

ORDINANCE NO. 47-2024

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, GRANTING THE PETITION TO ESTABLISH THE WILLOW CREEK II COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024), CONCERNING THAT APPROXIMATELY 425.15 +/- ACRES OF LAND; PROVIDING A TITLE; DESCRIBING THE PETITION TO ESTABLISH THE WILLOW CREEK II COMMUNITY DEVELOPMENT DISTRICT; CREATING AND NAMING THE DISTRICT; PROVIDING FINDINGS; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR NOTICE REQUIREMENTS; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the "Uniform Community Development Act of 1980", Chapter 190, *Florida Statutes* ("Act"), sets forth the exclusive and uniform method for establishing a community development district; and

WHEREAS, KB Home Orlando, LLC ("Petitioner") filed the Petition for an Ordinance to Establish the Willow Creek II Community Development District ("District"), including approximately 425.15 +/- acres of land (the "Petition") described in Section 1 and "Exhibit A" of said Petition, with the City Council of the City of Titusville, Florida (the "City Council"), pursuant to Section 190.005, *Florida Statutes*; and

WHEREAS, copies of the Petition filed on July 18, 2024, are attached hereto as **Composite Exhibit "A"** and made a part hereof by reference; and

WHEREAS, the Petitioner is a Delaware limited liability company authorized to conduct business in the State of Florida whose address is 9102 Southpark Center Loop, Suite 100, Orlando, Florida 32819; and

WHEREAS, the owners of one hundred percent (100%) of the real property to be included in the District have provided consent to the Petition; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City Council on December 10, 2024, pursuant to section 190.005(1)(d), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at the duly noticed public hearing, the City Council has considered the record of the public hearing, and the statutory factors set forth in section 190.005, *Florida Statutes*, in making its determination to grant or deny the Petition; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals and/or applicable land development regulations governing the land area to be included within the District; and

WHEREAS, the establishment of the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area described in the Petition; and

WHEREAS, the City Council, pursuant to the information contained within the Petition and otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

- (1) The statements within the Petition are true and correct; and
- (2) The appropriate City of Titusville staff have reviewed the Petition and have advised the City Council that said Petition is complete; and
- (3) The establishment of the District by this Ordinance is subject to and not inconsistent with any applicable element or portion of the State Comprehensive Plan or the City of Titusville Comprehensive Plan; and
- (4) The area of land located within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and
- (5) The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
- (6) The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- (7) The area that will be served by the District remains amenable to separate special-district government; and

WHEREAS, pursuant to the Act, the District does not have the power of a local government to adopt a comprehensive plan, building code, land development code, and/or take any action which is inconsistent with applicable comprehensive plans, ordinances, and/or regulations of the applicable local general-purpose government; and

WHEREAS, pursuant to the Act, all governmental planning, environmental, and land development law(s), regulation(s), and/or ordinances of the City of Titusville, apply to all development(s) of the land(s) within the District; and

WHEREAS, upon the effective date of this Ordinance, the Willow Creek II Community Development District will be duly and legally authorized to exist on the proposed property and to

exercise all of its general and special powers as limited by this Ordinance and applicable law.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA:

SECTION 1. TITLE. This Ordinance shall be known and may be cited as the "Willow Creek II Community Development District Establishment Ordinance."

SECTION 2. INCORPORATION OF RECITALS. The City Council finds that the factual recitals (WHEREAS clauses) form a factual and material basis for the approval of this Ordinance and hereby incorporates said findings into this Ordinance.

SECTION 3. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Act. Nothing contained herein shall constitute an amendment to any land development regulation(s) and/or approvals for the land area included within the District.

SECTION 4. CREATION OF DISTRICT; DISTRICT NAME. The Petition filed to create the Willow Creek II Community Development District is hereby granted and there is hereby created a community development district, which is located entirely within the boundaries of the City of Titusville, Florida, which District shall be known as the Willow Creek II Community Development District.

SECTION 5. FINDINGS. The City Council hereby finds and determines, pursuant to Section 190.005, *Florida Statutes*, and all other applicable provisions of the Act, based on the testimony and evidence presented at the duly noticed public hearing held on **December 10, 2024**, and the record established at said duly noticed public hearing, as follows:

- A. The statements within the Petition are true and correct; and
- B. The appropriate City of Titusville staff have reviewed the Petition and have advised the City Council that said Petition is complete; and
- C. The establishment of the District by this Ordinance is subject to and not inconsistent with any applicable element or portion of the State Comprehensive Plan or the City of Titusville Comprehensive Plan; and
- D. The area of land located within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and
- E. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
- F. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

G. The area that will be served by the District remains amenable to separate special-district government.

SECTION 6. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are hereby established as set forth in the Petition, the District will encompass a total of 425.15 acres, more or less, as described and depicted in **Composite Exhibit "A"** attached hereto and incorporated herein by reference.

SECTION 7. FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190 of the Florida Statutes, as follows:

A. The District may exercise powers and functions described in Sections 190.011 and 190.012(1) and (2) (a) and (d), *Florida Statutes*.

B. Consent is hereby given to the District's Board of Supervisors to exercise additional powers to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for: parks and facilities for indoor and outdoor recreational, cultural, and education uses as described and authorized by Section 190.012(2)(a), *Florida Statutes*, and security powers, including but not limited to walls, fences, and electronic intrusion detection, as authorized and described in Section 190.012(2)(d), *Florida Statutes*.

C. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all City of Titusville ordinances and policies governing land planning and permitting of the development to be served by the District.

D. The District shall not have any zoning or permitting powers governing land development or the use of land.

E. Bonds to be issued by the District shall not constitute a debt, liability or general obligation of the City of Titusville, Florida, Brevard County or of the State of Florida, or of any political subdivision thereof, but shall be payable solely from the pledged revenues designated for the bonds.

F. This Ordinance is not intended, nor shall it be construed to expand, modify or delete any provision(s) of the Act, as set forth in Chapter 190, *Florida Statutes*, nor shall it be intended to modify, restrict or expand any current prospective development or utility agreements.

