

LEGISLATIVE #

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Hopping Green & Sams

Attorneys and Counselors

May 24, 2019

Via Electronic Mail and Overnight Delivery

Sean M. McDermott, Esq.
Senior Assistant City Attorney
City of Gainesville - Office of the City Attorney
P.O. Box 490, Sta. 46
Gainesville, Florida 32627
mcdermottsm@cityofgainesville.org

Re: Petition to Establish the Finley Woods Community Development District (the "District");
Written Testimony in Support of Establishment

Dear Sean:

As you are aware, on September 26, 2018, our office submitted the *Petition to Establish Finley Woods Community Development District*, on behalf of the Petitioner, WWB Real Estate Investments, LLC (the "Petition"). As evidence that the Petition and the proposed establishment satisfy the criteria set forth in Section 190.005(1)(e), *Florida Statutes*, I have enclosed in support of the Petition the written testimony ("Testimony"), and affidavits adopting the same, from the following individuals:

- Tommy Williams, Developer Representative
- Kevin Plenzler, Financial Consultant
- Robert Walpole, Project Engineer
- Gerry Dedenbach, Planner

Originals of the same will be submitted during the public hearing on June 6, 2019. In addition, I have enclosed additional landowner consents obtained after the submission of the Petition due to subsequent sales of the lands to be included within the District. Accordingly, please update your files to reflect that with these additional consents, the City has now received the written consent to the establishment of the District by 100% of the landowners whose property is to be included in the District.

Like the previously provided reference table to the Petition, I prepared the below table to facilitate City's review of the Testimonies. It identifies the factors set forth in Section 190.005(1)(e), *Florida Statutes* that the City may consider in determining whether to grant or deny a petition for the establishment of a community development district, and cross-references the testimony which addresses each factor.

STATUTORY REQUIREMENTS FOR REVIEW OF PETITION TO ESTABLISH A COMMUNITY DEVELOPMENT DISTRICT		
STATUTORY REFERENCE	EVALUATION REQUIREMENT	TESTIMONY REFERENCE
§ 190.005(1)(e)1.	Whether all statements contained within the petition have been found to be true and correct.	Walpole Testimony ¶ 11 Williams Testimony ¶ 9

§ 190.005(1)(e)2.	Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.	Dedenbach Testimony ¶¶ 11-23
§ 190.005(1)(e)3.	Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.	Walpole Testimony ¶¶ 14-16 Dedenbach Testimony ¶¶ 25-26 Plenzler Testimony ¶¶ 16-22
§ 190.005(1)(e)4.	Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.	Walpole Testimony ¶¶ 17 Dedenbach Testimony ¶¶ 27-34 Plenzler Testimony ¶¶ 13-15
§ 190.005(1)(e)5.	Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.	Walpole Testimony ¶¶ 18-19 Dedenbach Testimony ¶¶ 27-29 Plenzler Testimony ¶¶ 23-24
§ 190.005(1)(e)6.	Whether the area that will be served by the district is amenable to separate special-district government.	Walpole Testimony ¶¶ 20-21 Dedenbach Testimony ¶¶ 30-31 Plenzler Testimony ¶¶ 21-22

I hope you find this information helpful. Please do not hesitate to contact me if you have any additional questions or concerns.

Sincerely,


Katie S. Buchanan

MKR

Enclosures

**BEFORE THE CITY COMMISSION
CITY OF GAINESVILLE, FLORIDA**

IN RE: PETITION TO ESTABLISH THE FINLEY WOODS)
 COMMUNITY DEVELOPMENT DISTRICT)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF ALACHUA

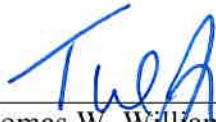
I, Thomas W. Williams, Jr., of T.W. Williams Jr., Inc. d/b/a Tommy Williams Homes, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters stated herein.
2. My name is Thomas W. Williams, Jr., and I am the President of T.W. Williams Jr., Inc. d/b/a Tommy Williams Homes and manager of WWB Real Estate Investments, LLC.
3. I hereby certify that the prepared written, pre-filed testimony consisting of eight (8) pages, submitted under my name to the City of Gainesville City Commission relating to the Petition to Establish Finley Woods Community Development District and attached hereto, is true and correct.
4. I further certify that if I were asked the questions contained in the pre-filed testimony orally at the Finley Woods Community Development District establishment hearing on June 6, 2019, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning my work as a special district consultant and developer are accurately set forth in my pre-filed testimony.

6. No corrections or amendments to my pre-filed testimony are required.

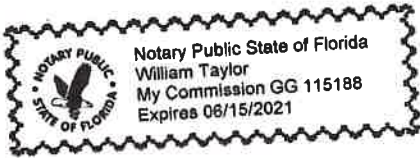
Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

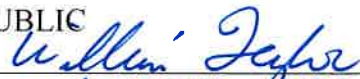
Executed this 23 day of May, 2019.



Thomas W. Williams, Jr.
T.W. Williams Jr., Inc. d/b/a Tommy
Williams Homes

SWORN TO AND ASCRIBED before me this 23 day of MAY 2019, by Thomas W. Williams, Jr., of T.W. Williams Jr., Inc. d/b/a Tommy Williams Homes, who is [] personally known to me or [] has provided _____ as identification, and who did ___ / did not ___ take an oath.



NOTARY PUBLIC


Print Name: WILLIAM TAYLOR
Notary Public, State of Florida
Commission No.: GG 115188
My Commission Expires: 6/15/21

1 **TESTIMONY OF THOMAS W. WILLIAMS, JR. FOR ESTABLISHMENT OF**
2 **THE FINLEY WOODS COMMUNITY DEVELOPMENT DISTRICT**

3
4 **1. Please state your name and business address.**

5
6 My name is Thomas W. Williams, Jr., and my business address is 2563 Southwest 87th
7 Drive, Suite 10, Gainesville, Florida 32608.

8
9 **2. By whom are you employed and in what capacity?**

10
11 I am the President of T.W. Williams, Jr., Inc., d/b/a Tommy Williams Homes. I am also
12 the manager of WWB Real Estate Investments, LLC.

13
14 **3. Briefly summarize your duties and responsibilities.**

15
16 My duties and responsibilities include executive management of entitlements and
17 development of properties owned by the companies.

18
19 **4. What positions did you hold prior to your present position?**

20
21 Owner/Developer of many different developments since 1999.

22
23 **5. Who is the Petitioner in this proceeding?**

24
25 The Petitioner is WWB Real Estate Investments, LLC.

26
27 **6. Are you familiar with the Petition filed by the Petitioner seeking establishment of a**
28 **community development district?**

29
30 Yes. I worked with consultants to prepare the Petition and accompanying exhibits, filed
31 on September 26, 2018 (“Petition”) with the City of Gainesville (“City”). I reviewed the
32 Petition and exhibits prior to its filing.

33
34 **7. What is the proposed name of the District?**

35
36 The proposed name is the Finley Woods Community Development District (“District”).

37
38 **8. Are there any changes or corrections to the Petition at this time?**

39
40 Not at this time.

41
42 **9. To the best of your knowledge, are the contents in the Petition true and accurate?**

43
44 Yes, they are.

1
2 **10. Are there any changes or corrections to any of the exhibits submitted to the City at**
3 **this time?**

4
5 Not at this time.
6

7 **11. Please generally describe each of the exhibits attached to the Petition.**
8

9 Exhibit 1 is a map showing the general location of the proposed District.
10

11 Exhibit 2 is the metes and bounds description and corresponding sketch of the external
12 boundaries of the proposed District.
13

14 Exhibit 3 contains the Landowner Consents executed by the landowners of one-hundred
15 percent (100%) of the lands to be included within the District.
16

17 Exhibit 4 is a map showing existing land uses within and abutting the proposed District.
18

19 Exhibit 5 is a map showing future general distribution, location, and extent of public and
20 private uses of the land within and adjacent to the proposed District.
21

22 Exhibit 6 is a map showing the major trunk water mains and sewer interceptors and
23 outfalls in the vicinity of the District, demonstrated by a pre-development drainage
24 pattern of the lands to be included within the District.
25

26 Exhibit 7 provides a chart showing the types of facilities Petitioner presently expects the
27 District to finance and construct in the future, as well as the anticipated owner and entity
28 responsible for the maintenance of the same. Additionally, it also provides a chart
29 showing the estimated costs of constructing such infrastructure within the District.
30

31 Exhibit 8 is the Statement of Estimated Regulatory Costs required by subsection
32 190.005(1)(a)8, *Florida Statutes*.
33

34 Exhibit 9 is the Authorization of Agent form designating an agent for Petitioner.
35

36 **15. Were these exhibits prepared by you or under your supervision?**
37

38 Yes; I engaged a consultant team and directed the preparation of the exhibits to the
39 Petition.
40

41 **16. To the best of your knowledge, is the general location map identified as Exhibit 1 a**
42 **true and accurate depiction of the general location of the proposed District?**
43

44 Yes, it is.
45
46
47

1
2 **17. To the best of your knowledge, is the metes and bounds description of the external**
3 **boundaries and the accompanying sketch of the District included in Exhibit 2, a true**
4 **and accurate recitation of the land area to be included within the proposed District?**

5
6 Yes, it is.
7

8 **18. To the best of your knowledge, is Exhibit 3 a true and accurate copy of the consent**
9 **and joinder obtained from the owners of one-hundred percent (100%) of the lands**
10 **to be included within the proposed District?**

11
12 Yes, it is a true and accurate copy of the consents from Finley Woods Development, LLC
13 and WWB Real Estate Investments, LLC. Subsequent to the filing of the Petition, some
14 lots were sold to builder and/or end users. I have obtained consent and joinder from each
15 of the purchasers consenting to the jurisdiction of the proposed District. I will be
16 providing these consents prior to the scheduled establishment hearing.
17

18 **19. To the best of your knowledge, is the map showing existing land uses within and**
19 **abutting the proposed District identified as Exhibit 4 a true and accurate depiction**
20 **of the existing land uses within and adjacent to the proposed District.**

21
22 Yes, they are.
23

24 **20. To the best of your knowledge, is Composite Exhibit 5 a true and accurate depiction**
25 **of the future general distribution, location, and extent of public and private land**
26 **uses within and adjacent to the proposed District?**

27
28 Yes, it is.
29

30 **21. To the best of your knowledge, is Composite Exhibit 6 a true and accurate**
31 **rendering of the major trunk water mains and sewer interceptors and outfalls in the**
32 **vicinity of the District, demonstrated by a pre-development drainage patterns?**

33
34 Yes, it is.
35

36 **22. To the best of your knowledge, is the chart in Exhibit 7 a true and accurate**
37 **recitation of the types of facilities Petitioner presently expects the District to finance**
38 **and construct in the future, as well as the anticipated owner and entity responsible**
39 **for the maintenance of the same?**

40
41 Yes, it is.
42

43 **23. To the best of your knowledge, is the second chart in Exhibit 7 a true and accurate**
44 **recitation of the estimated costs of constructing the infrastructure within the**
45 **District?**

46
47 Yes, it is.

