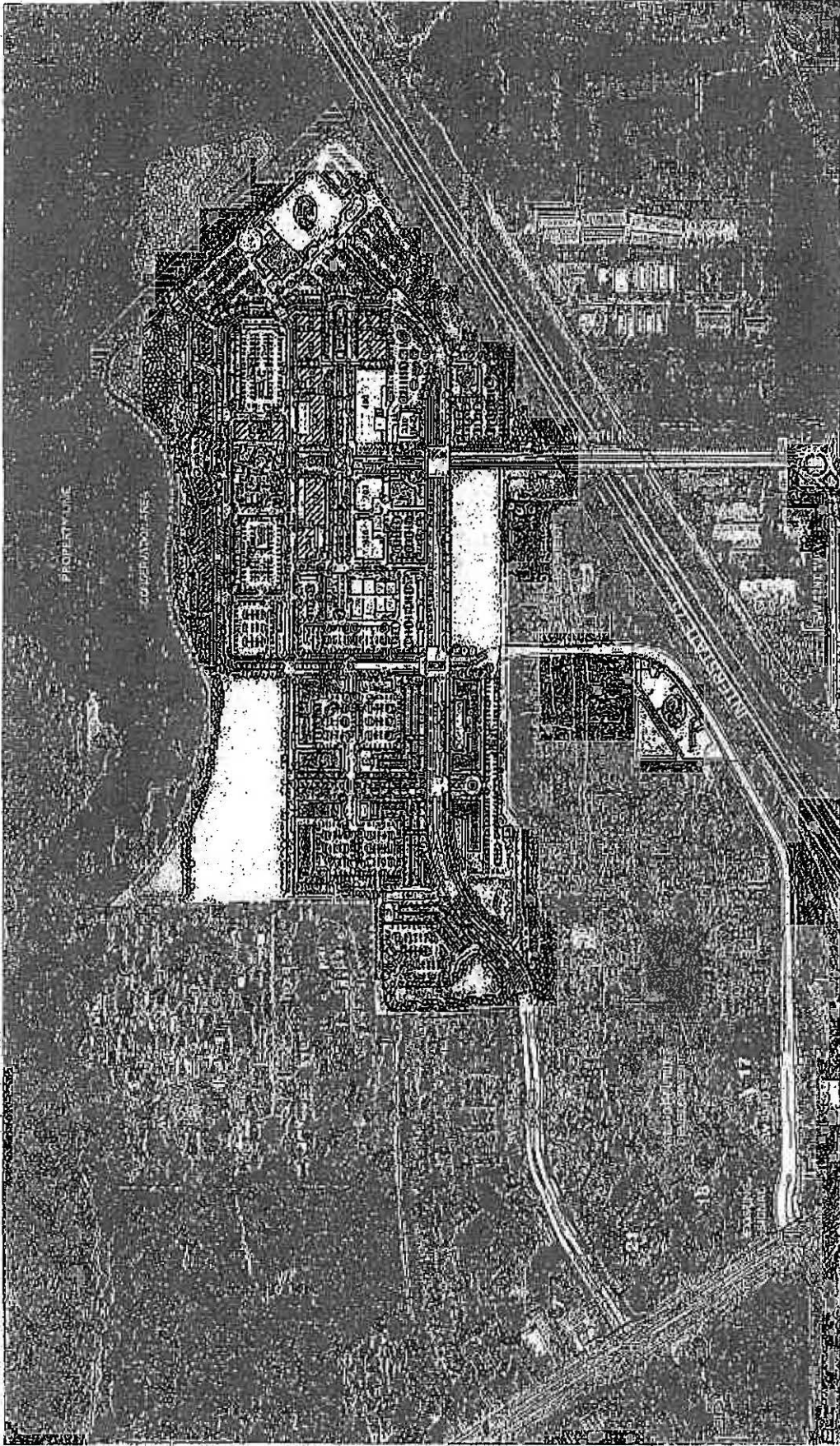
Phase I Construction/Development Fees						
Development Mgmt. Services (2.5%)	\$568,552		\$466,817			\$1,035,369
Construction Mgmt. Services (3.0%)	\$670,319		\$465,850			\$1,136,169
TOTAL Phase I Construction/Development Fees	\$1,238,871		\$932,667			\$2,171,538

Funding Timetable	Costs Funded 2014-2016			Costs Funded 2016 or Later		Grand Total
	CDD 2014 Bonds	2014 SIB Loan	Private Funding	District Bonds	Private Funding	
Phase I Master Infrastructure						
Demolition & Clearing			\$240,000			\$240,000
Rough Grading			\$2,240,561			\$2,240,561
Erosion Control			\$211,451			\$211,451
Domestic Water System			\$297,960			\$297,960
Storm Drain Infrastructure			\$0			\$0
Inlet & Bump 16" Waterline @ 175			\$182,560			\$182,560
Landscape & Irrigation			\$843,459			\$843,459
Contingency (10%)			\$601,724			\$601,724
Performance Bonus			\$10,128			\$10,128
Consulting Services			\$612,355			\$612,355
Tree Mitigation Allowance			\$148,309			\$148,309
Building Permit-Related Fees			\$19,279			\$19,279
Contingency (5%)			\$59,007			\$59,007
Development Mgmt. Services (2.5%)			\$123,687			\$123,687
Construction Mgmt. Services (3.0%)			\$154,573			\$154,573
TOTAL Phase I Master Infrastructure			\$5,775,495			\$5,775,495

* As described earlier, other public components of the Improvement Plan may be funded by the 2014 Bonds.

** Based on the appraised value of the right-of-way parcels as shown on the appraisal prepared for the District by Cushman and Wakefield dated November 18, 2014.

*** To be Determined



0 10 20 30 40 50
 Feet

DISCLAIMER:
 FOR ILLUSTRATIVE PURPOSES
 ONLY. PLAN MAY NOT REPRESENT
 FINAL CONFIGURATION.