SECTION 8. BOARD OF SUPERVISORS. The five persons meeting the requirements of Section 190.006, *Florida Statutes*, and designated to serve as initial members of the District's Board of Supervisors are as follows:

Name: Stephen McConn
Address: 9102 Southpark Center Loop, Suite 100
Orlando, FL 32819

Name: Casey Dare
Address: 9102 Southpark Center Loop, Suite 100
Orlando, FL 32819

Name: Jeff Myers
Address: 9102 Southpark Center Loop, Suite 100
Orlando, FL 32819

Name: Stephen White
Address: 9102 Southpark Center Loop, Suite 100
Orlando, FL 32819

Name: Paul Thomas
Address: 9102 Southpark Center Loop, Suite 100
Orlando, FL 32819

SECTION 9. NOTICE REQUIREMENTS. Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper at least once a week for four (4) successive weeks immediately prior to such public hearing consistent with the Act.


SECTION 10. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 11. ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS. Sections of this Ordinance may be renamed or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his/her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of the City of Titusville, Florida. The City Clerk shall also make copies available to the public for a reasonable publication charge.

SECTION 12. EFFECTIVE DATE. This Ordinance shall become in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

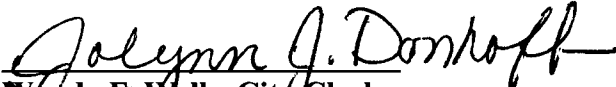
PASSED AND ADOPTED, this 10th day of December 2024.

CITY OF TITUSVILLE, FLORIDA



Andrew Connors, Mayor

ATTEST:


~~Wanda F. Wells, City Clerk~~
Assistant City Clerk



Composite Exhibit A:

Petition to Establish the Willow Creek II Community Development District,
filed on July 18, 2024

BEFORE THE CITY COMMISSION OF THE CITY OF TITUSVILLE, FLORIDA
PETITION TO ESTABLISH WILLOW CREEK II
COMMUNITY DEVELOPMENT DISTRICT

Petitioner, KB Home Orlando LLC, a Delaware limited liability company (hereafter “Petitioner”), hereby petitions the City Commission of the City of Titusville, Florida pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes* (2024), to establish a community development district (hereafter “District”), with respect to the land described herein. In support of this Petition, Petitioner states:

1. Location and Size. The proposed District will be located entirely within the City of Titusville, Florida (hereafter “City”). **Exhibit 1** depicts the general location of the lands comprising the proposed District. The proposed District covers approximately 425.15 acres of land, more or less. The legal description of the lands that form the external boundaries of the District are set forth in **Exhibit 2**.

2. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the District. Documentation of the consent to the establishment of the District is contained in **Exhibit**

3.

3. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name: Stephen McConn
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: Casey Dare
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: Jeff Myers
Address: 9102 Southpark Center Loop, Suite 100

Orlando, Florida 32819

Name: Stephen White
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

Name: Paul Thomas
Address: 9102 Southpark Center Loop, Suite 100
Orlando, Florida 32819

All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

4. Name. The proposed name of the District is Willow Creek II Community Development District.

5. Future Land Uses. The distribution, location, and extent of the public and private land uses proposed for the District by the future land use plan element of the City's Future Land Use Plan are depicted in **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the approved City Future Land Use Plan.

6. Major Water and Wastewater Facilities. **Exhibit 5** indicates the location of major outfall canals and drainage basins for the lands within the proposed District as well as the location of existing major trunk water mains, reuse water mains and wastewater interceptors within the currently undeveloped lands proposed to be included within the District.

7. District Facilities and Services. The District is presently expected to finance, construct, and install improvements and facilities to benefit the lands within the District in multiple phases over a multi-year time period, commencing in 2025 through 2034. **Composite Exhibit 6** describes the construction timetable and the types of facilities the District presently expects to finance, construct, and install, as well as the entities anticipated for future ownership, operation, and maintenance. The estimated costs of construction are also identified in **Composite Exhibit 6**.

Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

8. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs (“SERC”) prepared in accordance with the requirements of Section 120.541, *Florida Statutes* (2024). The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

9. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The Petitioner has designated Kilinski | Van Wyk PLLC, with a mailing address of 517 E. College Avenue, Tallahassee, Florida 32301, as its authorized agent. See **Exhibit 8** – Authorization of Agent. Copies of all correspondence and official notices should be sent to:

Jennifer Kilinski, Esq.
jennifer@cddlattorneys.com
Patrick Collins, Esq.
patrick@cddlattorneys.com
KILINSKI | VAN WYK PLLC
517 E. College Avenue
Tallahassee, Florida 32301
(877) 350-0732

10. This petition to establish the Willow Creek II Community Development District should be granted for the following reasons:

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the City Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District's services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the City Commission of the City of Titusville, Florida to:

a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), *Florida Statutes* (2024).

b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes* (2024).

c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, enlarge or extend, equip, operate, and maintain systems and facilities for: parks and facilities for indoor and outdoor recreation, cultural, and educational uses and for

security, including, but not limited to walls, fences and electronic intrusion detection all as authorized and described by Section 190.012(2)(a) and (d), *Florida Statutes* (2024).