1
2 **24. To the best of your knowledge, is Exhibit 8 a true and accurate copy of the**
3 **Statement of Estimated Regulatory Costs prepared by PFM Financial Advisors,**
4 **LLC, formerly known as Fishkind & Associates, Inc.?**

5
6 Yes, it is.
7

8 **25. To the best of your knowledge, is Exhibit 9 a true and accurate copy of the**
9 **Authorization of Agent?**

10
11 Yes, it is.
12

13 **26. Are the contents of the Petition and accompanying exhibits as described herein, true**
14 **and correct to the best of your knowledge?**

15
16 Yes.
17

18 **27. Are you familiar with the area that is proposed to be included within the District?**

19
20 Yes; I am familiar with the general area and the site specifically.
21

22 **28. Approximately how large is the proposed District in acres?**

23
24 The proposed District is located entirely within the City and covers approximately 88
25 acres of land.
26

27 **29. What steps were taken with respect to filing the Petition with the City?**

28
29 On September 26, 2018, the Petitioner filed the original Petition, along with one (1)
30 electronic copy, with the Senior Assistant City Attorney, Sean M. McDermott.
31

32 **30. Has notice of the hearing been provided in accordance with Section 190.005, *Florida***
33 ***Statutes*?**

34
35 Yes; a notice of hearing is being published by the City in The Gainesville Sun, a
36 newspaper of general circulation in the City, as a display ad for four (4) consecutive
37 weeks immediately preceding the hearing. Proof of publication will be provided by the
38 newspaper by the time of the establishment hearing.
39

40 **31. Who are the five persons designated in the Petition to serve as the initial Board of**
41 **Supervisors?**

42
43 The five people designated to serve as the initial supervisors are Thomas W. Williams,
44 Jr., E.D. Norfleet, III, Anne E. Williams, Emilee Lowe, and Thomas W. Williams, III.
45

46 **32. Do you know each of these persons personally?**
47

1 I know all of them personally or through professional affiliations.
2

3 **33. Are each of the persons designated to serve as the initial Board of Supervisors**
4 **residents of the State of Florida and citizens of the United States?**

5
6 Yes, they are.
7

8 **34. Are there residential units planned for development within the proposed District?**
9

10 Yes; there are approximately 256 residential units planned for development within the
11 proposed District.
12

13 **35. Is there a difference between the neighborhood boundary and the proposed**
14 **District's boundary??**
15

16 Yes, there are existing lots within the neighborhood which will not be included in the
17 proposed District and will not be subject to the District's special assessments. As noted
18 above, all future residents of the area to be included within the District are notified about
19 the creation of the District in their sales contract. Each homebuyer also signs a consent
20 and joinder, as stated above, which will be provided to the City prior to the establishment
21 hearing.
22

23 **36. Are there commercial units planned for development within the proposed District?**
24

25 No.
26

27 **37. Are there any commercial units currently existing within the areas to be included**
28 **within the District, and if so, have they been notified about the creation of the**
29 **District?**
30

31 No, there are no commercial units currently existing within the areas to be included
32 within the District.
33

34 **38. In addition to meeting the requirements of Florida law, what other steps will be**
35 **taken to ensure that prospective purchasers of the District receive notice of the**
36 **existence of the District and its assessments?**
37

38 There are certain mandatory disclosures that all community development districts
39 ("CDDs") must provide.
40

41 First, within thirty (30) days of the establishment of the District, a Notice of
42 Establishment is required to be recorded in the Official Records of Alachua County. The
43 notice contains a legal description of the boundaries of the District and discloses, as
44 required by Section 190.0485, *Florida Statutes*, through inclusion of the bold-faced
45 language set forth in the paragraph immediately below, that the District may levy
46 assessments. The notice also provides contact information for someone to obtain more

1 information about the District. This notice should appear on a title search prepared when
2 someone intends to purchase a home after the District has been established.

3
4 Second, Section 190.048, *Florida Statutes*, requires certain contractual language to
5 appear in bold-face and conspicuous type immediately prior to the signature line on every
6 initial purchase contract. The following language is required: **The Finley Woods
7 Community Development District may impose and levy taxes or assessments, or
8 both taxes and assessments, on this property. These taxes and assessments pay the
9 construction, operation, and maintenance costs of certain public facilities and
10 services of the District and are set annually by the governing board of the District.
11 These taxes and assessments are in addition to county and other local governmental
12 taxes and assessments and all other taxes and assessments provided for by law.**

13
14 Third, when assessments are levied for the first time or when previously levied
15 assessments are raised, notice of a public hearing is required to be given by publication in
16 a local newspaper and by mail to all property owners within the District. The assessments
17 are then considered at a public hearing.

18
19 Fourth, the District will be required to adopt and record in the Alachua County
20 (“County”) Public Records, a Disclosure of Public Financing and Maintenance of Public
21 Improvements. This Disclosure summarizes the financing plan the District has
22 undertaken, the existence, if any, of capital improvement assessments and operations and
23 maintenance assessments, and the facilities and services that the District provides and
24 maintains. This Disclosure is then provided by the District to the developer to satisfy the
25 requirements of Section 190.009, *Florida Statutes*, and is also available for inspection by
26 residents and prospective residents.

27
28 **39. Would you please describe the proposed timetable for development of land within
29 the proposed District?**

30
31 It is anticipated that the District improvements will be made, acquired, constructed and/or
32 installed in three (3) phases, which began in June 2018. It is anticipated that completion
33 will be by 2023.

34
35 **40. Has all of the developable land within the proposed District been planned as a single
36 community?**

37
38 Yes; the developable land, along with the master infrastructure to be maintained by the
39 proposed District that will service the developable land, although anticipated to be
40 constructed in three phases, is planned as a single community.

41
42 **41. Would you generally describe the services and facilities you currently expect the
43 proposed District to provide?**

44
45 The Petitioner presently intends for the District to provide for: entry feature and signage,
46 stormwater management facilities, water and sewer improvements, roadway
47 improvements, streetlights, and roadway landscaping and hardscaping. Capital costs of

1 these improvements, including associated contingencies and professional fees, will be
2 borne by the District. Petitioner's good faith estimation of the costs associated with such
3 improvements is itemized in Exhibit 7 to the Petition.

4
5 **42. Did you cause the cost estimates identified in Exhibit 7 to be prepared?**

6
7 Yes, the cost estimates were prepared under my supervision and in consultation with
8 engineers.

9
10
11 **43. What methods were used to estimate these costs?**

12
13 The estimates are based on research regarding historical costs of constructing similar
14 infrastructures and current market conditions.

15
16 **44. In your opinion, are the construction cost estimates for the proposed facilities of the
17 District reasonable?**

18
19 Yes, to the best of my knowledge and based on the information available.

20
21 **45. In general, what financing methods does the Petitioner anticipate the District may
22 use to pay for the planned facilities and services?**

23
24 Petitioner presently expects that the District will finance certain services and
25 improvements through a developer funding agreement or additionally through the
26 issuance of tax-exempt bonds. The debt issued by the proposed District is expected to be
27 retired by non-ad valorem (sometimes referred to as special) assessments on benefitted
28 property within the proposed District, and fees, charges, and rates permitted by law.
29 Ongoing maintenance and operational activities are expected to be funded by non-ad
30 valorem assessments, and fees, charges and rates permitted by law, as well. Any
31 facilities not financed with a bond issuance are anticipated to be funded by the developer
32 using conventional financing options.

33
34 **46. Who will be responsible for paying the proposed District's assessments?**

35
36 Only those who choose to acquire property within the proposed District will be
37 responsible for paying District assessments.

38
39 **47. Will the debts of the proposed District be an obligation of the City or the State of
40 Florida?**

41
42 No; the debts will solely be the District's obligation and secured by non-ad valorem
43 assessments levied against property owners within the District. Florida law provides that
44 a CDD's debt cannot become an obligation of a city, a county, or the State without the
45 consent of that government.