EXHIBIT "A"
 RELEASED SEPTEMBER 26, 2015 JUNE 11, 2015
 CELEBRATION
 POINTE

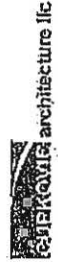
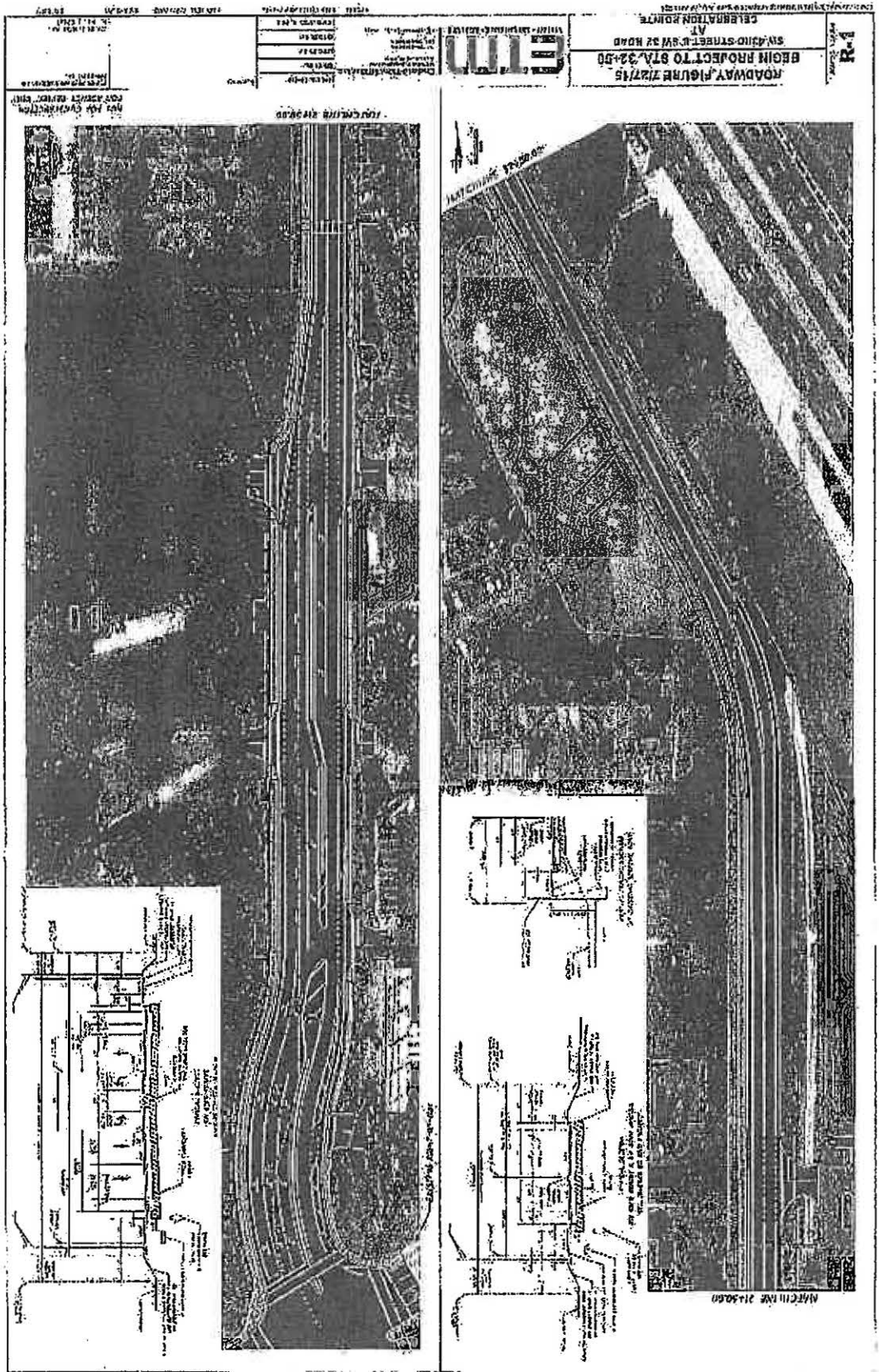


EXHIBIT "B"



ROADWAY PIERE 21715
 BEGIN PROJECT TO STA. 32+50
 SW 410 STREET SW RD
 AT
 ELEVATION POINTS
 21715-00
 21715-01
 21715-02
 21715-03
 21715-04
 21715-05
 21715-06
 21715-07
 21715-08
 21715-09
 21715-10
 21715-11
 21715-12
 21715-13
 21715-14
 21715-15
 21715-16
 21715-17
 21715-18
 21715-19
 21715-20
 21715-21
 21715-22
 21715-23
 21715-24
 21715-25
 21715-26
 21715-27
 21715-28
 21715-29
 21715-30
 21715-31
 21715-32
 21715-33
 21715-34
 21715-35
 21715-36
 21715-37
 21715-38
 21715-39
 21715-40
 21715-41
 21715-42
 21715-43
 21715-44
 21715-45
 21715-46
 21715-47
 21715-48
 21715-49
 21715-50