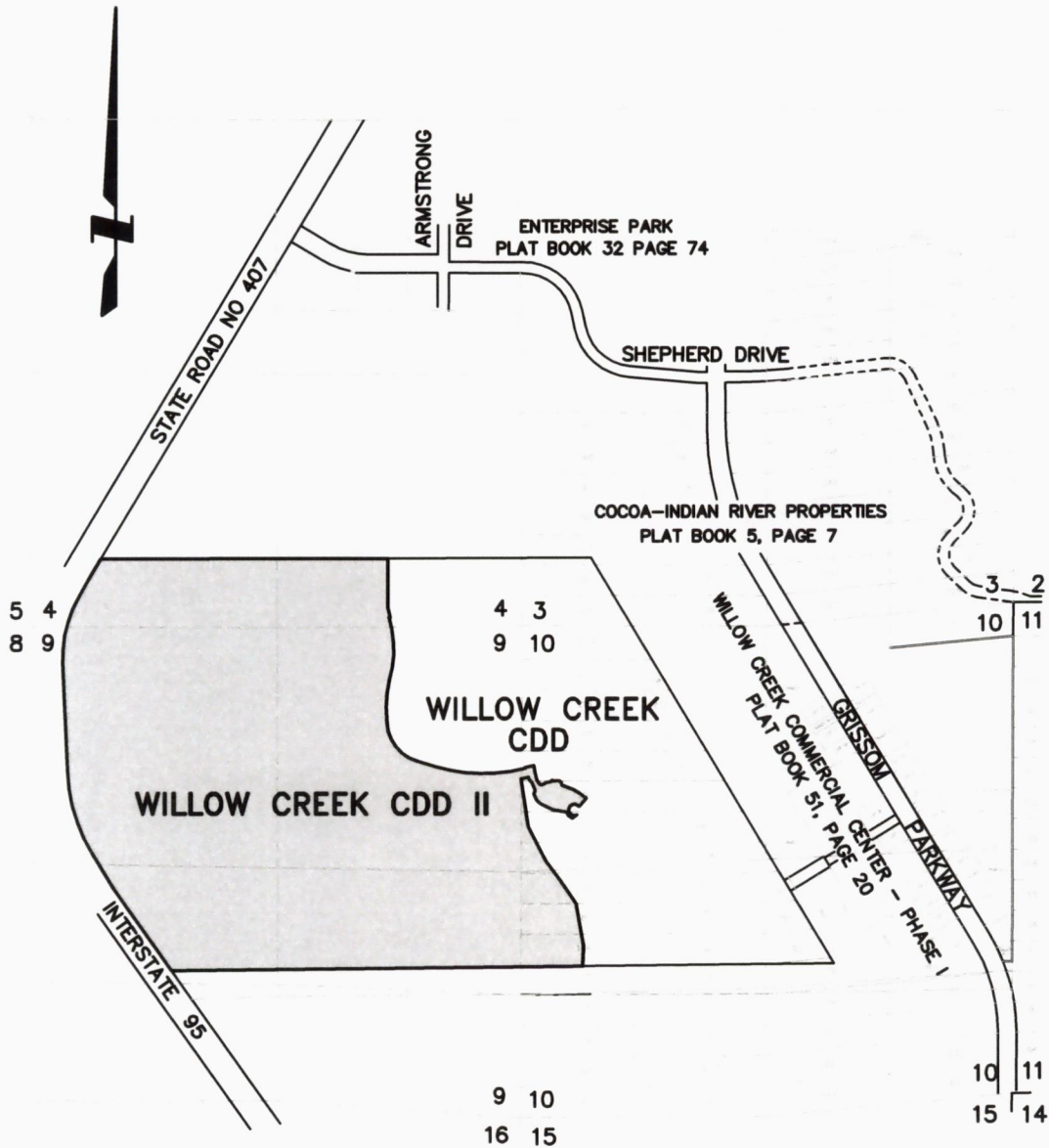
RESPECTFULLY SUBMITTED, this 18th day of July, 2024.

KILINSKI | VAN WYK PLLC

/s/ Jennifer L. Kilinski
Jennifer L. Kilinski, Esq.
jennifer@cddlattorneys.com
Florida Bar No. 69367
Patrick Collins, Esq.
patrick@cddlattorneys.com
Florida Bar No. 1038611
517 E. College Avenue
Tallahassee, Florida 32301
(877) 350-0372 (telephone)
Attorneys for Petitioner

EXHIBIT 1

LOCATION MAP



TOWNSHIP 23 SOUTH, RANGE 35 EAST

BREVARD COUNTY
 VERONA CDD II
 SEC: 4, 9 AND 10
 SEC: TWN: 23 RNG: 35
 DATUM: N/A
 SCALE: N/A



**Honeycutt &
 Associates, Inc.**
ENGINEERS-PLANNERS
 3700 South Washington Avenue
 Titusville, Florida 32780
 (321) 267-6233 Fax (321) 269-7847
 Certificate of Authorization EB-0007823

APPLICANT:
 CAROLINA HOLDINGS
 DATE:
 SHEET C-1

EXHIBIT 2

LEGAL DESCRIPTION:

WILLOW CREEK CDD II:

A PARCEL OF LAND BEING PORTIONS OF LOTS 184, 185, 192, 193, 200, 201, AND 208 AS SHOWN ON THE PLAT OF COCOA-INDIAN RIVER PROPERTIES AS RECORDED IN PLAT BOOK 5, PAGE 7 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF THE NORTH 3/4 OF SECTION 9, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA LYING EAST OF THE EASTERLY RIGHT OF WAY LINE INTERSTATE 95 AND STATE ROAD NO.407.

ALSO TOGETHER WITH:

A PORTION OF THE SOUTH 1/2 OF SECTION 4, TOWNSHIP 23 SOUTH, RANGE 35 EAST LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO.407.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, THENCE N.00°11'12"E., ALONG THE EAST LINE OF SAID SECTION 10, A DISTANCE OF 1327.76 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF SAID SECTION 10; THENCE CONTINUE N.00°11'12"E., ALONG SAID EAST LINE OF SECTION 10, A DISTANCE OF 101.45 FEET; THENCE S.89°22'09"W., 316.46 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF GRISSOM PARKWAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2721, PAGE 910 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE CONTINUE S.89°22'09"W., 4330.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S.89°22'09"W., 4470.31 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 95; THENCE ALONG THE RIGHT OF WAY LINES OF INTERSTATE 95 AND STATE ROAD NO.407, THE FOLLOWING SEVEN COURSES AND DISTANCES; THENCE N.35°26'31"W., 1079.54 FEET; THENCE N.31°25'51"W., 461.53 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 1819.86 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°53'59", 917.93 FEET TO THE POINT OF TANGENCY; THENCE N.02°31'52"W., 1179.02 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 1342.40 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°21'46", 758.24 FEET TO THE POINT OF TANGENCY; THENCE N.29°49'54"E., 198.99 FEET; THENCE N.30°59'13"E., 268.32 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE OF INTERSTATE 95 ON A BEARING OF N.89°52'19"E., 3122.20 FEET TO THE MOST NORTHWESTERLY CORNER OF VERONA – VILLAGE "B", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGES 29 THROUGH 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN ALONG THE WESTERLY LINE OF THE AFORESAID PLAT OF VERONA – VILLAGE "B", THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE S. 00°07'38"E., 533.14 FEET; THENCE S.15°34'01"E., 105.25 FEET; THENCE S.76°55'42"W., 17.53 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF "WILLOW CREEK BOULEVARD" (A 90.00 FOOT WIDE PUBLIC RIGHT OF WAY) AS SHOWN ON THE AFORESAID PLAT OF VERONA – VILLAGE "B"; SAID POINT BEING ON A NON-TANGENT CIRCULAR CURVE, CONCAVE WESTERLY HAVING A RADIUS OF 1210.50 FEET; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID PUBLIC RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 32°16'15", 681.79 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 957.08 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 18°10'53", 303.71 FEET TO THE POINT OF TANGENCY; THENCE S.02°29'18"E., 162.53 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 459.29 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 71°22'59", 572.21 FEET TO THE POINT OF TANGENCY; THENCE