46
47 **48. Why is the Petitioner seeking to have a CDD established for this area?**

1
2 There are hundreds of CDDs throughout the State of Florida. CDDs are an efficient,
3 effective way to provide infrastructure and have become accepted in the marketplace of
4 homebuyers. CDDs have the ability to assist in the streamlined and efficient maintenance
5 and operation of infrastructure and services to developing communities.
6

7 From our perspective, establishment of a CDD is logical for this project. It provides a
8 long-term, stable, financially-secure entity. The proposed District is a structured, formal
9 entity with the legal ability to respond to future changes in the circumstances and desires
10 of its residents. Under Florida law, the proposed District has access to the County's tax
11 collection mechanisms, which helps ensure that the facilities will be maintained. In that
12 regard, it is preferable to establish a CDD over creating a property owners' association
13 with less secure assessment options.
14

15 A CDD has the financial capability to assist in the provision of necessary capital
16 improvements sooner than may otherwise be the case. The City, developers, builders and
17 residents will all benefit from these improvements in terms of access, traffic flow, safety
18 and general property enhancement. Additionally, a CDD is the entity preferred by many
19 regulatory agencies, including water management districts, to operate and maintain the
20 stormwater management and other similar systems. This is because a CDD is a perpetual
21 entity, operating in open meetings, with the financial ability to ensure that the
22 maintenance of these important environmental facilities is accomplished. Given the
23 nature of this project, in my opinion, a CDD is a logical, prudent, and desirable way to
24 ensure the necessary infrastructure is properly constructed and maintained.
25

26 **49. Does this conclude your testimony?**
27

28 Yes.

**BEFORE THE CITY COMMISSION
CITY OF GAINESVILLE, FLORIDA**

IN RE: PETITION TO ESTABLISH THE FINLEY WOODS)
 COMMUNITY DEVELOPMENT DISTRICT)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF ORANGE

I, Kevin Plenzler, of PFM Financial Advisors LLC, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters stated herein.
2. My name is Kevin Plenzler and I am a Senior Managing Consultant of PFM Financial Advisors LLC.
3. I hereby certify that the prepared written, pre-filed testimony consisting of ten (10) pages, submitted under my name to the City of Gainesville City Commission relating to the Petition to Establish Finley Woods Community Development District and attached hereto, is true and correct.
4. I further certify that if I were asked the questions contained in the pre-filed testimony orally at the Finley Woods Community Development District establishment hearing on June 6, 2019, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning my work as a district manager and financial consultant are accurately set forth in my pre-filed testimony.

6. No corrections or amendments to my pre-filed testimony are required.


Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 5th day of May, 2019.


Kevin Plenzler
PFM Financial Advisors LLC

May **SWORN TO AND ASCRIBED** before me this 5th day of May 2019, by Kevin Plenzler, of PFM Financial Advisors LLC, who is personally known to me or has provided _____ as identification, and who did ___ / did not ___ take an oath.

NOTARY PUBLIC


Print Name: Nancy Patricia Rohal
Notary Public, State of Florida
Commission No.: FF955724
My Commission Expires: January 20, 2020



1 **TESTIMONY OF KEVIN PLENZLER FOR ESTABLISHMENT OF**
2 **THE FINLEY WOODS COMMUNITY DEVELOPMENT DISTRICT**
3

4 **1. Please state your name and business address.**

5
6 My name is Kevin Plenzler. My business address is 12051 Corporate Boulevard, Orlando,
7 Florida 32817.
8

9 **2. By whom are you employed and in what capacity?**

10
11 I am with PFM Financial Advisors LLC (“PFM”), formerly known as Fishkind &
12 Associates, Inc., and serve as a Senior Managing Consultant.
13

14 **3. Please describe your duties in that capacity.**

15
16 PFM provides management and financial consulting services to community development
17 districts and the real estate industry, including general management, accounting,
18 recording, secretarial services, field services and assessment administration. We work with
19 numerous community development districts (“CDDs”) throughout the State of Florida.
20

21 **4. Do you work with both public and private sector clients?**

22
23 Yes; I work with a number of public sector clients that include community development
24 districts across the state. I also work with various private real estate developers.
25

26 **5. Prior to your current employment, by whom were you employed and what were your**
27 **responsibilities in those positions?**

28
29 Prior to joining the staff at PFM., I was a Project Engineer in the environmental services
30 industry for J.A. Jones Environmental Services Company in Jacksonville, Florida.
31

32 **6. Please describe your educational background.**

33
34 I earned a Bachelor of Science in Environmental Engineering Technology from University
35 of Dayton in 1997, and an MBA from the University of Florida in 2004.
36

37 **7. Please describe your work with CDDs in Florida.**

38
39 Through PFM, the clients I serve are both resident-elected and landowner-elected CDDs,
40 depending on the stage in the life of the development. I assist the various Boards of
41 Supervisors and residents by managing the accounting, official recordkeeping, and
42 operations and management of the assets acquired or constructed by the CDD. I provide
43 management and financial advising services to about ten (10) active CDDs across Florida.
44

45 **8. What has been your role with respect to the proposed District establishment**
46 **proceeding?**

1
2 I serve as a financial, economic, and management consultant relating to the establishment
3 of the proposed District. Specifically, I prepared Petition Exhibit 8, the Statement of
4 Estimated Regulatory Costs (“SERC”).
5

6 **DISTRICT MANAGEMENT**
7

8 **9. At this point, I will ask you to address certain matters that are related to CDD**
9 **management. Please describe the general manner in which a CDD actually operates.**

10
11 A CDD is governed by a five-member Board of Supervisors (“Board”) that is initially
12 elected by landowners within the CDD. A district manager is employed to supervise the
13 daily operation of services, facilities, and administrative functions of the CDD. An annual
14 public hearing is noticed and conducted by the Board to adopt an annual budget. As required
15 in Chapter 190, *Florida Statutes*, the applicable general-purpose local governments have an
16 opportunity to review and comment on the proposed budget.
17

18 **10. Please describe the requirements and public safeguards that are imposed upon CDDs.**
19

20 These requirements and safeguards are similar to those imposed upon general-purpose local
21 governments, such as cities and counties. For example, Chapter 190, *Florida Statutes*,
22 specifically states that CDDs are subject to state and local development regulations. Also,
23 CDDs are required by law to provide full disclosure of public financing and the maintenance
24 of improvements undertaken by a CDD.
25

26 Under the Government in the Sunshine laws, all CDD Board meetings are open to the public,
27 and other restrictions are imposed under Chapter 286, *Florida Statutes*. Further, all
28 documents of CDDs are available to the public upon request, in accordance with Florida
29 public records law. Additionally, like other political subdivisions, CDDs are required to
30 send financial reports to the Department of Financial Services. Also, CDDs are audited by
31 an independent certified public accountant every year.
32

33 Initially, Board members must be Florida residents and United States citizens. Later, when
34 resident electors of a CDD elect Board members, members of the Board must be qualified
35 electors of that CDD. Board members are also subject to the same annual financial
36 disclosure that is required of other local officials. Each annual budget may only be adopted
37 by the Board after a noticed public hearing. Chapter 120, *Florida Statutes*, rulemaking
38 procedures apply to all rates, fees, and charges imposed by a CDD and the adoption of its
39 other rules.
40

41 A CDD is subject to the same notice and hearing requirements as other units of local
42 government when it imposes special or non-ad valorem assessments. Individual mailed
43 notices are mailed to property owners within a CDD, and additional newspaper notices and
44 various resolutions are published. Further, a methodology that fairly and equitably allocates
45 the cost of CDD improvements must be prepared to justify imposition of the assessments.
46

1 **11. In general, how do CDDs differ from general-purpose local governments?**

2
3 As a unit of special-purpose local government, CDDs possess limited special powers
4 relating to basic public improvements and community facilities such as roads, bridges,
5 wetland mitigation, and water management facilities. Similar to the general powers of
6 general-purpose local governments, such as cities and counties, CDDs may also enter into
7 contracts, acquire and dispose of real and personal property, and adopt rules and regulations
8 to govern its operations. To obtain funds, CDDs may enter into a funding agreement,
9 borrow, issue bonds or levy non-ad valorem assessments and taxes.

10
11 Unlike cities and counties, CDDs do not have planning, zoning, or law enforcement
12 authority. These are the main differences between cities and counties, which are general-
13 purpose governments, and CDDs, which are special-purpose governments.

14
15 **12. Does a CDD have to comply with local land development regulations, ordinances, and**
16 **plans?**

17
18 Yes; Chapter 190 of the Florida Statutes specifically provides that the establishment of a
19 CDD does not alter the application of any governmental planning, environmental and land
20 development laws, regulations, and ordinances. Thus, a CDD must submit to the same
21 process as any development for environmental and land development regulations.

22
23 **13. Are you familiar with the Petition and exhibits filed to establish the proposed District?**

24
25 Yes; I have reviewed the Petition filed on September 26, 2018, with the City of Gainesville
26 (“City”) and all of the attached exhibits.

27
28 **14. Do you have an opinion as someone experienced in district management, as to whether**
29 **a CDD is the best available alternative for delivering community services and facilities**
30 **to the areas that will be served by the proposed District?**

31
32 Yes; it is my opinion that a CDD is the best alternative for delivering community services
33 and facilities to the lands within the proposed District.

34
35 **15. What is the basis for your opinion?**

36
37 There are three other alternatives for providing the infrastructure for the necessary services
38 and facilities besides the proposed District. The first alternative is for the City to build the
39 entire infrastructure, wherein the City would be assuming the responsibilities related to the
40 oversight of the day-to-day construction, maintenance, and management of the proposed
41 services and facilities and landowners of these lands. This would increase the burden on
42 City staff, divert resources from other City developments and projects, and indirectly force
43 the residents of the entire City to pay for these development improvements.