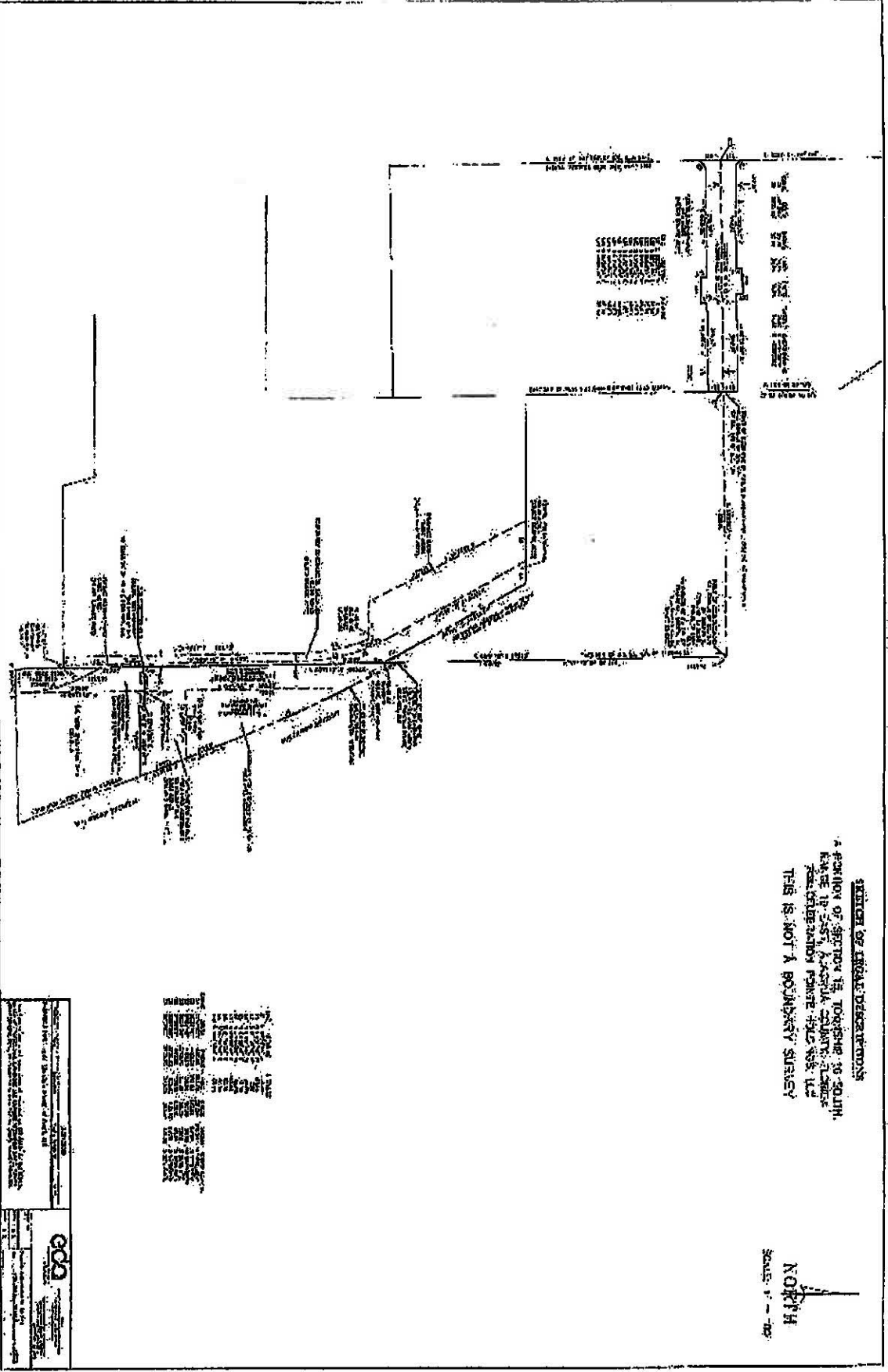
MARCH 1960

21715-00
 21715-01
 21715-02
 21715-03
 21715-04
 21715-05
 21715-06
 21715-07
 21715-08
 21715-09
 21715-10
 21715-11
 21715-12
 21715-13
 21715-14
 21715-15
 21715-16
 21715-17
 21715-18
 21715-19
 21715-20
 21715-21
 21715-22
 21715-23
 21715-24
 21715-25
 21715-26
 21715-27
 21715-28
 21715-29
 21715-30
 21715-31
 21715-32
 21715-33
 21715-34
 21715-35
 21715-36
 21715-37
 21715-38
 21715-39
 21715-40
 21715-41
 21715-42
 21715-43
 21715-44
 21715-45
 21715-46
 21715-47
 21715-48
 21715-49
 21715-50

EXHIBIT "B"



EXHIBIT "C"



SECTION OF RANGE DESCRIPTIONS
 A PORTION OF SECTION 15, TOWNSHIP 30 SOUTH,
 RANGE 19 EAST, AUSTIN COUNTY, TEXAS
 FEDERAL LAND BUREAU FILE NO. 111
 THIS IS NOT A BOUNDARY SURVEY

NORTH
 SCALE: 1" = 100'

<p>Surveyed by: [Name]</p> <p>Date: [Date]</p> <p>Scale: 1" = 100'</p>	<p>cdg</p>
--	------------