S.73°49'59"E., 207.65 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 1879.88 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 28°09'01", 923.61 FEET TO A POINT ON THE WEST LINE OF VERONA-VILLAGE "D", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 71, PAGES 18 THROUGH 24 OF THE AFORESAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN N.08°34'09"W., ALONG SAID WEST LINE, A DISTANCE OF 6.94 FEET TO THE NORTHWEST CORNER OF SAID PLAT OF VERONA-VILLAGE "D"; SAID POINT BEING ON A NON-TANGENT CIRCULAR CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 805.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE NORTH LINE OF SAID PLAT OF VERONA-VILLAGE "D", THROUGH A CENTRAL ANGLE OF 05°26'28", 76.45 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 795.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE NORTH LINE OF SAID PLAT OF VERONA-VILLAGE "D", THROUGH A CENTRAL ANGLE OF 05°57'04", 82.57 FEET TO THE WEST CORNER OF TRACT REC-2, AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D"; THENCE DEPARTING SAID NORTH LINE, RUN S.09°28'11"E., 95.03 FEET TO THE NORTHEAST CORNER OF TRACT REC-1, AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D"; THENCE RUN ALONG THE BOUNDARY OF SAID TRACT REC-1 THE FOLLOWING THIRTY-SEVEN (37) COURSES AND DISTANCES: THENCE S.13°00'01"E., 66.81 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 70.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 44°32'33", 54.42 FEET TO THE POINT OF TANGENCY; THENCE S.57°32'34"E., 11.11 FEET; THENCE S.81°34'25"E., 11.77 FEET; THENCE N.74°26'37"E., 14.74 FEET; THENCE N.63°33'32"E., 48.72 FEET; THENCE N.80°02'14"E., 48.82 FEET; THENCE N.27°54'32"E., 18.00 FEET; THENCE S.66°31'54"E., 30.55 FEET; THENCE N.75°46'30"E., 28.29 FEET; THENCE S.86°37'24"E., 15.33 FEET; THENCE S.74°09'46"E., 12.79 FEET; THENCE S.48°16'14"E., 17.65 FEET; THENCE S.35°45'28"E., 12.66 FEET; THENCE S.15°02'04"E., 23.54 FEET; THENCE S.65°38'01"E., 25.44 FEET; THENCE S.70°56'30"E., 21.68 FEET TO A POINT ON A NON-TANGENT CIRCULAR CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 646.77 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.18°15'43"E.; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°32'03", 254.37 FEET TO A POINT OF TANGENCY; THENCE ON A RADIAL LINE OF S.40°47'46"W., 120.00 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF PECORINO COURT AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D" AND ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 526.78 FEET; THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°15'51", 20.82 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 61.00 FEET; THENCE SOUTHWESTERLY TO NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 254°11'29", 270.62 FEET TO THE POINT OF CUSP AND TO WHICH POINT A RADIAL LINE BEARS S.35°56'53"E.; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN S.52°19'17"W., 72.35 FEET; THENCE N.38°11'57"W., 11.02 FEET TO A POINT ON A NON-TANGENT CIRCULAR CURVE, CONCAVE EASTERLY, AND HAVING A RADIUS OF 89.50 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.18°23'35"W., THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°38'31", 86.92 FEET; THENCE N.80°35'10"W., 132.57 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 68.50 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°49'57", 20.12 FEET TO THE POINT OF TANGENCY; THENCE N.63°45'13"W., 134.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 145.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°12'22", 119.47 FEET TO THE POINT OF TANGENCY; THENCE N.16°32'51"W., 23.24 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°54'40", 31.38 FEET; THENCE N.12°55'16"W., 31.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 81.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°12'05", 17.25 FEET TO THE POINT OF TANGENCY; THENCE N.25°07'21"W., 50.53 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF

81.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 20°54'15", 29.55 FEET TO THE POINT OF TANGENCY; THENCE N.46°01'36"W., 11.58 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS 49.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°46'08", 25.46 FEET TO THE POINT OF TANGENCY; THENCE N.16°00'44"W., 7.75 FEET TO THE SOUTHEAST CORNER OF TRACT L-7 AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D"; THENCE S.76°27'51"E., 78.17 FEET TO THE SOUTHWEST CORNER OF SAID TRACT L-7, SAID POINT BEING ON THE WEST LINE OF SAID PLAT OF VERONA-VILLAGE "D"; THENCE RUN ALONG THE WESTERLY LINE OF AFORESAID PLAT OF VERONA-VILLAGE "D", THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: THENCE RUN S.08°34'09"E., 201.72 FEET; THENCE S.07°57'44"E., 319.64 FEET; THENCE S.27°28'40"E., 417.26 FEET; THENCE S.36°41'30"E., 257.82 FEET; THENCE S.34°33'08"E., 308.78 FEET; THENCE S.10°27'19"E., 458.41 FEET; THENCE S.02°55'36"W., 222.15 FEET TO THE POINT OF BEGINNING, CONTAINING 425.15 ACRES.

EXHIBIT 3

**CONSENT AND JOINDER OF LANDOWNER TO INCLUSION
IN PROPOSED WILLOW CREEK II 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 an application to establish a community development district in accordance with the provisions of Chapter 190 of the Florida Statutes is being submitted on its behalf. 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, on behalf of itself or the landowner of lands to be included, must 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 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 District is established or this consent is revoked in writing, whichever 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 the District, consent to inclusion of the Property within the boundaries of the 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.