44
45 The second alternative is for a developer to provide the proposed improvements using
46 private financing. However, this alternative does not provide any guarantee of a long-term,

1 consistent entity to oversee construction, maintenance, and management of the proposed
2 services and facilities. Also, a private developer is not subject to the same statutory
3 safeguards that the proposed District, as a public entity, would be subject to, such as public
4 bidding on contracts and public access to meetings and documents.
5

6 The third alternative is a property owner’s association (“POA”). A POA is a more long-
7 term and stable entity that may be capable of providing the necessary maintenance of
8 dedicated improvements. However, a POA is not subject to the same statutory safeguards
9 as the proposed District. Further, a POA cannot impose and collect its assessments in the
10 same way as property taxes or District assessments.
11

12 By comparison to the three alternatives discussed above, a CDD is the best alternative
13 available to provide for the construction, management and maintenance of various
14 infrastructure improvements within the proposed District. As a special-purpose local
15 government, the proposed District is a stable, long-term public entity capable of maintaining
16 and managing the necessary infrastructure, facilities, and services. The limited purpose and
17 scope of the District, combined with the statutory safeguards in place, such as notice of
18 public hearings and access to District records, would ensure that the proposed District is
19 responsive to the infrastructure needs of the proposed District. The proposed District would
20 be able to impose non-ad valorem assessments upon the property within the District to fund
21 maintenance of the infrastructure and related services.
22

23 Only a CDD allows for the independent financing, administration, operation and
24 maintenance of the land within the proposed District and allows District property owners to
25 completely control the District Board and, therefore, the timing and extent of infrastructure
26 development.
27

28 **16. As someone experienced in district management, is the area to be included within the**
29 **proposed District of sufficient size, sufficiently compact, and sufficiently contiguous to**
30 **be developable as one functionally interrelated community?**
31

32 Yes; from a management perspective, the area to be included within the proposed District
33 is of sufficient size, compactness and is sufficiently contiguous to be developable as one
34 functional, interrelated community.
35

36 **17. What does the term “functionally interrelated community” mean?**
37

38 Local governments establish development-criteria for the elements of infrastructure to
39 provide for the facilities and services, including stormwater drainage, water, sewer, and
40 other facilities and services. Functional unification means that each provided facility and
41 service mutually reinforce one another, each designed to contribute to the development and
42 maintenance of the community as a whole. Each facility and service must support the
43 growth and development of the community, so a management capability and a funding
44 source are required for each service and facility. Thus, each of these necessary facilities and
45 services must be integrated, unified, and connected into a long-range plan.
46

1 **18. What is the basis for your opinion that the proposed District is developable as one**
2 **functionally interrelated community?**

3
4 First, the lands to be included within the proposed District have sufficient infrastructure
5 needs in order to be developed as a functionally interrelated community. Second, this
6 necessary infrastructure can be provided by the proposed District in a cost-effective manner
7 based upon the specific design of the community. Using a CDD will ensure that the
8 proposed improvements are provided and maintained in an efficient, functional and
9 integrated manner.

10
11 The lands within the proposed District consist of approximately 88 acres. The purpose of
12 this statutory requirement is to ensure successful and efficient delivery of services and
13 facilities to the property. Based upon my previous experience with special districts, the
14 proposed District is suitably configured to maximize the timely and cost-efficient delivery
15 of the necessary services and facilities.

16
17 **19. How is the proposed District “sufficiently compact”?**

18
19 The “sufficiently compact” aspect of the statutory requirement relates to spatial limitations.
20 The District can operate as one functionally interrelated community because it can maintain
21 the requisite improvements in a time and cost-efficient manner on a long-term basis.

22
23 **20. How is the proposed District “sufficiently contiguous”?**

24
25 From an economic perspective, the property within the proposed District must be arranged
26 in a manner that lends itself to the efficient maintenance of infrastructure and governance.
27 There are no significant geographic barriers separating the lands to be included within the
28 District boundaries. Therefore, in my opinion, the proposed District meets these
29 requirements.

30
31 **21. Do you have an opinion, as someone experienced in district management, as to whether**
32 **the area that will be served by the proposed District is amenable to separate special**
33 **district governance?**

34
35 Yes; it is my opinion that the proposed District is amenable to separate special district
36 governance because of its size, compactness and contiguity. Thus, the land area is well
37 suited to the provision of the proposed services and facilities.

38
39 **22. What is the basis for your opinion?**

40
41 The proposed District encompasses approximately 88 acres. Based upon my experience
42 with other special districts of similar size and configuration, land of this size is large enough
43 to support its own community with individual facility and service needs. As I have already
44 stated, the area within the proposed District is of sufficient size, compactness, and
45 contiguity. At the outset, the proposed District is a logical mechanism to oversee the initial
46 construction of infrastructure improvements necessary for community development. Once

1 lands within the proposed District have been developed, it will have significant continuing
2 operation and maintenance needs to warrant a separate, special-district government to
3 oversee that such needs are met. As a perpetual entity, the proposed District is a tool
4 providing an efficient long-term mechanism to ensure that the landowners of the District
5 pay for and receive the proper and timely operation and maintenance of such improvements.
6

7 Thus, the proposed District is amenable to separate special district governance.
8

9 **23. Do you have an opinion as someone experienced in district management, as to whether
10 the proposed services and facilities of the proposed District will be incompatible with
11 the capacity and uses of existing local and regional community development services
12 and facilities?**
13

14 Yes; it is my opinion that the proposed services and facilities of the proposed District are
15 not incompatible with the capacity and uses of existing local or regional community
16 development services and facilities.
17

18 **24. What is the basis for your opinion?**
19

20 There is no duplication or overlap of facilities or services because no other entity or unit of
21 government is presently funding or providing the improvements proposed by the District.
22 Provision of the master stormwater management system, water and sewer improvements,
23 and other facilities and services that Petitioner expects the proposed District to finance, fund,
24 construct, acquire, and/or install, are necessary to facilitate development of land included
25 within the District. Furthermore, the proposed District is an efficient method to maintain
26 and manage the necessary infrastructure improvements within the proposed District without
27 overburdening the City’s resources and its taxpayers.
28

29 **ECONOMICS AND FINANCING**
30

31 **25. Have you previously worked with other petitioners and prepared a Statement of
32 Estimated Regulatory Costs (“SERC”)?**
33

34 Yes.
35

36 **26. Are there any revisions to Exhibit 8, the SERC?**
37

38 Not at this time.
39

40 **27. To the best of your knowledge, is Exhibit 8 to the Petition, a true and accurate
41 recitation of the SERC?**
42

43 Yes.
44

45 **28. What exactly is a SERC?**
46

1 Pursuant to Sections 190.005(2)(a) and 190.005(1)(a)8, *Florida Statutes*, a petition to
2 establish a CDD must be accompanied by a SERC. A SERC is an analysis of the financial
3 impact of adopting a proposed rule or in the case of a CDD proposed to be established by a
4 county or city, the financial impact of adopting a proposed ordinance.
5

6 Section 120.541(2), *Florida Statutes*, lists the elements of a SERC which generally include:
7

- 8 (a) An economic analysis showing whether the ordinance directly or indirectly:
 - 9
 - 10 1. Is likely to have an adverse impact on economic growth, private sector job
11 creation or employment, or private sector investment in excess of \$1 million
12 in the aggregate within five (5) years after the implementation of the rule;
13
 - 14 2. Is likely to have an adverse impact on business competitiveness, including
15 the ability of persons doing business in the state to compete with persons
16 doing business in other states or domestic markets, productivity, or
17 innovation in excess of \$1 million in the aggregate within five (5) years after
18 the implementation of the rule; or
19
 - 20 3. Is likely to increase regulatory costs, including any transactional costs, in
21 excess of \$1 million in the aggregate within five (5) years after the
22 implementation of the rule.
23
- 24 (b) A good faith estimate of the number of individuals and entities likely to be required
25 to comply with the ordinance, together with a general description of the types of
26 individuals likely to be affected by the ordinance.
27
- 28 (c) A good faith estimate of the cost to the agency, and to any other state and local
29 government entities, of implementing and enforcing the proposed ordinance, and
30 any anticipated effect on state or local revenues.
31
- 32 (d) A good faith estimate of the transactional costs likely to be incurred by individuals
33 and entities, including local government entities, required to comply with the
34 requirements of the ordinance.
35
- 36 (e) An analysis of the impact on small businesses, small cities and small counties.
37
- 38 (f) Any additional information that may be useful.
39

40 The SERC that we prepared addresses all of the above statutory requirements. In rendering
41 our opinion, we utilized a straightforward application of economic theory, specifically
42 pertaining to tracking the incidence of both regulatory costs and benefits. The Petitioner's
43 engineer and other professionals associated with the Petitioner also submitted input. Based
44 on the information provided by the Petitioner and its consultants, we concluded that the
45 establishment of the proposed District will not have an adverse impact on any affected
46 person or entity.

1
2 **29. Please summarize the costs to the City resulting from establishment of the District.**

3
4 Since the proposed District consists of less than 2,500 acres, the Petition is submitted to the
5 City for review and approval in accordance with Section 190.005(2), *Florida Statutes*.

6
7 The City will hold a public hearing to discuss the Petition and consider public input. These
8 activities will utilize staff time and the time of the City Council. However, such time and
9 costs to the City are minimal. For example, the review of the Petition does not include an
10 analysis of the project itself; in fact, such a review is prohibited by statute. The Petition
11 contains all of the information necessary for review and should not require additional staff.
12 No capital costs are involved.

13
14 Once the proposed District is established, the District will be an independent unit of local
15 government. The City will not incur any quantifiable ongoing costs resulting from the
16 ongoing administration of the District. The District is responsible for its own budget and
17 reporting. The only annual costs to the City would be those associated with the City's
18 optional review of the various reports the District is required to provide. The City may,
19 however, choose not to review the documents.

20
21 **30. Please summarize the costs to the State of Florida resulting from establishment of the**
22 **District.**

23
24 Once the District is established, the State of Florida will incur only modest administrative
25 costs to review the periodic reports required pursuant to Chapters 189 and 190, *Florida*
26 *Statutes*, and other law. These reports include the annual financial report, annual audit, and
27 public financing disclosures. To offset these costs, the Florida Legislature has established a
28 maximum annual fee of \$175 per district to pay the costs incurred by the Special Districts
29 Information Program to administer the reporting requirement of Chapter 189, *Florida*
30 *Statutes*. With the exception of the reporting requirements previously mentioned, no
31 additional burden is placed on the State of Florida once the District has been established.

32
33 **31. Will the establishment of the proposed District result in costs to local small businesses?**

34
35 No; there will be very little impact on small businesses as a result of the District's
36 establishment. If anything, the impact I anticipate will be a positive one because the local
37 businesses will have the opportunity to participate in the competitive bidding process to
38 compete for the newly-established District's business.

39
40 **32. Will the establishment of the proposed District have a negative impact on state or local**
41 **revenues?**

42
43 Establishment of the District should not negatively impact state or local revenues because
44 the District will be an independent unit of local government. The District will have its own
45 source of revenue. Pursuant to Florida law, debts of the District will be strictly the District's
46 responsibility.