EXHIBIT B
Property Subject to Eminent Domain Proceedings

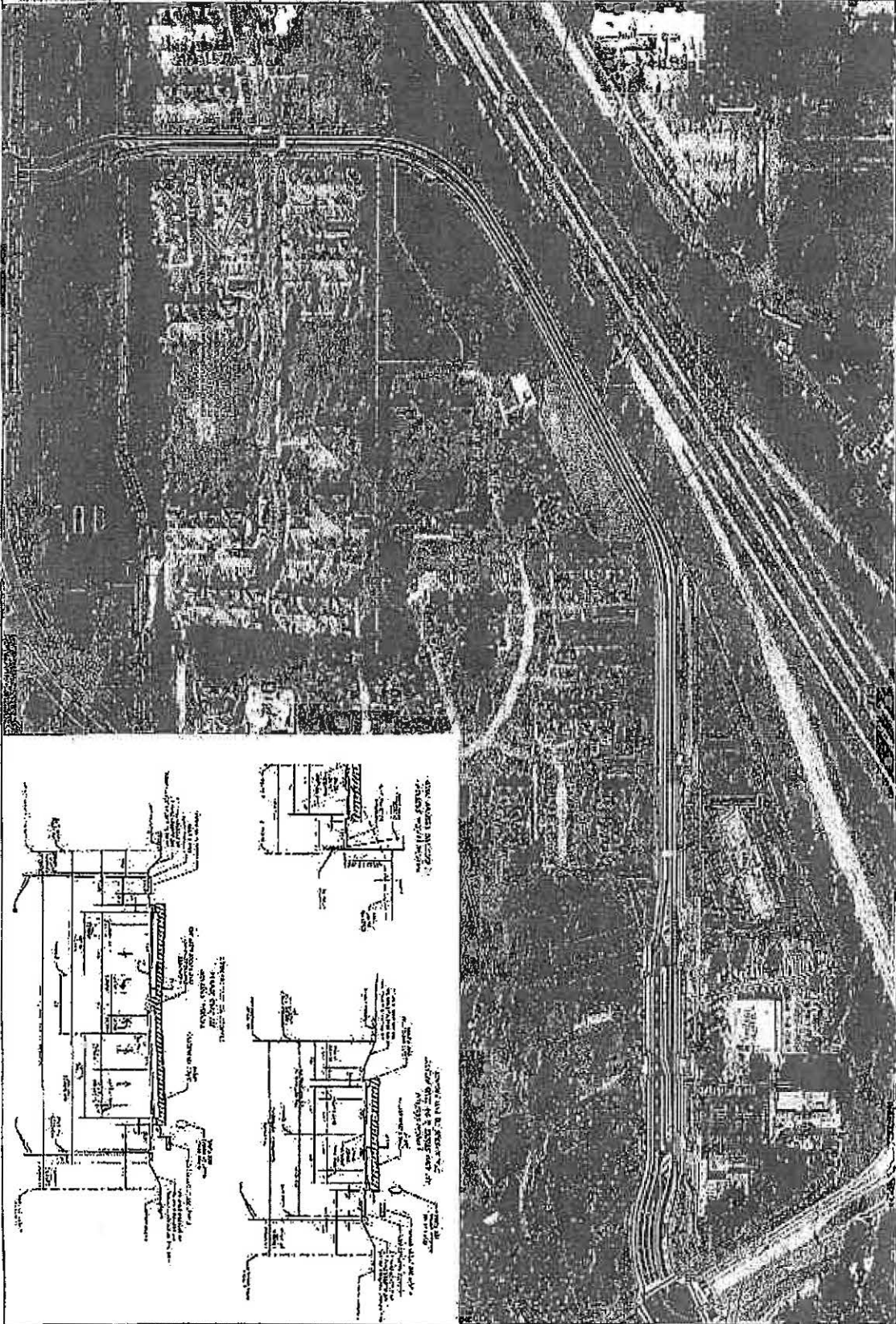


Exhibit "B" - Offsite Right-of-Way Parcels

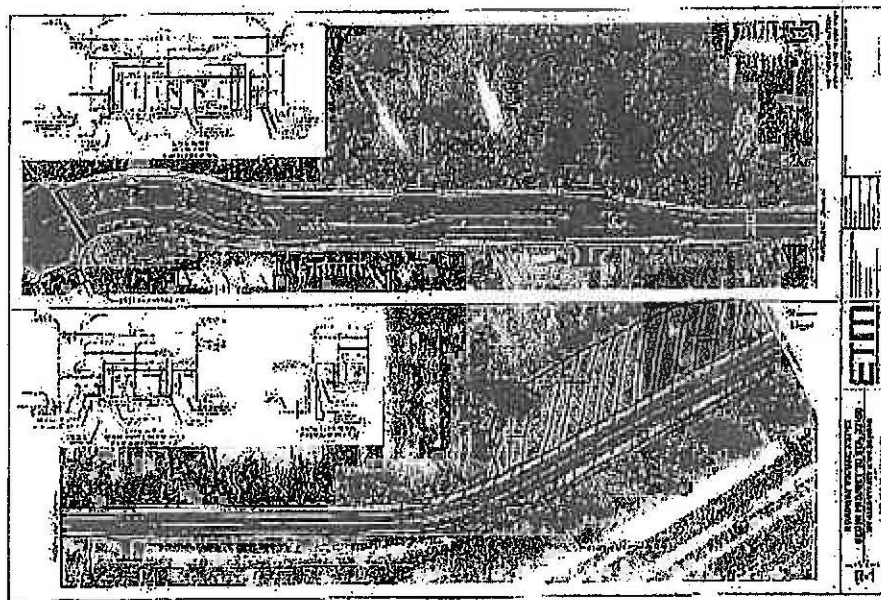
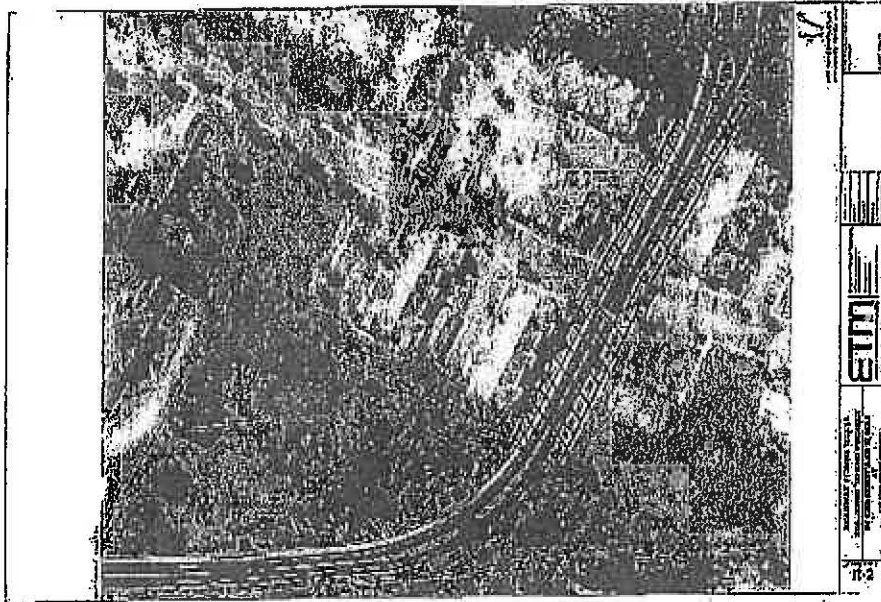


EXHIBIT C
September 25th, 2015 Letter from
Celebration Pointe Community Development District to Alachua County Department of
Growth Management.