[signatures on following page]

Executed this 7th day of March, 2024.

WITNESSES:

KB HOME ORLANDO LLC, a Delaware limited liability company

James Makransky
By: James Makransky
Its: Vice President of Finance

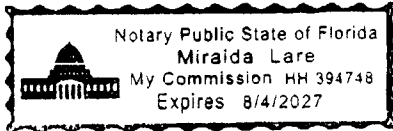
Miraida Lare
Print Name: Miraida Lare

Rachael C. Niggelton
Print Name: Rachael C. Niggelton

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 7th day of March, 2024, by James Makransky, as Vice President of Finance of KB Home Orlando LLC, who is personally known to me or who has produced _____ as identification.

[notary seal]



Miraida Lare
Print Name: Miraida Lare
Notary Public, State of Florida

Exhibit A:
PROPERTY DESCRIPTION

LEGAL DESCRIPTION:

WILLOW CREEK CDD II:

A PARCEL OF LAND BEING PORTIONS OF LOTS 184, 185, 192, 193, 200, 201, AND 208 AS SHOWN ON THE PLAT OF COCOA-INDIAN RIVER PROPERTIES AS RECORDED IN PLAT BOOK 5, PAGE 7 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF THE NORTH 3/4 OF SECTION 9, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA LYING EAST OF THE EASTERLY RIGHT OF WAY LINE INTERSTATE 95 AND STATE ROAD NO.407.

ALSO TOGETHER WITH:

A PORTION OF THE SOUTH 1/2 OF SECTION 4, TOWNSHIP 23 SOUTH, RANGE 35 EAST LYING EAST OF THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD NO.407.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

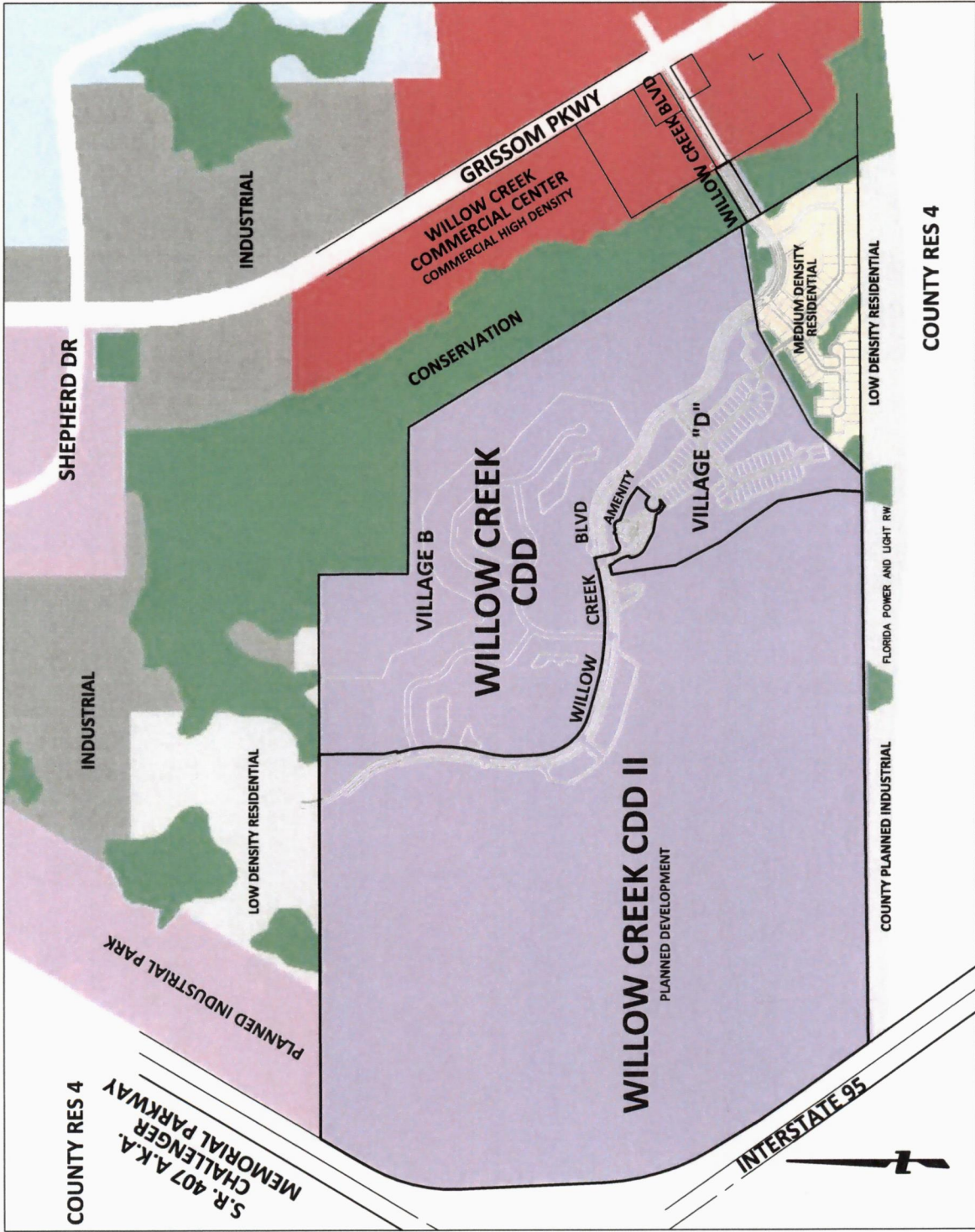
COMMENCING AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 23 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, THENCE N.00°11'12"E., ALONG THE EAST LINE OF SAID SECTION 10, A DISTANCE OF 1327.76 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF SAID SECTION 10; THENCE CONTINUE N.00°11'12"E., ALONG SAID EAST LINE OF SECTION 10, A DISTANCE OF 101.45 FEET; THENCE S.89°22'09"W., 316.46 FEET TO A POINT LYING ON THE WESTERLY RIGHT OF WAY LINE OF GRISSOM PARKWAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 2721, PAGE 910 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE CONTINUE S.89°22'09"W., 4330.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S.89°22'09"W., 4470.31 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF INTERSTATE 95; THENCE ALONG THE RIGHT OF WAY LINES OF INTERSTATE 95 AND STATE ROAD NO.407, THE FOLLOWING SEVEN COURSES AND DISTANCES; THENCE N.35°26'31"W., 1079.54 FEET; THENCE N.31°25'51"W., 461.53 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 1819.86 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°53'59", 917.93 FEET TO THE POINT OF TANGENCY; THENCE N.02°31'52"W., 1179.02 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 1342.40 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°21'46", 758.24 FEET TO THE POINT OF TANGENCY; THENCE N.29°49'54"E., 198.99 FEET; THENCE N.30°59'13"E., 268.32 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE OF INTERSTATE 95 ON A BEARING OF N.89°52'19"E., 3122.20 FEET TO THE MOST NORTHWESTERLY CORNER OF VERONA – VILLAGE "B", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 73, PAGES 29 THROUGH 36 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN ALONG THE WESTERLY LINE OF THE AFORESAID PLAT OF VERONA – VILLAGE "B", THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE S. 00°07'38"E., 533.14 FEET; THENCE S.15°34'01"E., 105.25 FEET; THENCE S.76°55'42"W., 17.53 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF "WILLOW CREEK BOULEVARD" (A 90.00 FOOT WIDE PUBLIC RIGHT OF WAY) AS SHOWN ON THE AFORESAID PLAT OF VERONA – VILLAGE "B"; SAID POINT BEING ON A NON-TANGENT CIRCULAR CURVE, CONCAVE WESTERLY HAVING A RADIUS OF 1210.50 FEET; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID PUBLIC RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 32°16'15", 681.79 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 957.08 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 18°10'53", 303.71 FEET TO THE POINT OF TANGENCY; THENCE S.02°29'18"E., 162.53 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 459.29 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 71°22'59", 572.21 FEET TO THE POINT OF TANGENCY; THENCE