1
2 **33. Based on your training and experience in the financial aspect of CDDs, do you have**
3 **an opinion regarding the financial viability and feasibility of the proposed District?**

4
5 Yes.

6
7 **34. What is that opinion?**

8
9 Based on my experience with other CDDs, in my opinion, the proposed District is expected
10 to be financially viable and feasible.

11
12 **35. From a financial perspective, do you have an opinion as to whether the proposed**
13 **District is the best alternative available for providing the proposed community**
14 **development services and facilities to the areas to be served?**

15
16 Yes.

17
18 **36. What is your opinion?**

19
20 In my opinion, establishing the proposed District is the best alternative to finance the
21 infrastructure needs to encourage growth within the area encompassed by the District.

22
23 **37. What is the basis for your opinion?**

24
25 The Petitioner proposes to establish the District to construct certain public infrastructure
26 and community facilities which will be needed by the property owners and residents of the
27 District. The CDD mechanism allows the community development process to take care of
28 its own needs and restricts costs to those who primarily benefit from the services provided.

29
30 Non-ad valorem or special assessments on benefitted property within the District are
31 expected to be used to repay any debt that is incurred for construction of infrastructure.
32 Expenses for operations and maintenance of certain public facilities and services within the
33 District are expected to be paid through maintenance assessments upon landowners and
34 future residents. Use of non-ad valorem and maintenance assessments or user fees ensures
35 that the properties receiving the benefit of the District's services are the same properties to
36 pay for those services. CDDs are typically efficient providers of maintenance services as
37 they are subject to government bidding requirements, are professionally managed, and have
38 the ability to place these non-ad valorem assessments on the County tax roll to fund these
39 activities. There are no comparably effective alternatives providing for similar financing
40 structures.

41
42 A POA could also provide for the operations and maintenance activities planned for the
43 District. POAs, however, do not have the ability to impose and collect assessments in the
44 same manner as ad valorem property taxes. Additionally, unlike the POA, the District must
45 abide by all governmental rules and regulations, including public bidding for services and
46 Florida's sunshine law requirements. Establishment of the District is expected to result in

1 the lowest cost to landowners as compared to the other alternatives. Thus, from an economic
2 perspective, the District is the best alternative.

3
4 A CDD is also preferable because the structure lends itself to high accountability. With the
5 proposed District, property owners within the District would have a focused unit of local
6 government under their direct control. The District is responsive to the needs of property
7 owners without disrupting other City responsibilities. A CDD is an independent special-
8 purpose unit of local government designed to focus its attention on providing the best long-
9 term service to its landowners and benefitted properties. The District would be governed
10 by its own Board of Supervisors. This assures the District will be maintained at the
11 sustained level of quality desired by its landowners.

12
13 **38. Generally, how does a CDD operate financially, both on a day-to-day and a long-term**
14 **basis?**

15
16 Usually, most or all of the land within a CDD is initially owned by the developer, so the
17 landowner/developer and the CDD may enter into a funding agreement to fund the CDD's
18 operating expenses. This agreement acts in the place of assessments that the CDD may
19 impose upon property within the CDD, once it is established. Such agreements are common,
20 particularly when a CDD is formed in the middle of a fiscal year.

21
22 CDDs frequently issue bonds, which must be secured by a trust agreement, for long-term
23 capital projects. If a CDD issues bonds, Chapter 75, *Florida Statutes*, requires bond
24 validation and confirmation by court decree for bonds maturing over a period of more than
25 five (5) years. CDDs may also borrow funds on a long or short-term basis.

26
27 A CDD's debt may be retired by levying non-ad valorem or special assessments imposed
28 on benefitted properties, or rates, fees and charges imposed on users of CDD facilities and
29 services. A CDD's debt cannot become the debt of any other government (city, county or
30 state), absent that government's express consent.

31
32 Once a funding source has been secured, the Board must authorize all expenditures. The
33 District Manager is then responsible for the day-to-day operations of the district, including
34 handling invoices, bills and expenses.

35
36 **39. Does this conclude your testimony?**

37
38 Yes.

6. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 23rd day of May, 2019.



President
Causseaux, Hewett, & Walpole, Inc., d/b/a
CHW

SWORN TO AND ASCRIBED before me this 23rd day of May 2019, by Robert Walpok, of Causseaux, Hewett, & Walpole, Inc., d/b/a CHW, who is [] personally known to me or [] has provided _____ as identification, and who did / did not take an oath.

NOTARY PUBLIC

Shannon W. Braddy

Print Name: Shannon W. Braddy

Notary Public, State of Florida

Commission No.: _____

My Commission Expires: _____



1 **TESTIMONY OF ROBERT WALPOLE, P.E., FOR ESTABLISHMENT OF**
2 **THE FINLEY WOODS COMMUNITY DEVELOPMENT DISTRICT**

3
4 **1. Please state your name and business address.**

5
6 My name is Robert Walpole and my business address is 11801 Research Drive, Alachua,
7 Florida 32615.

8
9 **2. By whom are you employed and in what capacity?**

10
11 I am the President of Casseaux, Hewett, & Walpole, Inc, d/b/a CHW, and serve as a
12 Principal Engineer.

13
14 **3. How long have you held that position?**

15
16 I have held this position for seven (7) years, of the twenty-one (21) years I've been with
17 CHW.

18
19 **4. Please give your educational background, with degrees earned, major areas of study**
20 **and institutions attended.**

21
22 I graduated from University of Memphis, Herf College of Engineering with a Bachelor of
23 Science degree in Civil Engineering.

24
25 **5. Do you have any professional licenses, registrations, or certifications?**

26
27 I have a Florida Professional Engineer License.

28
29 **6. Have you been involved in any developments of the type and nature contemplated**
30 **within the proposed Finley Woods Community Development District (“District”)?**

31
32 Yes; I am involved in the Finley Woods CDD project, in the City of Gainesville, Florida.
33 Additionally, I was involved in the development of the following master planned
34 communities

- 35
36
 - 37 • Madera – Gainesville, Florida
 - 38 • Tanglewood – Gainesville, Florida
 - 39 • Arbor Greens – Alachua County, Florida
 - 40 • Oakmont – Alachua County, Florida

41 **7. Are you familiar with the Petition filed by WWB Real Estate Investments, LLC**
42 **(“Petitioner”), on September 26, 2018, seeking establishment of the proposed**
43 **District?**

44
45 Yes; I have reviewed the Petition and accompanying exhibits.

1 **8. Are you generally familiar with the geographical area, type, and scope of**
2 **development and the available services and facilities in the vicinity of the proposed**
3 **District?**

4
5 Yes, I am.

6
7 **9. Which documents did you prepare or have others prepare under your supervision?**

8
9 Exhibits 1, 2, 4, 5, 6, and 7 attached to the Petition.

10
11 **10. Do any of those exhibits require any change or correction?**

12
13 Not at this time.

14
15 **11. To the best of your knowledge, are Exhibits 1, 2, 4, 5, 6 and 7 to the Petition true**
16 **and correct?**

17
18 Yes, they are.

19
20 **12. In general, what do Exhibits 1, 2, 4, 5, 6 and 7 to the Petition demonstrate?**

21
22 Exhibit 1 is a map showing the general location of the proposed District.

23
24 Exhibit 2 is a metes and bounds description of the external boundaries of the District and
25 a corresponding sketch.

26
27 The map included in Exhibit 4 shows the existing land uses within the District.

28
29 Exhibit 5 contains maps showing future general land uses adjacent to and within the
30 proposed District.

31
32 Exhibit 6 contains maps showing water mains and sewer interceptors, outfalls in the
33 vicinity of the District, demonstrated by a pre-development drainage patterns.

34
35 Exhibit 7 shows the proposed improvements within the District and the estimated costs
36 for constructing such improvements.

37
38 **13. What capital improvements are presently expected to be provided by the District?**

39
40 Based on information provided by the Petitioner and as more fully described in the
41 Petition Exhibit 7, it is presently expected that the District will construct roadway
42 landscaping and hardscaping and other roadway improvements, entry features and
43 signage, streetlights, stormwater management facilities, and water and sewer facilities.

44
45 **14. Based upon your training and experience as an engineer, do you have an opinion as**
46 **to whether the proposed District is of sufficient size, compactness, and sufficient**

1 **contiguity to be developed as a functionally interrelated community?**

2
3 Yes; based on my experience, the proposed District is of sufficient size, compactness and
4 contiguity to be developed as one functionally interrelated community.

5
6 **15. What is the basis for your opinion?**

7
8 For many reasons, the proposed District facilities can be provided in an efficient,
9 functional and integrated manner.

10
11 First, there are infrastructure needs for the area within the proposed District to allow area-
12 development as a functionally interrelated community, supporting the future residents’
13 needs.

14
15 Second, the specific design of the community and the financing mechanism available to
16 CDDs allow infrastructure to be provided in a cost-effective manner. The land included
17 within the proposed District area is contiguous, which facilitates an efficient and effective
18 planned development.

19
20 Third, the provision of services and facilities through the use of one development plan
21 provides a contiguous and homogenous method of providing services to lands throughout
22 the District.

23
24 **16. In your opinion, you said the proposed District is sufficiently compact and**
25 **contiguous to be developable as a functionally interrelated community. Would you**
26 **please explain what you mean when stating that the proposed District is of sufficient**
27 **compactness?**

28
29 The District will encompass approximately 88 acres and will provide a range of
30 necessary infrastructure, including roadways, stormwater management system, and
31 landscaping and hardscaping improvements, as more particularly described in the Petition
32 Exhibit 7. The proposed District will have sufficient overall development density to
33 require the above-mentioned infrastructure of a comprehensive community. These
34 facilities and services require adequate planning, designing and financing, construction,
35 and continued maintenance to support the community with appropriate infrastructure.
36 The preferred method of developing land, especially for higher density uses, is for the
37 development to be spatially compact, like the proposed District. This augments the
38 District’s ability to construct and maintain improvements, and provide services, in a cost-
39 effective manner.