EXHIBIT "C"



CELEBRATION POINTE
COMMUNITY DEVELOPMENT DISTRICT NO. 1

September 25th, 2015

Mr. Steven Laubmicht, Director
Department of Growth Management
10 S.W. 2nd Avenue, Third Floor
Gainesville, Florida 32601

Re: Celebration Pointe Community Development District No. 1 - Special Powers Request

Dear Steve,

Celebration Pointe Community Development District No. 1 ("Petitioner") is requesting authorization of Special Powers by the Alachua County Board of County Commissioners consistent with Florida Statute 190.012. The Special Powers are requested in furtherance of the Goals, Objectives and Policies of the Alachua County Comprehensive Plan that encourages compact, mixed-use, interconnected development as stated in Principal 2 of the Transportation Mobility Element:

"TO REDUCE VEHICLE MILES OF TRAVEL AND PER CAPITA GREEN HOUSE GAS EMISSIONS THROUGH THE PROVISION OF MOBILITY WITHIN COMPACT, MIXED-USE, INTERCONNECTED DEVELOPMENTS THAT PROMOTE WALKING AND BICYCLING, ALLOW FOR THE INTERNAL CAPTURE OF VEHICULAR TRIPS AND PROVIDE THE DENSITIES AND INTENSITIES NEEDED TO SUPPORT TRANSIT."

Celebration Pointe is the 1st Transit Oriented Development (TOD) to be approved under the policies that formulate Alachua County's Mobility Plan consistent with Objective 1.7 of the Future Land Use Element of the Comprehensive Plan:

TRANSIT ORIENTED DEVELOPMENT

To provide for compact, mixed-use, pedestrian and bicycle friendly communities designed with the densities and intensities needed to support transit service, reduced per capita greenhouse gas emissions and enable an individual to live, work, play and shop in a community without the need to rely on a motor vehicle for mobility."

Celebration Pointe has been designed to be a walkable and bikeable mixed-use development with more than 1,500 dwelling units and 750,000 square feet of retail, office and entertainment uses proposed and contains all of the elements required consistent with Policy 1.7.3 of the Future Land Use Element which states Transit-Oriented Developments shall provide:

- (a) *A village center with a transit station contiguous with a Rapid Transit or Express Transit corridor,*
- (b) *The necessary densities to support transit service,*
- (c) *Compact, mixed-use development to allow for the internal capture of pedestrian, bicycle and vehicular trips,*
- (d) *A pedestrian and bicycle friendly environment that encourages walking and bicycling as a primary means of mobility within the development,*
- (e) *A gridded street network that emanates from the village center that allows for multiple route choices, reduces the distance between uses to encourage walking and biking, and connects with adjacent developments,*
- (f) *Funding for express transit service consistent with the frequency and span of service specified within the Transportation Mobility Element,*
- (g) *On-street parking and screening of off-street surface parking."*

On June 23rd, 2015, the Alachua County Board of County Commissioners approved an amendment to the Celebration Pointe TOD Preliminary Development Plans that added parcels 06822-000-000, 06817-003-000 and 06818-000-000 to the approvals and added the extension of SW 43rd Street / SW 32nd Road from Archer Road northward into Celebration Pointe where it intersects with SW 45th Street. The extension of SW 43rd Street / SW 32nd Road was added to the Preliminary Development Plan in furtherance of the Goal of the Transportation Mobility Element which is to:

"ESTABLISH A MULTI-MODAL TRANSPORTATION SYSTEM THAT PROVIDES MOBILITY FOR PEDESTRIANS, BICYCLISTS, TRANSIT USERS, MOTORIZED-VEHICLE USERS, USERS OF RAIL AND AVIATION FACILITIES, AND IS SENSITIVE TO THE CULTURAL AND ENVIRONMENTAL AMENITIES OF ALACHUA COUNTY."

The transportation network within Celebration Pointe has been designed as a gridded network of Complete Streets that accommodates pedestrians, bicyclist, transit and motor vehicles. The extension of SW 43rd Street / SW 32nd Road connects parcels 06822-000-000, 06817-003-000 and 06818-000-000 with Celebration Pointe in addition to providing access to the Reserve at Kanapaha Apartments, the Holiday Inn Express, Cracker Barrel, Kangaroo Gas Station and the Country Inn and Suites consistent with Future Land Use Element Policy 1.77 which requires TODs to design the transportation network as:

"... a continuous interconnected network of narrow streets, including a pedestrian and bicycle circulation system, designed to calm traffic speeds and encourage walking and bicycling throughout the development, provide connectivity, and functionally and physically integrate the various uses within and beyond the neighborhood to reduce the distances of travel between uses and promote the internal capture of trips, reduce impact on external roadways, and promote transit use."

Celebration Pointe, the Reserve at Kanapaha, Cracker Barrel, the Holiday Inn Express, Kangaroo Gas Station, the Country Inn and Suites and the extension of SW 43rd Street / SW 32nd Road are all within the Southwest Transportation Concurrence Exception Area and the Southwest Transportation Mobility District. Celebration Pointe and the extension of SW 43rd Street / SW 32nd Road furthers the intent of Policy 1.1.3 of Transportation Mobility Element which states that Transportation Mobility Districts are:

"(a) To provide for mobility within urban areas through the development of an interconnected network of:

- (1) Roadways that provide multiple route choices, alternatives to the state road system and protect the Strategic Intermodal System (SIS);*
- (2) Rapid Transit and Express Transit Corridors that connect Transit Oriented Developments, Traditional Neighborhood Developments and Activity Centers and facilitate efficient and cost effective transit service to regional employment, educational and entertainment destinations;*
- (3) Bicycle lanes, sidewalks, and multi-use paths that connect residential, commercial, office, educational and recreation uses and provide multi-modal access to transit;*

(b) To recognize that certain roadway corridors will be congested and that congestion will be addressed by means other than solely adding capacity for motor vehicles and maintaining roadway level of service on those corridors;

- (c) *To utilize features of the exceptions and alternatives to transportation concurrency and multi-modal transportation districts per F.S. 163.3180.*
- (d) *Reduce vehicle miles of travel and per capita greenhouse gas emissions through compact, mixed-use, interconnected developments served by multiple modes of transportation consistent with requirements of F.S. 163.3177.*
- (e) *Reduce sprawl and encourage urban development by planning and constructing the necessary infrastructure to meet the demands for bicycle, pedestrian, transit and motor vehicle mobility.*
- (f) *Reduce congestion within the Urban Cluster by capturing trips from surrounding rural areas, municipalities and adjacent counties through provision of park and ride facilities located within transit supportive developments in the Urban Cluster served by transit service that connects to regional employment and educational destinations.*
- (g) *To provide for multi-modal cross-access and connectivity within and between uses to encourage walking and bicycling and reduce travel distances and impact to collector and arterial roadways."*

The SW 43rd Street / SW 32nd Road extension will connect Celebration Pointe with adjacent parcels and further enhance the connectivity within the SW Transportation Mobility District. The extension is being designed as a Complete Street and will feature an eight-foot wide multi-use path and five foot wide bike lanes that will connect into the extensive bicycle and pedestrian network within Celebration Pointe. The extension will also reduce traffic on Archer Road by providing interconnectivity between Celebration Pointe and the adjacent property owners. The SW 43rd Street / SW 32nd Road extension will lead to a reduction in vehicle miles of travel and greenhouse gas emissions and is encouraging and supporting urban infill and redevelopment of the SW Transportation Mobility District.

Celebration Pointe has been working cooperatively with the adjacent parcel owners on the extension of SW 43rd Street / SW 32nd Road. There are commitments to have SW 43rd Street / SW 32nd Road in place concurrent with the opening of Celebration Pointe that is targeted for Fall 2016. In order to ensure that the roadway is delivered on time to meet those commitments, there is a need to secure the Right-of-Way from adjacent property owners. While Celebration Pointe has been and continues to work in a collaborative manner with adjacent property owners, there is a particular entity that has not been as willing to negotiate or to record access easements that would allow for portions of the extension; even though that entity has agreed to record said access easements during the Alachua County development approval and variance process.

To ensure that the extension of SW 43rd Street / SW 32nd Road is completed in a timely manner, the Celebration Pointe Community Development District is requesting that the Alachua County Board of County Commissioners grant the following "Special Power" to the District, pursuant to Florida Statutes:

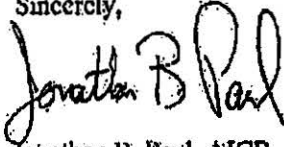
§190.012(2)(g) - Eminent Domain over any property within the state, except municipal, county, state, and federal property, for the uses and purposes of the district relating solely to water, sewer, utilities, roads, trails, multi-use paths and water management, specifically including, without limitation, the power for the taking of easements for the drainage of the land of one person over and through the land of another.

The granting of the "Special Power" would enable the Celebration Pointe Community Development District to construct the extension of SW 43rd Street / SW 32nd Road in a timely manner should ongoing negotiations with adjacent property owners come to an impasse. It is not the intent, nor desire, of the Celebration Pointe Community Development District to have to be in a position to exercise this "Special Power." However, to avoid an untenable impasse that negatively impacts the ability of the Celebration Pointe Community Development District to deliver the SW 43rd Street / SW 32nd Road extension in a timely manner to ensure the grand opening of Alachua County's 1st Transit Oriented Development, the granting of this "Special Power" is a necessary step in the development of the project.

The parcels that are the subject of the Petitioner's request are currently unoccupied and contain no buildings or structures, other than a drive aisle and some limited surface parking. Further, the location and configuration of the parcels are not conducive to future development. The use of the parcels as right-of-way is necessary for the completion of the SW 43rd Street / SW 32nd Road extension, which will provide a benefit to the public through increased mobility and interconnectivity consistent with the Comprehensive Plan. The grant of the Special Power to the Petitioner does not mean that the parcels will be the subject of an eminent domain suit, nor does it guarantee that the District will be successful in pursuing such a suit, if one is filed. If the Petitioner's request is granted, and if the District determines to file an eminent domain suit, the District must also satisfactorily demonstrate in Florida State Circuit Court that the parcels are necessary for a public purpose in order to gain possession of the parcels.

The SW 43rd Street / SW 32nd Road extension will significantly enhance connectivity within the SW Transportation Mobility District, promote compact, mixed-use development, reduce vehicle miles of travel and greenhouse gas emissions consistent with the Goals, Objectives and Policies of the Alachua County Comprehensive Plan. Representatives of the Celebration Pointe Community Development District are available to answer any questions you may have and to provide additional information as necessary.

Sincerely,

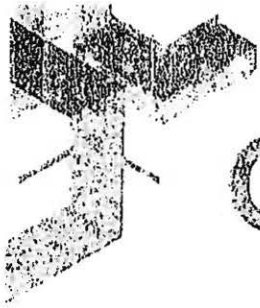


Jonathan B. Paul, AICP

Chairman -- Celebration Pointe Community Development District No 1.

Attachments: Resolution requesting "Special Powers"
Supplemental Engineering Report
SW 43rd Street / SW 32nd Road Alignment
Legal Description and Sketch of the impacted portions of said parcels

Cc: Missy Daniels, Alachua County Growth Management Department
Svein Dyrkolbotn, Celebration Pointe Developer
Joseph A. MacLaren, Fishkind & Associates, Inc. -- Celebration Pointe CDD Manager
Mark Watts, Cobb Cole -- Celebration Pointe CDD Attorney
Peter Ma, P.E., ETM -- Celebration Pointe CDD Engineer



engineers • surveyors • planners, inc.

November 20, 2015

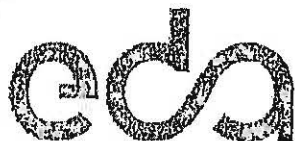
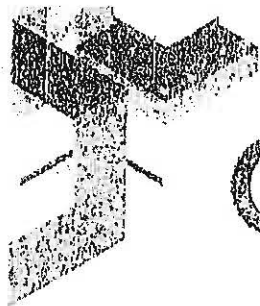
Legal Description

For: Future Right-of-Way **PARCEL 2**
The Reserve Phase I
Tax Parcel no. 06938-000-000

A portion of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida, and run thence South $00^{\circ}51'46''$ East, along the east line of said Southeast $\frac{1}{4}$, a distance of 870.68 feet to the Point of Beginning; thence continue South $00^{\circ}51'46''$ East, along said east line, 813.11 feet; thence North $89^{\circ}51'46''$ West, 8.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular); thence North $00^{\circ}51'46''$ West, parallel with said east line, 168.16 feet; thence South $89^{\circ}08'14''$ West, 7.00 feet; thence North $00^{\circ}51'46''$ West, 20.00 feet; thence North $89^{\circ}08'14''$ East, 7.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular); thence North $00^{\circ}51'46''$ West, parallel with said east line, 416.64 feet to a point lying on the arc of a curve, concave southwesterly, having a radius of 482.00 feet; thence northwesterly, along the arc of said curve, through a central angle of $27^{\circ}47'27''$, an arc distance of 233.79 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of North $14^{\circ}45'30''$ West, 231.51 feet; thence North $28^{\circ}39'13''$ West, 392.17 feet; thence South $89^{\circ}51'34''$ East, 55.91 feet to a point on the southwesterly line of a 15 foot wide service road as per Part B of Official Records Book 933, page 972 of the Public Records of Alachua County, Florida; thence South $28^{\circ}39'13''$ East, along said southwesterly line, 351.18 feet to the beginning of a curve, concave southwesterly, having a radius of 3,710.72 feet; thence southeasterly, along said southwesterly line and along the arc of said curve, through a central angle of $00^{\circ}54'04''$, an arc distance of 58.36 feet to a point on said east line of the Southeast $\frac{1}{4}$ and to the Point of Beginning, said arc being subtended by a chord, having a bearing and distance of South $28^{\circ}12'11''$ East, 58.36 feet.

Containing 0.688 of an acre (29,957 square feet), more or less.



engineers • surveyors • planners, inc.

November 20, 2015

Legal Description

For: Temporary Construction Easement **PARCEL I**
The Reserve Phase I
Tax parcel No. 06938-000-000

A portion of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of the Southeast $\frac{1}{4}$ of Section 15, Township 10 South, Range 19 East, Alachua County, Florida, and run thence South $00^{\circ}51'46''$ East, along the east line of said Southeast $\frac{1}{4}$, a distance of 1,683.79 feet; thence North $89^{\circ}51'46''$ West, 8.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular) and to the Point of Beginning; thence North $00^{\circ}51'46''$ West, parallel with said east line, 168.16 feet; thence South $89^{\circ}08'14''$ West, 7.00 feet; thence North $00^{\circ}51'46''$ West, 20.00 feet; thence North $89^{\circ}08'14''$ East, 7.00 feet to a point lying 8.00 feet west of said east line (measured perpendicular); thence North $00^{\circ}51'46''$ West, parallel with said east line, 416.64 feet to the beginning of a curve, concave southwesterly, having a radius of 482.00 feet; thence northwesterly, along the arc of said curve, through a central angle of $27^{\circ}47'27''$, an arc distance of 233.79 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of North $14^{\circ}45'30''$ West, 231.51 feet; thence North $28^{\circ}39'13''$ West, 392.17 feet; thence North $89^{\circ}51'34''$ West, 99.03 feet; thence South $26^{\circ}22'41''$ East, 446.90 feet; thence North $89^{\circ}08'18''$ East, 92.51 feet to a point lying on the arc of a curve, concave westerly, having a radius of 462.00 feet; thence southerly, along the arc of said curve through a central angle of $21^{\circ}36'05''$, an arc distance of 174.18 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of South $11^{\circ}39'49''$ East, 173.15 feet; thence South $00^{\circ}51'46''$ East, parallel with, and 28.00 feet westerly of said east line (measured perpendicular), 604.45 feet; thence South $89^{\circ}51'46''$ East, 20.00 feet to the Point of Beginning.

Containing 1.35 of an acre (58,878 square feet), more or less.

V:\Server2\w\p\docs\tag\tag\celebration Point\celebration Pointe - Temp Construction Easement Doc

NORTH

SCALE: 1" = 200'

POINT OF COMMENCEMENT
N.E. CORNER OF S.E. 1/4
OF SECTION 15
TOWNSHIP 10 SOUTH,
RANGE 19 EAST

EAST LINE OF WEST 9.25 CHAINS
OF EAST 19.25 CHAINS

FUTURE RIGHT-OF-WAY
0.688 ACRES
(29,957 SQUARE FEET)

TEMPORARY CONSTRUCTION EASEMENT
1.35 ACRES
(58,878 SQUARE FEET)

TAX PARCEL NO. 06938-000-000

TEMPORARY CONSTRUCTION EASEMENT

LINE	BEARING	DISTANCE
L1	N 89°51'46" W	8.00
L2	N 00°51'46" W	168.16
L3	S 89°08'14" W	7.00
L4	N 00°51'46" W	20.00
L5	N 89°08'14" E	7.00
L6	N 89°51'34" W	99.03
L7	N 89°08'18" E	92.51
L8	S 89°51'34" E	55.91
L9	S 89°51'46" E	20.00

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEARING
C1	27°47'27"	482.00	233.79	231.51	119.24	N 14°45'30"W
C4	00°54'04"	3710.72	58.36	58.36	29.18	S 28°12'11"E
C5	21°36'05"	462.00	174.18	173.15	88.14	S 11°39'49"E

FUTURE RIGHT-OF-WAY
0.688 ACRES
(29,957 SQUARE FEET)

POINT OF BEGINNING
TEMPORARY CONSTRUCTION EASEMENT

THIS IS NOT A BOUNDARY SURVEY

COPYRIGHT © 2015

DRN. B.G.	CHKD. B.G.	SURVEY DATE	DWG COMP	PROJ. NO.	FIELD BK.	PAGE NO.
		11/20/2018	2018-288			

LEGAL DESCRIPTION SKETCH OF

A PORTION OF SECTION 15, TOWNSHIP 10 SOUTH,
RANGE 19 EAST, ALACHUA COUNTY FLORIDA
TAX PARCEL NO. 06938-000-000

FOR: CELEBRATION POINTE HOLDINGS, LLC

THIS SKETCH OF LEGAL DESCRIPTION MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027 (2018), FLORIDA STATUTES.

BY: ROBERT W. GRAVER P.S.M. 4239

Corporate Authorization
No. LB 2389



eda engineers-surveyors-planners, inc.

2404 N.W. 43rd ST, GAINESVILLE, FLORIDA 32606-6602
TEL. (352) 373-3541 FAX. (352) 373-7249
E-MAIL: mail@edapl.com

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

CASE NO.:
DIVISION:

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1,

Petitioner,

Parcels 2 and I

vs.

HOUSING PARTNERS OF GAINESVILLE,
FL, LTD., a Florida limited partnership; FIRST
HOUSING DEVELOPMENT CORPORATION
OF FLORIDA, a Florida corporation; CHAPMAN
ASSOCIATES, LTD., a Florida limited liability
Partnership; CITY OF GAINESVILLE, Florida, a
Municipal corporation; BELLSOUTH TELE-
COMMUNICATIONS, INC., a Georgia corpora-
tion; ALACHUA COUNTY, FLORIDA, a
political subdivision of the State of Florida;
RESERVE AT KANAPAHA II, LTD. a Florida
Limited partnership; and JOHN POWER, Alachua
County Tax Collector,

Defendants.

DECLARATION OF TAKING
(Parcels 2 and I)

The Petitioner, availing itself of the provisions of Chapter 74, Florida Statutes, to take possession and title in advance of the entry of Final Judgment and having heretofore instituted eminent domain proceedings in the above-styled cause for the purpose of constructing road improvements to SW 43rd Street and SW 32nd Street in Alachua County, Florida, as set forth in the Petition filed in these proceedings, hereby declares:

1. That the property sought to be appropriated in these proceedings is to be taken for the uses set forth in the Petition.

2. That an estimate of value, made in good faith and based upon a valid appraisal of each parcel sought to be appropriated in these proceedings is as follows:

PARCEL 2	\$45,300.00
PARCEL I	<u>\$17,400.00</u>
Total:	\$62,700.00

Dated this 4th day of February 2016.

BIRCHFIELD & HUMPHREY, P.A.

/s/ Bruce B. Humphrey

Bruce B. Humphrey
Florida Bar I.D. No.: 0166855
W. O. Birchfield
Florida Bar I. D. No: 0006157
1031 LaSalle Street
Jacksonville, FL 32207
904/396-6625
904/396-6624 (facsimile)
bhumphrey@birchfieldhumphrey.com
wobirchfield@birchfieldhumphrey.com
Attorneys for Celebration Pointe Community
Development District No. 1

IN THE CIRCUIT COURT, EIGHTH
JUDICIAL CIRCUIT, IN AND FOR
ALACHUA COUNTY, FLORIDA

CASE NO.: 2016-CA-414
DIVISION: K

CELEBRATION POINTE COMMUNITY
DEVELOPMENT DISTRICT NO. 1,

Petitioner,
vs.

Parcels 2 and I

HOUSING PARTNERS OF GAINESVILLE,
FL, LTD., a Florida limited partnership; FIRST
HOUSING DEVELOPMENT CORPORATION
OF FLORIDA, a Florida corporation; CHAPMAN
ASSOCIATES, LTD., a Florida limited liability
Partnership; CITY OF GAINESVILLE, Florida, a
Municipal corporation; BELLSOUTH TELE-
COMMUNICATIONS, INC., a Georgia corpora-
tion; ALACHUA COUNTY, FLORIDA, a
political subdivision of the State of Florida;
RESERVE AT KANAPAHA II, LTD. a Florida
Limited partnership; and JOHN POWER, Alachua
County Tax Collector,

Defendants.

AMENDED

**NOTICE OF COMPLIANCE WITH RULE 2.516 AND
DESIGNATION OF EMAIL SERVICE ADDRESSES**

BRUCE B. HUMPHREY, as Counsel for Petitioner, CELEBRATION POINTE
COMMUNITY DEVELOPMENT DISTRICT NO. 1, hereby designates his primary, secondary
and tertiary addresses pursuant to Rule 2.516, as follows:

Primary E-mail Address: bhumphrey@birchfieldhumphrey.com
Secondary E-mail Address: tpurdy@birchfieldhumphrey.com

Dated this 9th day of February 2016.

BIRCHFIELD & HUMPHREY, P.A.

/s/ Bruce B. Humphrey

Bruce B. Humphrey
Florida Bar I.D. No.: 0166855
W. O. Birchfield
Florida Bar I. D. No: 0006157
1031 LaSalle Street
Jacksonville, FL 32207
904/396-6625
904/396-6624 (facsimile)
bhumphrey@birchfieldhumphrey.com
tpurdy@birchfieldhumphrey.com
Attorneys for Celebration Pointe Community
Development District No. 1