S.73°49'59"E., 207.65 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 1879.88 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 28°09'01", 923.61 FEET TO A POINT ON THE WEST LINE OF VERONA-VILLAGE "D", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 71, PAGES 18 THROUGH 24 OF THE AFORESAID PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN N.08°34'09"W., ALONG SAID WEST LINE, A DISTANCE OF 6.94 FEET TO THE NORTHWEST CORNER OF SAID PLAT OF VERONA-VILLAGE "D"; SAID POINT BEING ON A NON-TANGENT CIRCULAR CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 805.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE NORTH LINE OF SAID PLAT OF VERONA-VILLAGE "D", THROUGH A CENTRAL ANGLE OF 05°26'28", 76.45 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 795.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE NORTH LINE OF SAID PLAT OF VERONA-VILLAGE "D", THROUGH A CENTRAL ANGLE OF 05°57'04", 82.57 FEET TO THE WEST CORNER OF TRACT REC-2, AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D"; THENCE DEPARTING SAID NORTH LINE, RUN S.09°28'11"E., 95.03 FEET TO THE NORTHEAST CORNER OF TRACT REC-1, AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D"; THENCE RUN ALONG THE BOUNDARY OF SAID TRACT REC-1 THE FOLLOWING THIRTY-SEVEN (37) COURSES AND DISTANCES: THENCE S.13°00'01"E., 66.81 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 70.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 44°32'33", 54.42 FEET TO THE POINT OF TANGENCY; THENCE S.57°32'34"E., 11.11 FEET; THENCE S.81°34'25"E., 11.77 FEET; THENCE N.74°26'37"E., 14.74 FEET; THENCE N.63°33'32"E., 48.72 FEET; THENCE N.80°02'14"E., 48.82 FEET; THENCE N.27°54'32"E., 18.00 FEET; THENCE S.66°31'54"E., 30.55 FEET; THENCE N.75°46'30"E., 28.29 FEET; THENCE S.86°37'24"E., 15.33 FEET; THENCE S.74°09'46"E., 12.79 FEET; THENCE S.48°16'14"E., 17.65 FEET; THENCE S.35°45'28"E., 12.66 FEET; THENCE S.15°02'04"E., 23.54 FEET; THENCE S.65°38'01"E., 25.44 FEET; THENCE S.70°56'30"E., 21.68 FEET TO A POINT ON A NON-TANGENT CIRCULAR CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 646.77 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.18°15'43"E.; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°32'03", 254.37 FEET TO A POINT OF TANGENCY; THENCE ON A RADIAL LINE OF S.40°47'46"W., 120.00 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF PECORINO COURT AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D" AND ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 526.78 FEET; THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°15'51", 20.82 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 61.00 FEET; THENCE SOUTHWESTERLY TO NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 254°11'29", 270.62 FEET TO THE POINT OF CUSP AND TO WHICH POINT A RADIAL LINE BEARS S.35°56'53"E.; THENCE DEPARTING SAID RIGHT OF WAY LINE, RUN S.52°19'17"W., 72.35 FEET; THENCE N.38°11'57"W., 11.02 FEET TO A POINT ON A NON-TANGENT CIRCULAR CURVE, CONCAVE EASTERLY, AND HAVING A RADIUS OF 89.50 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.18°23'35"W., THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°38'31", 86.92 FEET; THENCE N.80°35'10"W., 132.57 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 68.50 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°49'57", 20.12 FEET TO THE POINT OF TANGENCY; THENCE N.63°45'13"W., 134.69 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 145.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°12'22", 119.47 FEET TO THE POINT OF TANGENCY; THENCE N.16°32'51"W., 23.24 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 20.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°54'40", 31.38 FEET; THENCE N.12°55'16"W., 31.71 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 81.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°12'05", 17.25 FEET TO THE POINT OF TANGENCY; THENCE N.25°07'21"W., 50.53 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF

81.00 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $20^{\circ}54'15''$, 29.55 FEET TO THE POINT OF TANGENCY; THENCE $N.46^{\circ}01'36''W.$, 11.58 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS 49.00 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $29^{\circ}46'08''$, 25.46 FEET TO THE POINT OF TANGENCY; THENCE $N.16^{\circ}00'44''W.$, 7.75 FEET TO THE SOUTHEAST CORNER OF TRACT L-7 AS SHOWN ON SAID PLAT OF VERONA-VILLAGE "D"; THENCE $S.76^{\circ}27'51''E.$, 78.17 FEET TO THE SOUTHWEST CORNER OF SAID TRACT L-7, SAID POINT BEING ON THE WEST LINE OF SAID PLAT OF VERONA-VILLAGE "D"; THENCE RUN ALONG THE WESTERLY LINE OF AFORESAID PLAT OF VERONA-VILLAGE "D", THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: THENCE RUN $S.08^{\circ}34'09''E.$, 201.72 FEET; THENCE $S.07^{\circ}57'44''E.$, 319.64 FEET; THENCE $S.27^{\circ}28'40''E.$, 417.26 FEET; THENCE $S.36^{\circ}41'30''E.$, 257.82 FEET; THENCE $S.34^{\circ}33'08''E.$, 308.78 FEET; THENCE $S.10^{\circ}27'19''E.$, 458.41 FEET; THENCE $S.02^{\circ}55'36''W.$, 222.15 FEET TO THE POINT OF BEGINNING, CONTAINING 425.15 ACRES.

EXHIBIT 4

FUTURE LAND USE MAP



BREVARD COUNTY
 VERONA CDD II
 SEC: 4, 9 AND 10
 SEC: TOWN: 23 RING: 35
 DATUM: N/A
 SCALE: N/A

H
Associates, Inc.
ENGINEERS-PLANNERS
 3700 South Washington Avenue
 Titusville, Florida 32780
 (321) 267-8233 Fax (321) 268-7847
 Certificate of Authorization EB-0007823

APPLICANT:
 CAROLINA HOLDINGS
 DATE:
 SHEET C-2

EXHIBIT 5

COMPOSITE EXHIBIT 6

Improvement Categories	Estimated Cost of Improvements
VILLAGE A INFRASTRUCTURE	\$ 12,084,640.00
VILLAGE C INFRASTRUCTURE	\$ 17,590,250.00
VILLAGE A and C WILLOW CREEK BLVD	\$ 4,507,565.00
VILLAGE E INFRASTRUCTURE	\$ 2,116,876.00
VILLAGE E WILLOW CREEK BLVD	\$ 991,664.00
AMENITIES	\$ 5,000,000.00
TOTAL:	\$ 42,290,995.00

Improvement Categories	Construction Entity	Ownership Entity	Maintenance Entity*
VILLAGE A INFRASTRUCTURE	CDD	CDD	CDD
VILLAGE C INFRASTRUCTURE	CDD	CDD	CDD
VILLAGE A and C WILLOW CREEK BLVD	CDD	CDD	CDD
VILLAGE E INFRASTRUCTURE	CDD	CDD	CDD
VILLAGE E WILLOW CREEK BLVD	CDD	CDD	CDD
AMENITIES	CDD	CDD	CDD

* Except for utilities and roadways, which will be owned and maintained by the City of Titusville

EXHIBIT 7

Willow Creek II

COMMUNITY DEVELOPMENTDISTRICT

Statement of
Estimated Regulatory Costs

July 15, 2024

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to establish the **Willow Creek II Community Development District** (the “District”). The proposed District comprises approximately 425.15 acres of land located within the City of Titusville, Florida (the “City”), Brevard County, Florida (the “County”). The project is planned for approximately 1031 residential units. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes, as follows:

"That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of the Willow Creek II Community Development District

The District is designed to provide community infrastructure, services, and facilities along with operation and maintenance of such facilities and services to the lands within the District. The District will encompass approximately 425.15 acres.

The development plan for the proposed lands within the District includes approximately 1031 residential units. Such uses are authorized for inclusion within the proposed District. A community development district (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDD’s provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” See Section 190.002(1)(a), Florida Statutes.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City/County in which the CDD lies. A CDD does not have the permitting, zoning or general police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as Willow Creek II. The scope of this SERC is limited to evaluating the consequences of approving the petition to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

According to Section 120.541(2), Florida Statutes, a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the

implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency¹, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, “transactional costs” are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties defined by Section 120.52, Florida Statutes. The impact analysis for small businesses must include the basis for the agency’s decision not to implement alternatives that would reduce adverse impacts on small businesses.

(f) Any additional information that the agency determines may be useful.

(g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

2.0 An economic analysis showing whether the ordinance directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

¹ For the purposes of this SERC, the term “agency” means the City of Titusville and the term “rule” means the ordinance(s) which the City will enact in connection with the creation of the District.

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 425.15 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 1031 residential units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

When assessing the question of whether the establishment of the District is likely to directly or

indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure, or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State by virtue that the District will be one of many already existing similar districts within the State. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the City to offset any expenses that the City may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and the infrastructure, and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of CDD debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners

within the District and would not be a burden on the taxpayers outside the District nor can the District debt be a debt of the City or the State.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) City of Titusville and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. City of Titusville, Florida

The City and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the City. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the City as a result of this development will be incurred whether the infrastructure is financed through the District or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 425.15 +/- acre master planned residential development currently anticipated to contain a total of approximately 1031 residential units, although the development plan can change. Assuming an average density of 3.5 persons per residential unit, the estimated residential population of the proposed District at build out would be approximately 3,600 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 A good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

The City is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed will encompass under 2500 acres, therefore the City is the establishing entity under sections 190.005(2), (2)(e), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.018, Florida Statutes, the proposed District must pay an annual fee to the State of Florida Department of Commerce, which offsets such costs.

City of Titusville

The City and its staff will process and analyze the petition, conduct a public hearing with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. However, the petitioner will submit any requested costs to the City which will cover the City costs for review of the petition for establishment.

These costs to the City are modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new or additional staff. Fourth, there is no capital required to review the petition. Finally, local governments routinely process similar petitions for land uses and zoning charges that are far more complex than the petition to establish a CDD.

The annual costs to the City because of the establishment of the District are minimal. The proposed District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City. Furthermore, the City will not incur any quantifiable on-going costs resulting from the on-going administration of the District. As previously stated, the District operates independently from the City and all administrative and operating costs incurred by the District relating to the financing and construction of infrastructure are borne entirely by the District and its landowners.

4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No state or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct infrastructure or facilities, or for any other reason, are not debts of the State of Florida or the City. In accordance with Florida law, debts of the District are strictly the District's own responsibility.

5.0 A good faith estimate of the transactional costs that are likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. It is anticipated that the entry feature and signage; master stormwater management system; sewer and water systems; street lighting/conduit; roadway improvements; parks & recreational facilities; and offsite improvements will be financed by the District.

**Table 1.
Willow Creek II CDD Proposed Facilities and Services**

Improvement Categories	Construction Entity	Ownership Entity	Maintenance Entity*
VILLAGE A INFRASTRUCTURE	CDD	CDD	CDD
VILLAGE C INFRASTRUCTURE	CDD	CDD	CDD
VILLAGE A and C WILLOW CREEK BLVD	CDD	CDD	CDD
VILLAGE E INFRASTRUCTURE	CDD	CDD	CDD
VILLAGE E WILLOW CREEK BLVD	CDD	CDD	CDD
AMENITIES	CDD	CDD	CDD

*Except for utilities and roadways, which will be owned and maintained by the City of Titusville

The Petitioner has estimated the design and development costs for providing the capital facilities. The cost estimates are shown in Table 2 below. Total development costs for these facilities are estimated to be approximately \$42,290,995. The District may issue special assessment bonds or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all developable properties in the District that benefit from the District's capital improvement program.

**Table 2.
Cost Estimate for District Facilities**

Improvement Categories	Estimated Cost of Improvements
VILLAGE A INFRASTRUCTURE	\$ 12,084,640.00
VILLAGE C INFRASTRUCTURE	\$ 17,590,250.00
VILLAGE A and C WILLOW CREEK BLVD	\$ 4,507,565.00
VILLAGE E INFRASTRUCTURE	\$ 2,116,876.00
VILLAGE E WILLOW CREEK BLVD	\$ 991,664.00
AMENITIES	\$ 5,000,000.00
TOTAL:	\$ 42,290,995.00

Landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem

assessments for debt service, the District may also impose non-ad valorem assessments to fund the operation and maintenance of the District and its facilities and services.

It is important to recognize that buying property in the District is completely voluntary. Ultimately, all owners and users of property within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides property owners with the option of having a higher level of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community facilities and services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it shall be noted that the lands to be included within the District will receive four major classes of benefits.

First, the property in the District will receive a higher level of public services sooner than would otherwise be the case.

Second, a district is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a district is the sole form of governance which allows district landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the City's overall requirements.

Fourth, a district has the ability to maintain infrastructure better than a Homeowners' Association ("HOA") because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, Florida Statutes.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high-quality infrastructure provided by the District is likely to be fairly low.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

There will be no adverse impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid many of its contracts, affording small businesses the opportunity to bid on District work, and may also result in a need for additional retail and commercial services that afford small businesses and opportunity for growth.

The City has an estimated un-incarcerated population that is greater than 10,000 according to the 2020 U.S. Census. Therefore, the City is not defined as a “small city” according to section 120.52(19), Florida Statutes.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner’s Engineer and other professionals associated with the Petitioner.

8.0 In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under Section 120.541(1)(a), Florida Statutes, and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

There have been no good faith written proposals submitted to the agency as described in section 120.541(1)(a), Florida Statutes.

*Prepared by:
Governmental Management Services - South Florida, LLC
July 15, 2024*

APPENDIX A

LIST OF REPORTING REQUIREMENTS

REPORT	FL. STATUE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the County after financing

EXHIBIT 8

Authorization of Agent

This letter shall serve as a designation of Jennifer Kilnski, Esq. of Kilnski | Van Wyk PLLC, whose address is 517 E. College Avenue, Tallahassee, Florida 32301, to act as agent for KB Home Orlando LLC, a Delaware limited liability company, with regard to any and all matters pertaining to a petition submitted to the City Commission of the City of Titusville, Florida to establish a community development district pursuant to Chapter 190, *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

KB HOME ORLANDO LLC, a Delaware limited liability company

DATE: 3/7/24

Miraida Lare
Print Name: Miraida Lare

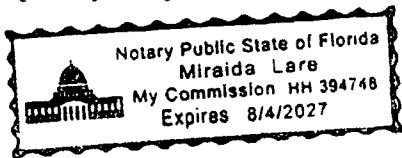
James Makransky
By: James Makransky
Its: Vice President of Finance

Michael G. Nigam
Print Name: Michael G. Nigam

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me physical presence or online notarization this 7th day of March, 2024, by James Makransky as Vice President of Finance of KB Home Orlando LLC, on behalf of the limited liability company. He is personally known to me or has produced _____ as identification.

[notary seal]



Miraida Lare
Print Name: Miraida Lare
Notary Public, State of Florida

CC:

Laurie Dargie - Planning Dept.

Brad Parrish - Community Development Director

Chelsea Farrell - Asst. City Attorney

Richard Broome - City Attorney

Brevard county Supervisor of Elections

I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.
CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA

DATE 12/20/2024
SIGNATURE E. Campbell



FLORIDA,
SECTION II
CHAPTER
THAT
TITLE:
CREEK
AND
THE
FOR
TO
BOARD
AND

WHEREAS, the Petition filed on July 18, 2024, was attached hereto as
and made a part hereof by reference; and

WHEREAS, the Petitioner is a Delaware limited liability company, it thereof is conduct
business at the address of 10000 Lakeside Drive, Suite 100, Orlando,
Florida 32837;

WHEREAS, the Department of Environmental Protection, Florida Department of
in the District has provided certain water rights;

WHEREAS, an open hearing and a formal hearing of the proposed local government
were afforded an opportunity to be heard and written comments were filed and a public
public hearing conducted by the City Council on December 12, 2024, pursuant to section
190.005(1)(c), Florida Statutes;

WHEREAS, upon consideration of the record pertaining to the said hearing and
the City Council has approved the record of the public hearing, and the same is hereby
as set forth in section 190.005, Florida Statutes, in making its determination to grant or deny the