40
41 **17. Can you provide an example of a service or facility to be provided by the District**
42 **and explain why a community development district is a preferred alternative for the**
43 **long-term operation and maintenance of such development?**

44
45 Yes; a good example would be a stormwater management system. Both a community
46 development district (“CDD”) and a property owners’ association (“POA”) are permitted

1 to operate and maintain such systems under the applicable water management district
2 rules. However, water management districts' rules generally require POAs to provide
3 significantly more information and documentation before they will allow a POA as an
4 operation and maintenance entity. This additional information is required to ensure that
5 the POA has the financial, legal and administrative capability to provide for long-term
6 maintenance of the stormwater management system. Such documentation generally must
7 (1) indicate that the POA has the power to levy assessments; (2) mandate that the POA
8 will operate and maintain such systems; and (3) provide that the POA cannot be dissolved
9 until another entity is found to maintain the system.

10
11 In comparison, a CDD is a perpetual local government unit, which by law has the
12 requisite assessment authority, including the ability to collect such assessments on the
13 Alachua County tax roll. Thus, a CDD generally must simply provide a letter to the
14 water management district stating that the CDD will accept operation and maintenance
15 responsibility. All things being equal, a CDD is preferred over a POA for operation and
16 maintenance of a stormwater management system.

17
18 **18. Based on your experience, do you have an opinion as to whether the services and**
19 **facilities to be provided by the proposed District will be incompatible with the**
20 **capacities and uses of existing local and regional community facilities and services?**

21
22 Yes; my opinion is that the proposed improvements of the District will not be
23 incompatible with any of the existing local or regional community development services
24 and facilities near the proposed District.

25
26 **19. What is the basis for your opinion?**

27
28 Currently, none of the planned infrastructure improvements that the proposed District
29 plans to provide exist on the subject property in a manner that is useful to the proposed
30 development or the City of Gainesville ("City"). Each of the elements of infrastructure
31 for the necessary services and facilities will connect into the City's existing, surrounding
32 systems according to criteria, review and approval of the City; there will be no
33 incompatibility issue.

34
35 **20. Based on your experience, do you have an opinion as to whether the area to be**
36 **included within the proposed District is amenable to being served by a separate**
37 **special district government?**

38
39 Yes; in my opinion, and to the best of my knowledge, the area identified in the Petition is
40 amenable to being served by a separate special district government.

41
42 **21. What is the basis for your opinion?**

43
44 The proposed District and the infrastructure improvements to be provided are limited in
45 purpose and scope. The infrastructure is expected to directly benefit the future residents
46 of the District and will be best served by a special district government serving the interest

1 of those residents. In addition, special district governance provides a mechanism
2 whereby long-term maintenance obligations can be satisfied by the persons primarily
3 using the facilities and services.

4

5 **22. Does this conclude your testimony?**

6

7 Yes, it does.

**BEFORE THE CITY COMMISSION
CITY OF GAINESVILLE, FLORIDA**

IN RE: PETITION TO ESTABLISH THE FINLEY WOODS)
 COMMUNITY DEVELOPMENT DISTRICT)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF Alachua

I, Gerry Dedenbach, of Causseaux, Hewett, & Walpole, Inc., d/b/a CHW, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Gerry Dedenbach, and I am the Vice President of Causseaux, Hewett, & Walpole, Inc., d/b/a CHW.
3. The prepared written, pre-filed testimony consisting of nine (9) pages, submitted under my name to the City of Gainesville City Commission, relating to the Petition to establish the Finley Woods Community Development District and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the Finley Woods Community Development District establishment hearing on June 6, 2019, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning my work with land development projects as a professional planner are accurately set forth in my pre-filed testimony.

6. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 22 day of May, 2019.

Gerry Dedenbach
Gerry Dedenbach
Causseaux, Hewett, & Walpole, Inc., d/b/a
CHW

SWORN TO AND ASCRIBED before me this 22nd day of May 2019, by Gerry Dedenbach, of Causseaux, Hewett, & Walpole, Inc., d/b/a CHW, who is [] personally known to me or [] has provided _____ as identification, and who did / did not take an oath.

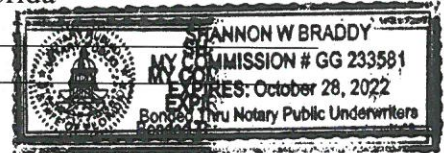
NOTARY PUBLIC

Shannon W. Braddy
Print Name: Shannon W. Braddy

Notary Public, State of Florida

Commission No.:

My Commission Expires:



1 **TESTIMONY OF GERRY DEDENBACH FOR ESTABLISHMENT OF**
2 **THE FINLEY WOODS COMMUNITY DEVELOPMENT DISTRICT**

3
4 **1. Please state your name and business address.**

5
6 My name is Gerry Dedenbach. My business address is 11801 Research Drive, Alachua,
7 Florida 32615.

8
9 **2. By whom are you employed and in what capacity?**

10
11 I am the Vice President of Casseaux, Hewett, & Walpole, Inc., d/b/a CHW, and serve as a
12 Certified Planner.

13
14 **3. Please describe the kinds of clients you serve and services you provide in that**
15 **capacity.**

16
17 I provide consultant services to landowners, developers, and community development
18 districts (“CDDs”) in the areas of regulatory planning, land use, zoning, concurrency,
19 DRIs and due diligence.

20
21 **4. Please describe your educational background.**

22
23 I have a Bachelor of Liberal Arts Degree from University of Florida, with an emphasis in
24 Landscape Architecture.

25
26 **5. Do you hold any professional licenses, designations or certifications?**

27
28 I am certified as a Professional Planner by the American Institute of Certified Planners
29 (“AICP”) and also a Leadership in Energy and Environmental Design (“LEED”)
30 Accredited Professional.

31
32 **6. Please summarize your previous experience as it relates to public facility design,**
33 **construction and land development.**

34
35 I have over 28 years of experience working on numerous public and private public
36 facility planning and project management, including large mixed-use community master
37 planning, residential subdivision site planning and regulatory permitting, commercial and
38 institutional site planning and regulatory permitting, and construction projects.

39
40 **7. Are you familiar with the Petition to establish the Finley Woods Community**
41 **Development District (the “District”)?**

42
43 Yes; I have reviewed the Petition and accompanying exhibits filed on September 26,
44 2018, and I am familiar with the underlying real estate project.

1 **8. In the course of your work in Florida, have you had an opportunity to work with the**
2 **State Comprehensive Plan found in Chapter 187, *Florida Statutes*?**

3
4 Yes; I have often referred to the State Comprehensive Plan in rendering consultation to
5 clients.
6

7 **9. In the course of your work in Florida, have you had an opportunity to review local**
8 **government comprehensive plans?**

9
10 Yes.
11

12 **10. What types of land development projects have you worked on that involved**
13 **analyzing consistency with the State and local comprehensive plans?**

14
15 I have frequently referred to the State and local comprehensive plans with respect to
16 development planning and designing of new communities. These included residential
17 and mixed use/commercial projects. Some of my previous projects include the
18 development of the following communities: Oakmont, Arbor Greens, Turnberry Lake,
19 Gloria's Way, Eloise Gardens, Longleaf, Grand Oaks and Finley Woods, and others.
20

21 **11. Do you have an opinion, as someone experienced in planning, as to whether**
22 **establishment of the proposed District is inconsistent with any applicable element or**
23 **portion of the State Comprehensive Plan?**

24
25 Yes.
26

27 **12. What is that opinion?**
28

29 It is my opinion that establishment of the proposed District is not inconsistent with any
30 applicable element or portion of the State Comprehensive Plan.
31

32 **13. What is the basis for that opinion?**
33

34 I have reviewed, from a planning perspective, applicable portions of the State
35 Comprehensive Plan that relate to the establishment of the proposed District.
36

37 The State Comprehensive Plan, Chapter 187, *Florida Statutes*, "provide[s] long-range
38 policy guidance for the orderly social, economic, and physical growth of the state." The
39 State Comprehensive Plan sets forth 25 Subjects, Goals, and numerous Policies. Two
40 Subjects are particularly relevant to establishment of the proposed District: Subjects 15 –
41 Land Use and 25 – Plan Implementation.
42

43 **14. What is Subject 15 and why is it relevant?**
44

45 Subject 15 recognizes the importance of locating and directing development to areas that
46 have the ability to provide the land and water resources, fiscal abilities, and service

1 capacity to accommodate growth in an environmentally acceptable manner. It is relevant
2 because CDDs are designed to provide infrastructure services and facilities in a fiscally
3 responsible manner to the areas that can accommodate development. The proposed
4 District promotes the Subject 15's Goal because the District also has the fiscal ability (via
5 its ability to levy special assessments) to provide the services and facilities targeted for
6 the needs of the land to be developed. Additionally, under this subject, Policy 1 is
7 relevant.
8

9 **15. What is Policy 1 and what is its relevance?**

10
11 Policy 1 promotes efficient development activities in areas that will have the capacity to
12 service new populations and commerce. The proposed District will be a vehicle to
13 provide high quality infrastructure facilities and services in an efficient and focused
14 manner at sustained levels over the long-term life of the community.
15

16 **16. You also mentioned Subject 25. What is this and why is it relevant?**

17
18 This Subject calls for systematic planning capabilities to be integrated into all levels of
19 government throughout the state, with particular emphasis on improving inter-
20 governmental coordination and maximizing citizen involvement. The proposed District
21 will be able to finance and construct (and in some cases operate and maintain) the
22 contemplated infrastructure improvements as authorized under Chapter 190, *Florida*
23 *Statutes*, subject to and not inconsistent with the local government comprehensive plan
24 and land development regulations. Citizen involvement is maximized since District
25 Board meetings are publicly advertised, open to the public and all District property
26 owners and residents can be involved in the provision of the improvements. And
27 eventually, the residents of the District will make up the Board of Supervisors overseeing
28 the District's governance, having a direct voice in continued operation and maintenance
29 of the District. Additionally, establishment of the District will enhance governmental
30 coordination since section 189.08, *Florida Statutes*, requires the District to file public
31 facilities reports with the City of Gainesville ("City"), and to annually update such
32 reports to the extent there are any changes, which the City may rely upon in any revisions
33 to its local comprehensive plan.
34

35 **17. Are there any relevant policies under Subject 25 of the State Comprehensive Plan?**

36
37 Yes, Policies 2, 3, 6 and 8. Policy 2 seeks to ensure that every level of government has
38 the appropriate operational authority to implement this Policy in the State Comprehensive
39 Plan. Chapter 190, *Florida Statutes*, provides the District with such operational authority.
40 In fact, section 190.002(1) identifies CDDs as a means to deliver the basic community
41 services and capital infrastructure called for by the Growth Management Act without
42 overburdening other local governments and their taxpayers. Establishment of the
43 proposed District to provide the infrastructure systems and facilities for the land to be
44 included within the District in a manner that does not burden the general body of
45 taxpayers in the City is directly in furtherance of Policy 2.
46

1 Policy 3 promotes establishing effective monitoring, incentive, and enforcement
2 capabilities to see that the requirements established by regulatory programs are met.
3 section 189.08(2), *Florida Statutes*, requires all independent special districts to submit
4 public facilities reports, including annual updates if there are any changes. This facilitates
5 the City to monitor the District’s services and facilities. And sections 190.002(2)(c) and
6 190.004(3), *Florida Statutes*, require that all CDDs comply with all government laws,
7 rules and regulations applicable to community development. This legislative policy
8 ensures that the proposed District enforces compliance with relevant regulatory
9 provisions applicable to its operation. Therefore, establishment of the District is in
10 furtherance of Policy 3.

11
12 Policy 6 encourages citizen participation at all levels of policy development, planning
13 and operations. The District holds its meetings in the sunshine pursuant to Chapter 286,
14 *Florida Statutes*. This process encourages citizen participation in, and ultimately citizen
15 control of, the activities of the District. Furthermore, the Board of Supervisors overseeing
16 the District governance will eventually consist of qualified electors of the District,
17 embodying Policy 6’s objective to encourage direct citizen participation in the District
18 operation.

19
20 Policy 8 encourages continual cooperation among communities to bring the private and
21 public sectors together for establishing an orderly, environmentally, and economically-
22 sound plan for future needs and growth. The proposed District will serve as a vehicle to
23 enhance such cooperation in the construction of infrastructure for the proposed District.

24
25 **18. Are there any other subjects within the State Comprehensive Plan which are**
26 **relevant?**

27
28 One additional subject comes to mind: Subject 17 – Public Facilities. The applicable
29 Goals and Policies of Subject 17 relate to: (i) protecting investments in existing public
30 facilities; (ii) providing financing for new facilities; (iii) allocating the costs of new
31 public facilities on the basis of the benefits received by future residents; (iv)
32 implementing innovative but fiscally sound techniques for financing public facilities; and
33 (v) identifying and using stable revenue sources for financing public facilities.
34 Establishment of the proposed District will further these Subjects, Goals and Policies.

35
36 **19. Do you have an opinion, as someone with expertise in planning, as to whether**
37 **establishment of the proposed District is inconsistent with any applicable element or**
38 **portion of the City of Gainesville Comprehensive Plan?**

39
40 Yes.

41
42 **20. What is that opinion?**

43
44 It is my opinion that establishment of the proposed District is not inconsistent with the
45 City of Gainesville Comprehensive Planning Plan Elements (or “City Comprehensive
46 Plan” or “local comprehensive plan”).

1 **21. What is the basis of that opinion?**
2

3 There is nothing about establishing the proposed District as an alternative means of
4 providing infrastructure systems and additional facilities that would be inconsistent with
5 the local comprehensive plan. In fact, establishment of the District is in furtherance of
6 the following exemplary Goals and Objectives of the City Comprehensive Plan and the
7 relevant policies therein:
8

9 Potable Water & Wastewater Goal 1, Objectives 1.2 and 1.3; and Stormwater
10 Management Element Goal 1, Objectives 1.3, 1.4, and 1.7 – These Goals and Objectives
11 provide that the City continue to upgrade and expand the water and wastewater systems,
12 in an efficient and economical manner, with the cost of service expansion being borne by
13 those requiring such expansion. Further, they provide that the City shall continue to
14 comply with its stormwater management plan addressing identified needs, ensure that
15 proper and adequate stormwater management facilities are provided to meet future needs,
16 and encourage the preservation and protection of existing drainage features. The District
17 will finance the construction of both the stormwater management system and water and
18 wastewater systems. And if the District finances the construction of such infrastructure
19 by issuing tax-exempt bonds, the special benefits assessments securing such bonds will
20 only affect residents of the District; in another words, the cost of service expansion will
21 be borne by those requiring such expansion. Additionally, the District will ultimately
22 own, operate and maintain the stormwater management system within the District in an
23 economical and efficient manner.
24

25 Intergovernmental Coordination Element Goal 1, Objective 1.6 – This element of the
26 City Comprehensive Plan call for the City to work cooperatively with other units of
27 government to promote effective and efficient comprehensive planning, and to mitigate
28 potential conflicts between jurisdictions. The proposed District, through its financing
29 powers, will finance the construction of the capital improvements. Over the long term,
30 the District will provide another level of local government to work cooperatively with the
31 City for continued operation and maintenance of such services and facilities.
32

33 Capital Improvements Element Goal 1, Objective 1.1, 1.2 – These Goals and Objectives
34 provide that the City shall provide and maintain, in a timely fashion, adequate, efficient,
35 reliable, equitable and environmentally sound public facilities that are financial feasible,
36 and that the City shall continue to ensure the provision of services and facilities needed to
37 meet and maintain the Level of Service standards adopted in this City Comprehensive
38 Plan. The proposed District will provide the infrastructure facilities and services needed
39 for its lands promoting these exact goals and objectives of the City, without additionally
40 burdening the resources of the City.
41

42 Therefore, establishment of the proposed District is not inconsistent with these or any
43 other provisions of the City Comprehensive Plan.
44

1 **22. Do you have an opinion, as someone with expertise in planning, as to whether**
2 **establishment of the proposed District is inconsistent with any applicable element or**
3 **portion of the Alachua County Comprehensive Plan?**
4

5 Yes, it is my opinion that the proposed District is not inconsistent with the Alachua
6 County Comprehensive Plan (“County Comprehensive Plan” or “local comprehensive
7 plan”).
8

9 **23. What is the basis of that opinion?**
10

11 Much like the explanations and examples given from the City Comprehensive Plan, many
12 of the County Comprehensive Plan’s Goals, Objectives and Policies support the
13 establishment of the District:
14

15 Pursuant to the Stormwater Element, it is one Objective of the County Comprehensive
16 Plan to coordinate improvements to the stormwater management system which serve new
17 or future needs of the residents. One of the functions of the proposed District is to meet
18 such a need by providing stormwater management facilities to the future residents of the
19 District.
20

21 And pursuant to the Capital Improvement Element, the County strives to provide and
22 maintain, in a timely and efficient manner, adequate public facilities for both existing and
23 future populations, coordinating the timing and location of such projects with other
24 agencies and jurisdictions to ensure that the Capital Improvements Element is
25 consistently carried out. The proposed District will provide various infrastructure to the
26 lands to be included in the District, without additionally burdening the County’s or the
27 City’s resources. And as a planned community, the District will produce a community
28 that complements the adjacent land uses.
29

30 Last but not least, pursuant to Intergovernmental Coordination Element, it is one Goal of
31 the County to provide coordinated and cooperative comprehensive planning, land
32 development regulation, and service provisions with agencies and governmental units
33 affecting the County. As the City and County population grows, intergovernmental
34 coordination is important to effectuate proper growth management and this Goal, along
35 with other Goals, Objectives and Policies, allows for various levels of government to
36 coordinate in that effort. As a special-purpose government, the District would also be
37 participating in that effort alongside the City and County.
38

39 **24. Do you have an opinion, as someone experienced in planning, as to whether the land**
40 **to be included within the proposed District is of sufficient size, is sufficiently**
41 **compact, and sufficiently contiguous to be developable as one functionally**
42 **interrelated community?**
43

44 Yes.
45
46

1 **25. What is your opinion?**
2

3 The proposed District has sufficient land, and is sufficiently compact and contiguous to
4 be developed with infrastructure systems, facilities and services as one functionally
5 interrelated community.
6

7 **26. What is the basis for your opinion?**
8

9 There are several reasons. The lands to be included within the proposed District have
10 sufficient significant infrastructure needs to be developable as a functionally interrelated
11 community. Further, the land to be included within the District will not be hampered by
12 significant barriers or spatial discontinuity, ensuring that services and facilities can be
13 expected to succeed as a geographically and functionally interrelated community.
14 Second, this necessary infrastructure can be provided by the proposed District in a cost-
15 effective manner based upon the specific design of the community. Furthermore, the use
16 of one development plan whose infrastructure is implemented by a CDD to provide the
17 community services and facilities will ensure that the proposed improvements are
18 provided and maintained in an efficient, functional and integrated manner.
19

20 **27. Do you have an opinion, as someone experienced in planning, as to whether the**
21 **community development services and facilities of the proposed District will be**
22 **incompatible with the capacity and uses of existing local and regional community**
23 **development services and facilities?**
24

25 Yes.
26

27 **28. What is your opinion?**
28

29 The proposed services and facilities of the District are not incompatible with the capacity
30 and uses of existing local or regional community development services and facilities.
31

32 **29. What is the basis for your opinion?**
33

34 In order to answer this question, it is necessary to compare the community development
35 services and facilities to be provided by the District within its boundaries to any existing
36 community development services and facilities available to the same lands. Currently,
37 the planned infrastructure improvements to be provided by the proposed District do not
38 exist in the general location of the proposed District. Therefore, the proposed services
39 and facilities of the District cannot be said to be incompatible with non-existent local and
40 regional community development services and facilities. The proposed utility
41 improvements will complement and enhance existing utilities rather than compete with
42 them. Thus, the proposed District is the best alternative method to construct the
43 necessary infrastructure improvements on the lands to support the future needs of the
44 property owners within the District.
45

1 **30. Do you have an opinion as to whether the land that will be served by the proposed**
2 **District is amenable to separate special district government?**

3
4 Yes I do.
5

6 **31. And what is your opinion?**
7

8 Based on its contiguity, compactness and size, and given the scope of the infrastructure
9 improvements to be constructed and continually operated and maintained by the District,
10 the land to be included within the District is amenable to separate special-purpose
11 government.
12

13 **32. As someone with planning expertise, do you have an opinion as to whether the**
14 **proposed District is the best alternative available for providing the proposed**
15 **community development services and facilities to the land to be served?**
16

17 Yes I do.
18

19 **33. What is your opinion?**
20

21 As previously stated, the District is the best alternative for providing the proposed
22 community development services and facilities to the lands proposed to be included
23 within the District.
24

25 **34. What is the basis for your opinion?**
26

27 My planning expertise, in part, and a review of the Petition in part; to answer this
28 question, we must consider the alternative means, by which these infrastructure and
29 attendant services might be provided to approximately 88 acres of land to be included
30 within the proposed District. The alternatives include the City, the developer, or a
31 property owner's association ("POA").
32

33 For example, the District will own, operate and maintain the stormwater and surface
34 water management system and recreational facilities within the District. District residents
35 will one day comprise this Board and will be able to directly govern the appropriate
36 levels of service to be provided for the District without diverting City resources from
37 other City-owned recreation facilities or drainage systems. Establishing the District will
38 also prevent indirectly forcing the City residents to pay for development and continued
39 maintenance of facilities servicing the District.
40

41 In comparison to a developer, a CDD is also preferable because a CDD guarantees
42 consistent and effective service to its residents in perpetuity. For one, a developer using
43 private financing is not subject to the same statutory safeguards as the proposed District,
44 such as competitive solicitation of bids for various contractual services. A CDD's ability
45 to levy special assessments is also a superior method of securing necessary, on-going
46 financing to facilitate operation and maintenance of the improvements.

1 In comparison to a POA, the District is also the better provider of services and facilities.
2 As discussed earlier, various goals and objectives articulated in the local comprehensive
3 plans provide that the City and County ensure a high quality, diversified, self-sustaining
4 living environment, provide for planned unit development of various residential,
5 commercial and mixed-use communities, all in an economical and convenient manner
6 that meets the needs of their current and future residents. The District is superior to a
7 POA because a POA is not a perpetual governmental entity equipped to facilitate the
8 construction of these improvements or any enhanced maintenance thereafter.
9 Additionally, a POA is not subject to the same level of statutory safeguards of the
10 District.

11
12 From a planning perspective, establishment of a CDD over these lands provides a
13 perpetual local government capable of not only delivering these improvements to the
14 future residents of the District but also providing long-term, high-quality maintenance of
15 the same improvements.

16
17 **35. Does this conclude your testimony?**

18 Yes.
19

CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof, and the holder of an equitable interest as a contract purchaser of certain lands more fully described in **Exhibit B** attached hereto and made a part hereof (together, "Property").

The undersigned understands and acknowledges that WWB Real Estate Investments, LLC ("Petitioner") has submitted an application to establish a Community Development District in accordance with the provisions of Chapter 190, *Florida Statutes*.

As the owner of lands which are intended to constitute the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of the Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, a consent to establishment of the Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

[REMAINDER OF PAGE LEFT BLANK]

Executed this 20th day of may, 2019.

Witnessed: M. Beresh

Print Name:
Michelle Beresh

Print

**NORFLEET CONSTRUCTION GROUP,
LLC**

E. D. Norfleet III
By: E.D. Norfleet, III
Its: Manager

Name:

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared E.D. Norfleet, III, Manager of NORFLEET CONSTRUCTION GROUP, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 20th day of May, 2019.

Notary Public *Theresa E. Yancey*

Personally known:

Produced

Identification:

Type of Identification:

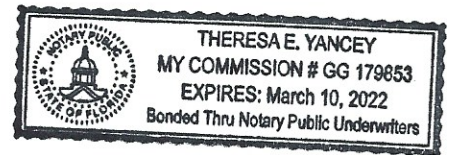


Exhibit A

LOTS 56, 57, 58, 64, 65, 66, 73, 75, 76, 82, 83, 84, 85, 93 AND 95, FINLEY WOODS, PHASE 1C, AS RECORDED IN PLAT BOOK 34, PAGES 19 – 20, OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA.

Exhibit B

LOTS 69, 70, 72 AND 94, FINLEY WOODS, PHASE 1C, AS RECORDED IN PLAT BOOK 34, PAGES 19 – 20, OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA.

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the holder of an equitable interest as a contract purchaser of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof (“Property”).

The undersigned understands and acknowledges that WWB Real Estate Investments, LLC (“Petitioner”) has submitted an application to establish a Community Development District in accordance with the provisions of Chapter 190, *Florida Statutes*.

As the owner of lands which are intended to constitute the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of the Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, a consent to establishment of the Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

[REMAINDER OF PAGE LEFT BLANK]

Executed this 15 day of MAY, 2019.

BERNARD CARNEVALE, JR.

Witnessed:

[Signature]
Print Name: Todd Chouis

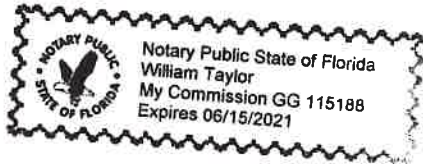
[Signature]
By: BERNARD CARNEVALE, JR
Its: _____

[Signature]
Print Name: W. H. TAYLOR

STATE OF FLORIDA
COUNTY OF ALACHUA

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared BERNARD CARNEVALE, JR., who executed the foregoing instrument and was identified in the manner indicated below.

Witness my hand and official seal this 15 day of MAY, 2019.



[Signature]
Notary Public

Personally known: _____
Produced Identification: X
Type of Identification: DL

JOANNE C. CARNEVALE

Witnessed:

[Signature]
Print Name: Todd C Lewis

Joanne C Carnevale
By: JOANNE C CARNEVALE
Its: _____

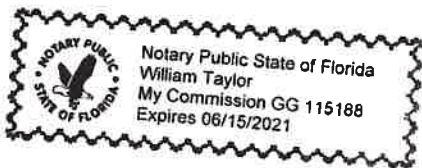
W. H. Taylor
Print Name: W. H. TAYLOR

STATE OF FLORIDA
COUNTY OF ALACHUA

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared JOANNE C. CARNEVALE, who executed the foregoing instrument and was identified in the manner indicated below.

Witness my hand and official seal this 15 day of MAY, 2019.

William Taylor
Notary Public



Personally known: _____
Produced Identification: X
Type of Identification: DL

Exhibit A
Property

LOT 80, FINLEY WOODS, PHASE 1C, AS RECORDED IN PLAT BOOK 34, PAGES 19 – 20,
OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA.

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof ("Property").

The undersigned understands and acknowledges that WWB Real Estate Investments, LLC ("Petitioner") has submitted an application to establish a Community Development District in accordance with the provisions of Chapter 190, *Florida Statutes*.

As the owner of lands which are intended to constitute the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of the Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, a consent to establishment of the Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

[REMAINDER OF PAGE LEFT BLANK]

Executed this 20 day of MAY, 2019.

T.W. WILLIAMS, JR., INC.

Witnessed:

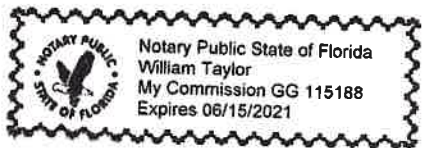
Virginia Patterson
Print Name: Virginia Patterson
Todd Clouis
Print Name: Todd Clouis

Thomas W. Williams, Jr.
By: Thomas W. Williams, Jr.
Its: President

STATE OF FLORIDA
COUNTY OF ALACHUA

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Thomas W. Williams, Jr., President of T.W. WILLIAMS, JR., INC., who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 20 day of MAY, 2019.



William Taylor
Notary Public

Personally known: X
Produced Identification: _____
Type of Identification: _____

Exhibit A
Property

LOTS 59, 60, 61, 62, 63, 67, 71, 77, 78, 79, 80, 86, 87, 88, 89, 90 AND 92, FINLEY WOODS, PHASE 1C, AS RECORDED IN PLAT BOOK 34, PAGES 19 – 20, OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA.

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof (“Property”).

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As the owner of lands which are intended to constitute the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of the Community Development District which will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is established or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, a consent to establishment of the Community Development District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

[REMAINDER OF PAGE LEFT BLANK]

Executed this 20 day of MAY, 2019.

FINLEY WOODS DEVELOPMENT, LLC

Witnessed:

Virginia Patterson
Print Name: Virginia Patterson

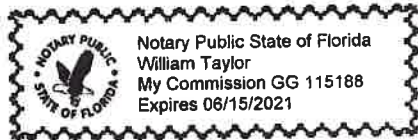
Thomas W. Williams Jr.
By: Thomas W. Williams Jr.
Its: Manager

Todd Clouis
Print Name: Todd Clouis

STATE OF FLORIDA
COUNTY OF ALACHUA

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Thomas W. Williams, Jr., Manager of FINLEY WOODS DEVELOPMENT, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 20 day of MAY, 2019.



William Taylor
Notary Public

Personally known: X

Produced Identification: _____

Type of Identification: _____

Exhibit A
Property

LOTS 68, 81 AND 91, FINLEY WOODS, PHASE 1C, AS RECORDED IN PLAT BOOK 34,
PAGES 19 – 20, OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA.