

ORDINANCE NO. 2020- 71

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

RECITALS

WHEREAS, Mattamy Jacksonville, LLC ("Petitioner"), having obtained written consent to the establishment of the District by the owner of 100 percent (100%) of the real property, described in attached **Exhibit A**, to be included in the District, petitioned the St. Johns County Board of Commissioners (the "County") to adopt an ordinance establishing the Rivers Edge III Community Development District (the "District"), with petition attached as **Exhibit B**, pursuant to Chapter 190, Florida Statutes; and

WHEREAS, Petitioner is a Florida limited liability company; 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 County on March 3, 2020; and

WHEREAS, upon consideration of the record established at that hearing, the County determined: that the statements within the Petition were true and correct; that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan; that the land within the District is of sufficient size, is sufficiently compact and sufficiently contiguous to be developable as a functionally interrelated community; that the District is the best alternative available for delivering community development services and facilities to the area served by the District; that the 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 that the area to be served by the District is amenable to separate special district governance; and

WHEREAS, 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.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THAT:

SECTION 1. The above RECITALS are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY. This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes.

SECTION 3. DISTRICT NAME. There is hereby established a Community Development District situated entirely within the unincorporated limits of St. Johns County, Florida, which District shall be known as the "Rivers Edge III Community Development District".

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated by reference. The proposed District covers approximately 989.14 acres of land. The site is generally south of Greenbriar Road, north and east of State Road 13 and west of the Rivers Edge CDD in unincorporated St. Johns County, Florida.

SECTION 5. FUNCTIONS AND POWERS. The general powers and functions of the District are described in Chapter 190.012, Florida Statutes. The District is also authorized to exercise additional special powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: i) parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described in Section 190.012(2)(a), Florida Statutes; and ii) security, including, but not limited to, guardhouses, fences and gates, intrusion-detection systems, and patrol cars, when authorized by proper government agencies, as authorized and described in Section 190.012(2)(d), Florida Statutes.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Jason Sessions, Chris Henderson, Louis Cowling, Jason Thomas, Jacob Okeefe. All of the above-styled persons are residents of the State of Florida and citizens of the United States of America.

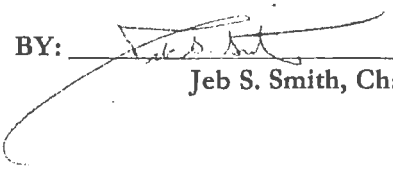
SECTION 7. LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE. Nothing in this Ordinance shall be deemed as affirmative acceptance by St Johns County of any financial operational, maintenance, or any other responsibilities of the District, nor be deemed as affirmative acceptance of any proposed improvement.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or the application thereof is formally determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provisions shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect pursuant to Florida general law.

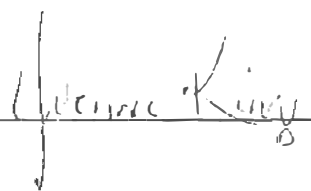
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 3RD DAY OF March, 2020.n

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY**

BY: 
Jeb S. Smith, Chair

MAR 05 2020
Rendition Date

ATTEST: Brandon Patty, Clerk

BY: 

EFFECTIVE DATE: _____



Exhibit A

A & J Land Surveyors, Inc.

5847 Luella Street
Jacksonville, Florida 32207
Telephone (904) 346-1733 Fax (904) 346-1736
Jon Bowan, PLS Jeff Ward, PLS

RiverTown
CDD 3 Parcel
Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, and being also lying within Lots 2 and 3, CLAREMONT Tract, which lies within the Francis P. Fatio Grant, all in St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a POINT OF BEGINNING, BEGIN at the most southeasterly corner of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, and run thence, the following six (6) courses:

Course No. 1: run thence, North 67°28'06" East, departing from aforesaid BARTRAM PLANTATION PHASE TWO boundary, a distance of 67.77 feet, to a point;

Course No. 2: run thence, North 48°52'07" East, a distance of 67.73 feet, to a point;

Course NO. 3: run thence, North 35°22'42" East, a distance of 750.01 feet, to a point;

Course No. 4: run thence, North 29°03'57" East, a distance of 140.74 feet, to a point;

Course No. 5: run thence, North 19°14'03" East, a distance of 78.57 feet, to a point;

Course No. 6: run thence North 10°58'43" East, a distance of 222.77 feet, to a point on the southerly Right of Way line of GREENBRIAR ROAD, (formerly known as STATE ROAD No. 11 and/or BOMBING RANGE ROAD, a variable width Public Road Right of Way, as per Right of Way Map prepared by St. Johns County Surveying and mapping Program, dated April 19, 1999); run thence South 77°13'29" East, along said southerly Right of Way line of GREENBRIAR ROAD, a distance of 300.83 feet, to a point on the monumented westerly boundary of GREENBRIAR SECTION ONE, as recorded in Map Book 14, pages 57 and 58, of the Public Records of said St. Johns County, Florida; run thence, along the westerly line of said GREENBRIAR SECTION ONE, and then along the monumented westerly line of a tract of land formerly owned by the United States of America, (acquired by Condemnation Suit 602-J, Civil), and the same being the easterly line of lands described in Official Records Book 702, page 989 (Parcel 4), of the Public Records of St. Johns County, Florida; run thence, along last said line the following two (2) courses and distances:

Course No. 1: run thence, South 35°18'11" West, a distance of 1,258.39 feet, to a point;

Course No. 2: run thence, South 00°00'46" West, a distance of 5,903.67 feet, to the monumented southwesterly corner of last said lands; run thence South 77°09'41" East, along the southerly line of a tract of land formerly owned by the United States of America, (acquired by Condemnation Suit 602-J, Civil), and the same being the northerly line of lands described in Official Records Book 702, page 989 (Parcel 4), of the Public Records of St. Johns County, Florida, a distance of 4,607.42 feet, to a point; run thence, the following fifty-seven (57) courses and distances:

Course No. 1: run thence, South 24°05'46" West, a distance of 1,005.35 feet, to a point;

Course No. 2: run thence, South 00°29'55" West, a distance of 449.34 feet, to a point;

Course No. 3: run thence, South 11°21'40" West, a distance of 379.59 feet, to a point;

Course No. 4: run thence, South 59°12'52" West, a distance of 671.93 feet, to a point;

Course No. 5: run thence, South 63°31'14" East, a distance of 448.92 feet, to a point, on the arc of a curve, leading southeasterly;

Course No. 6: run thence, southeasterly, along and around the arc of a curve, being concave northeasterly, and having a radius of 300.00 feet, through a central angle of 33°05'48" to the left, an arc distance of 173.29 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 80°04'08" East, 170.90 feet;

Course No. 7: run thence, North 83°22'57" East, along last said tangency, a distance of 232.62 feet, to the point of curvature, of a curve, leading northeasterly;

Course No. 8: run thence, northeasterly, along and around the arc of a curve, being concave northwesterly, and having a radius of 300.00 feet, through a central angle of 30°06'17" to the left, an arc distance of 157.63 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of North 68°15'57" East, 155.82 feet;

Course No. 9: run thence, North 53°12'48" East, along last said tangency, a distance of 902.30 feet, to the point of curvature, of a curve, leading northeasterly;

Course No. 10: run thence, northeasterly, along and around the arc of a curve, being concave southerly, and having a radius of 550.00 feet, through a central angle of 54°13'27" to the right, an arc distance of 520.51 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of North 80°19'31" East, 501.31 feet;

Course No. 11: run thence, South 72°33'45" East, along last said tangency, a distance of 142.76 feet, to a point;

Course No. 12: run thence, South 17°26'15" West, a distance of 100.00 feet, to a point;

Course No. 13: run thence, South 32°32'33" West, a distance of 64.88 feet, to a point;

Course No. 14: run thence, South 48°52'26" West, a distance of 89.32 feet, to a point;

Course No. 15: run thence, South 12°31'09" East, a distance of 86.15 feet, to a point;

Course No. 16: run thence, South 15°52'52" West, a distance of 54.18 feet, to a point;

Course No. 17: run thence, North 83°22'53" West, a distance of 81.94 feet, to a point;

Course No. 18: run thence, South 57°44'09" West, a distance of 31.24 feet, to a point;

Course No. 19: run thence, South 03°39'53" East, a distance of 29.87 feet, to a point;

Course No. 20: run thence, South 06°18'56" West, a distance of 91.70 feet, to a point;

Course No. 21: run thence, South 10°27'23" East, a distance of 49.55 feet, to a point;

Course No. 22: run thence, South 54°43'22" West, a distance of 17.02 feet, to a point;

Course No. 23: run thence, South 87°11'45" West, a distance of 83.24 feet, to a point;

Course No. 24: run thence, North 51°09'39" West, a distance of 40.25 feet, to a point;

Course No. 25: run thence, North 27°13'03" West, a distance of 33.80 feet, to a point;

Course No. 26: run thence, North 37°53'50" East, a distance of 57.84 feet, to a point;

Course No. 27: run thence, North 39°27'54" West, a distance of 83.19 feet, to a point;

Course No. 28: run thence, North 13°21'39" West, a distance of 20.73 feet, to a point;

Course No. 29: run thence, North 22°47'49" West, a distance of 66.10 feet, to a point;

Course No. 30: run thence, North 43°13'12" West, a distance of 41.54 feet, to a point;

Course No. 31: run thence, North 12°50'15" West, a distance of 55.19 feet, to the point of curvature, of a curve, leading northwesterly;

Course No. 32: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 15.00 feet, through a central angle of 77°25'58" to the left, an arc distance of 20.27 feet, to the point of tangency, of last said curve, last said arc being subtended by a chord bearing and distance of North 51°33'14" West, 18.76 feet;

Course No. 33: run thence, South 89°43'48" West, along last said tangency, a distance of 31.94 feet, to a point;

Course No. 34: run thence, North 61°08'37" West, a distance of 47.41 feet, to the point of curvature, of a curve, leading westerly;

Course No. 35: run thence, westerly, along and around the arc of a curve, being concave southerly, and having a radius of 15.00, through a central angle of $69^{\circ}43'18''$ to the left, an arc distance of 18.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South $83^{\circ}59'44''$ West, 17.15 feet;

Course No. 36: run thence, South $49^{\circ}08'05''$ West, along last said tangency, a distance of 60.87 feet, to a point;

Course No. 37: run thence, South $80^{\circ}21'55''$ West, a distance of 25.62 feet, to a point;

Course No. 38: run thence, South $59^{\circ}11'39''$ West, a distance of 32.41 feet, to a point;

Course No. 39: run thence, South $33^{\circ}27'03''$ West, a distance of 24.29 feet, to a point;

Course No. 40: run thence, South $75^{\circ}04'23''$ West, a distance of 99.94 feet, to a point;

Course No. 41: run thence, South $53^{\circ}12'48''$ West, a distance of 541.61 feet, to the point of curvature, of a curve, leading southerly;

Course No. 42: run thence, southerly, along and around the arc of a curve, being concave easterly, and having a radius of 20.00 feet, through a central angle of $90^{\circ}00'00''$ to the left, an arc distance of 31.42 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South $08^{\circ}12'48''$ West, 28.28 feet;

Course No. 43: run thence, South $36^{\circ}47'12''$ East, a distance of 133.10 feet, to the point of curvature, of a curve, leading southeasterly;

Course No. 44: run thence, southeasterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 400.00 feet, through a central angle of $30^{\circ}28'12''$ to the right, an arc distance of 212.72 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South $21^{\circ}33'06''$ East, 210.22 feet;

Course No. 45: run thence, South $06^{\circ}18'59''$ East, along last said tangency, a distance of 702.14 feet, to the point of curvature, of a curve, leading southwesterly;

Course No. 46: run thence, southwesterly, along and around the arc of a curve, being concave northwesterly, and having a radius of 300.00 feet, through a central angle of $58^{\circ}11'15''$ to the right, an arc distance of 306.42 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South $22^{\circ}56'38''$ West, 293.27 feet;

Course No. 47: run thence, South $52^{\circ}12'16''$ West, along last said tangency, a distance of 95.64 feet, to the point of curvature, of a curve, leading southwesterly;

Course No. 48: run thence, southwesterly, along and around the arc of a curve, being concave southeasterly, and having a radius of 300.00 feet, through a central angle of $30^{\circ}17'46''$ to the left, an arc distance of 158.63 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South $37^{\circ}03'23''$ West, 156.79 feet;

Course No. 49: run thence, South 21°54'27" West, along last said tangency, a distance of 151.73 feet, to the point of curvature, of a curve, leading southerly;

Course No. 50: run thence, Southerly, along and around the arc of a curve, being concave easterly, and having a radius of 500.00 feet, through a central angle of 42°22'56" to the left, an arc distance of 369.85 feet, to a point, last said arc being subtended by a chord bearing and distance of South 00°42'59" West, 361.48 feet;

Course No. 51: run thence, South 69°31'29" West, departing from last said arc, a distance of 100.00 feet, to a point, on the arc of a curve, leading northerly;

Course No. 52: run thence, northerly, along and around the arc of a curve, being concave easterly, and having a radius of 600.00 feet, through a central angle of 02°51'35" to the right, an arc distance of 02°51'35" to the right, an arc distance of 29.95 feet, to a point, last said arc being subtended by a chord bearing and distance of North 19°02'43" West, 29.95 feet;

Course No. 53: run thence, South 69°21'44" West, departing from last said arc, a distance of 143.03 feet, to a point;

Course No. 54: run thence, South 85°59'26" West, a distance of 226.33 feet, to a point;

Course No. 55: run thence, South 79°31'49" West, a distance of 204.53 feet, to a point;

Course No. 56: run thence, South 40°20'58" West, a distance of 304.15 feet, to a point;

Course No. 57: run thence, South 63°03'16" West, a distance of 525.37 feet, to a point on the northeasterly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); run thence, along the aforesaid northeasterly Right of Way line of STATE ROAD No. 13, the following four (4) courses and distances:

Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave westerly, and having a radius of 1,491.25 feet, through a central angle of 59°41'20" to the left, an arc distance of 1,553.54 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 16°44'45" West, 1,484.23 feet;

Course No. 2: run thence, North 46°35'25" West, along last said tangency, a distance of 1,725.01 feet, to the point of curvature, of a curve leading westerly;

Course No. 3: run thence westerly, along and around the arc of a curve, being concave southerly, and having a radius of 2,914.90 feet, through a central angle of 42°24'00" to the left, an arc distance of 2,157.08 feet, to the point of tangency of last said curve, last said arc being subtended by a chord bearing and distance of North 67°47'25" West, 2,108.20 feet;

Course No. 4: run thence, North 88°59'25" West, along last said tangency, a distance of 136.96 feet; thence departing from the aforesaid northeasterly Right of Way line of STATE ROAD No. 13, run the following eighteen (18) courses and distances:

Course No. 1: run thence, North 51°46'02" West, a distance of 108.71 feet, to a point;

Course No. 2: run thence, North 28°34'09" West, a distance of 217.98 feet, to a point;

Course No. 3: run thence, North 45°29'39" West, a distance of 582.53 feet, to a point;

Course No. 4: run thence, North 14°47'42" West, a distance of 382.17 feet, to a point;

Course No. 5: run thence, North 25°36'05" West, a distance of 222.60 feet, to a point;

Course No. 6: run thence, North 37°16'32" West, a distance of 251.19 feet, to a point;

Course No. 7: run thence, North 15°04'45" West, a distance of 454.83 feet, to a point;

Course No. 8: run thence, South 69°56'52" West, a distance of 500.85 feet, to a point;

Course No. 9: run thence, South 78°34'06" West, a distance of 591.54 feet, to a point;

Course No. 10: run thence, North 10°08'34" West, a distance of 500.54 feet, to a point;

Course No. 11: run thence, North 05°08'54" East, a distance of 343.48 feet, to a point;

Course No. 12: run thence, South 86°38'10" West, a distance of 131.22 feet, to a point;

Course No. 13: run thence South 32°15'18" West, a distance of 417.65 feet, to a point;

Course No. 14: run thence, South 80°37'31" West, a distance of 371.02 feet, to a point;

Course No. 15: run thence, North 73°41'07" West, a distance of 151.04 feet, to a point;

Course No. 16: run thence, South 79°35'36" West, a distance of 270.11 feet, to a point;

Course No. 17: run thence, North 46°58'09" West, a distance of 330.95 feet, to a point;

Course No. 18: run thence, North 86°04'53" West, a distance of 283.56 feet, to a point, on the easterly Right of Way line of STATE ROAD No. 13; run thence, along the aforesaid easterly Right of Way line of STATE ROAD No. 13, the following three (3) courses and distances:

Course No. 1: run thence, North 12°11'31" East, a distance of 638.25 feet, to the point of curvature, of a curve leading northerly;

Course No. 2: run thence northerly, along and around the arc of a curve, being concave westerly, and having a radius of 2,914.89 feet, through a central angle of 20°40'00" to the right, an arc distance of 1,051.41 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 01°51'31" East, 1,045.71 feet;

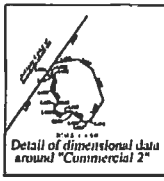
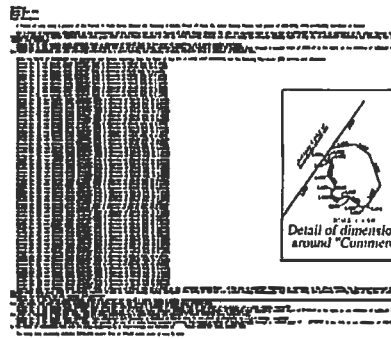
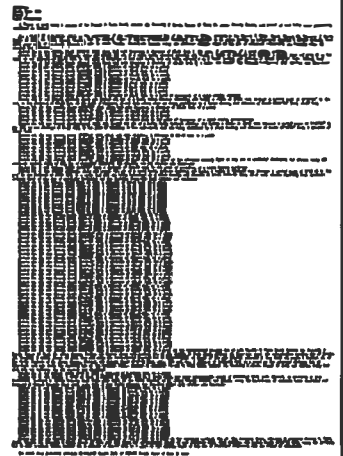
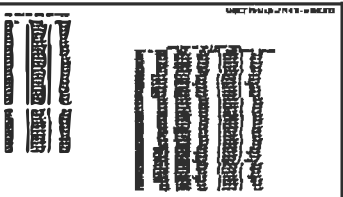
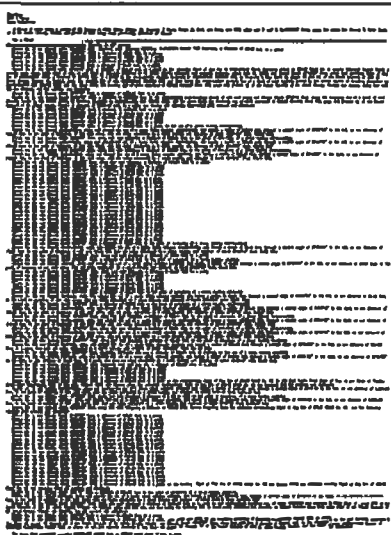
Course No. 3: run thence, North 08°28'29" West, along last said tangency, a distance of 2,119.40 feet, to a point on the monumented southerly line of lands described and recorded in Deed Book "K", page 347 of the Public Records of

said St. Johns County, Florida; run thence, along last said line, and also being the southerly line of those lands described and recorded in Official Records Book 878, page 1283 of the Public Records of St. Johns County, Florida, the following two (2) courses and distances:

Course No. 1: run thence, South 88°11'16" East, a distance of 288.50 feet, to a point;

Course No. 2: run thence, North 54°11'52" East, a distance of 4,016.06 feet, to a point, said point also lying on the southerly boundary of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of St. Johns County, Florida; run thence, South 89°20'59" East, along last said line, a distance of 883.58 feet, to the aforesaid most southeasterly corner of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, and the POINT OF BEGINNING.

The lands thus described contains 43,087,062 square feet, or 989.14 acres, more or less, in area.



AUTOS
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Section 1. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 2. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 3. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 4. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 5. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 6. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 7. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 8. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 9. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 10. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 11. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.

Section 12. The land shown on this plan is the same as that shown on the plan of the Board of Supervisors of the County of Santa Clara, California, dated and filed for record on the 14th day of March, 1911, in Book 1 of said records, page 100.



NOTED AND CORRECTED BY THE COUNTY CLERK OF SANTA CLARA COUNTY, CALIFORNIA, ON THE 14th DAY OF MARCH, 1911.

1. Name of land	2. Name of owner
3. Name of agent	4. Name of agent
5. Name of agent	6. Name of agent
7. Name of agent	8. Name of agent
9. Name of agent	10. Name of agent
11. Name of agent	12. Name of agent
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47. Name of agent	48. Name of agent
49. Name of agent	50. Name of agent
51. Name of agent	52. Name of agent
53. Name of agent	54. Name of agent
55. Name of agent	56. Name of agent
57. Name of agent	58. Name of agent
59. Name of agent	60. Name of agent
61. Name of agent	62. Name of agent
63. Name of agent	64. Name of agent
65. Name of agent	66. Name of agent
67. Name of agent	68. Name of agent
69. Name of agent	70. Name of agent
71. Name of agent	72. Name of agent
73. Name of agent	74. Name of agent
75. Name of agent	76. Name of agent
77. Name of agent	78. Name of agent
79. Name of agent	80. Name of agent
81. Name of agent	82. Name of agent
83. Name of agent	84. Name of agent
85. Name of agent	86. Name of agent
87. Name of agent	88. Name of agent
89. Name of agent	90. Name of agent
91. Name of agent	92. Name of agent
93. Name of agent	94. Name of agent
95. Name of agent	96. Name of agent
97. Name of agent	98. Name of agent
99. Name of agent	100. Name of agent

Exhibit B

AMENDED PETITION TO ESTABLISH THE RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT

Submitted By:

Jennifer L. Kilinski
Florida Bar No. 69367
119 South Monroe Street, Suite 300
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)

Attorney for Petitioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS ST.
JOHNS COUNTY, FLORIDA**

**AMENDED PETITION TO ESTABLISH THE
RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Mattamy Jacksonville LLC (hereafter “Petitioner”), hereby petitions the St. Johns County Board of County Commissioners pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, 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 is located entirely within St. Johns County, Florida. **Exhibit 1** depicts the general location of the project. The proposed District covers approximately 989.14 acres of land. The site is generally located south of Greenbriar Road, north and east of State Road 13 and west of the Rivers Edge CDD. The metes and bounds description of the proposed external boundaries of the District is set forth in **Exhibit 2**.

2. Excluded Parcels. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District.

3. 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 boundaries of the proposed District, in accordance with Section 190.005, *Florida Statutes*. Documentation of this consent is contained in **Exhibit 3**.

4. 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: Jason Sessions
Address: 7800 Belfort Parkway, #195
Jacksonville, Florida 32256

Name: Chris Henderson
Address: 7800 Belfort Parkway, #195
Jacksonville, Florida 32256

Name: Louis Cowling
Address: 7800 Belfort Parkway, #195
Jacksonville, Florida 32256

Name: Jason Thomas
Address: 7800 Belfort Parkway, #195
Jacksonville, Florida 32256

Name: Jacob Okeefe
Address: 7800 Belfort Parkway, #195
Jacksonville, Florida 32256

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

5. Name. The proposed name of the District is Rivers Edge III Community Development District.

6. Future Land Uses. The general distribution, location, and extent of the public and private future land uses proposed for the District, in accordance with the future land use plan element of the County's Future Land Use Plan, is identified in **Exhibit 4**, which also includes a map of the master development plan. The proposed land uses for lands contained within the proposed District are consistent with the approved St. Johns County Future Land Use Plan.

7. Major Water and Wastewater Facilities. **Exhibit 5** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or install, as well as the anticipated entity responsible for ownership and maintenance. In the event the District is unable or unwilling to continue as the owner and entity responsible for the maintenance of the facilities described in **Exhibit 6**, a property owners' association will assume such rights and obligations. The estimated costs of constructing the infrastructure serving land within the proposed District are identified in **Exhibit 7**. At present, these improvements are estimated to be made, acquired, constructed and/or installed from 2020 to 2030. 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.

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

10. Authorized Agent. The Petitioner is authorized to do business in Florida. **Exhibit 9** identifies the authorized agent for the Petitioner. Copies of all correspondence and official notices should be sent to:

Jennifer Kilinski (jenk@hgslaw.com)
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300 (32301)
P.O. Box 6526
Tallahassee, Florida 32314

11. This petition to establish the Rivers Edge III 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 St. Johns County 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 St. Johns County 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 County Commission of St. Johns County, Florida to:

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

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

c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses, as authorized and described; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, both as authorized and described by Section 190.012(2), *Florida Statutes*; and

d. grant such other relief as appropriate.

RESPECTFULLY SUBMITTED, this 13th day of November, 2019.

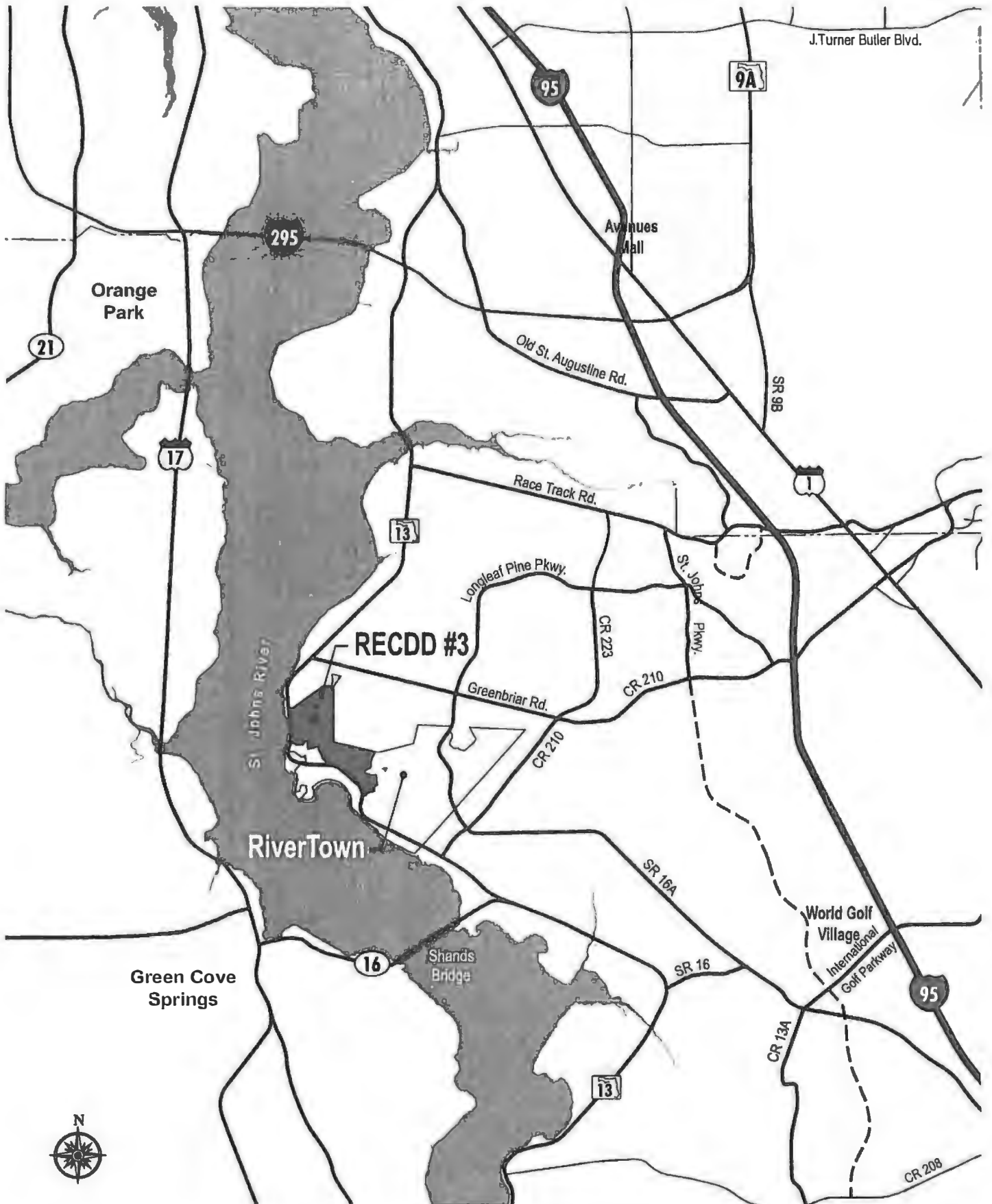
HOPPING GREEN & SAMS, P.A.

BY: /s/Jennifer L. Kilinski

Jennifer L. Kilinski
Florida Bar No. 69367
119 South Monroe Street, Suite 300
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)
Attorney for Petitioner

EXHIBIT 1

General Location of the Proposed District



VICINITY MAP

Exhibit 1

PROSSER™

EXHIBIT 2

**Metes and Bounds Description of the Proposed
External Boundaries of the District**

A & J Land Surveyors, Inc.

5847 Luella Street

Jacksonville, Florida 32207

Telephone (904) 346-1733 Fax (904) 346-1736

Jon Bowan, PLS Jeff Ward, PLS

RiverTown

CDD 3 Parcel

Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, and being also lying within Lots 2 and 3, CLAREMONT Tract, which lies within the Francis P. Fatio Grant, all in St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a POINT OF BEGINNING, BEGIN at the most southeasterly corner of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, and run thence, the following six (6) courses:

Course No. 1: run thence, North 67°28'06" East, departing from aforesaid BARTRAM PLANTATION PHASE TWO boundary, a distance of 67.77 feet, to a point;

Course No. 2: run thence, North 48°52'07" East, a distance of 67.73 feet, to a point;

Course NO. 3: run thence, North 35°22'42" East, a distance of 750.01 feet, to a point;

Course No. 4: run thence, North 29°03'57" East, a distance of 140.74 feet, to a point;

Course No. 5: run thence, North 19°14'03" East, a distance of 78.57 feet, to a point;

Course No. 6: run thence North 10°58'43" East, a distance of 222.77 feet, to a point on the southerly Right of Way line of GREENBRIAR ROAD, (formerly known as STATE ROAD No. 11 and/or BOMBING RANGE ROAD, a variable width Public Road Right of Way, as per Right of Way Map prepared by St. Johns County Surveying and mapping Program, dated April 19, 1999); run thence South 77°13'29" East, along said southerly Right of Way line of GREENBRIAR ROAD, a distance of 300.83 feet, to a point on the monumented westerly boundary of GREENBRIAR SECTION ONE, as recorded in Map Book 14, pages 57 and 58, of the Public Records of said St. Johns County, Florida; run thence, along the westerly line of said GREENBRIAR SECTION ONE, and then along the monumented westerly line of a tract of land formerly owned by the United States of America, (acquired by Condemnation Suit 602-J, Civil), and the same being the easterly line of lands described in Official Records Book 702, page 989 (Parcel 4), of the Public Records of St. Johns County, Florida; run thence, along last said line the following two (2) courses and distances:

Course No. 1: run thence, South 35°18'11" West, a distance of 1,258.39 feet, to a point;

Course No. 2: run thence, South 00°00'46" West, a distance of 5,903.67 feet, to the monumented southwesterly corner of last said lands; run thence South 77°09'41" East, along the southerly line of a tract of land formerly owned by the United States of America, (acquired by Condemnation Suit 602-J, Civil), and the same being the northerly line of lands described in Official Records Book 702, page 989 (Parcel 4), of the Public Records of St. Johns County, Florida, a distance of 4,607.42 feet, to a point; run thence, the following fifty-seven (57) courses and distances:

Course No. 1: run thence, South 24°05'46" West, a distance of 1,005.35 feet, to a point;

Course No. 2: run thence, South 00°29'55" West, a distance of 449.34 feet, to a point;

Course No. 3: run thence, South 11°21'40" West, a distance of 379.59 feet, to a point;

Course No. 4: run thence, South 59°02'52" West, a distance of 671.93 feet, to a point;

Course No. 5: run thence, South 63°01'14" East, a distance of 448.92 feet, to a point, on the arc of a curve, leading southeasterly;

Course No. 6: run thence, southeasterly, along and around the arc of a curve, being concave northeasterly, and having a radius of 300.00 feet, through a central angle of 33°05'48" to the left, an arc distance of 173.29 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 80°04'08" East, 170.90 feet;

Course No. 7: run thence, North 83°22'57" East, along last said tangency, a distance of 232.62 feet, to the point of curvature, of a curve, leading northeasterly;

Course No. 8: run thence, northeasterly, along and around the arc of a curve, being concave northwesterly, and having a radius of 300.00 feet, through a central angle of 30°06'17" to the left, an arc distance of 157.63 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of North 68°05'57" East, 155.82 feet;

Course No. 9: run thence, North 53°12'48" East, along last said tangency, a distance of 902.30 feet, to the point of curvature, of a curve, leading northeasterly;

Course No. 10: run thence, northeasterly, along and around the arc of a curve, being concave southerly, and having a radius of 550.00 feet, through a central angle of 54°03'27" to the right, an arc distance of 520.51 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of North 80°19'31" East, 501.31 feet;

Course No. 11: run thence, South 72°33'45" East, along last said tangency, a distance of 142.76 feet, to a point;

Course No. 12: run thence, South 17°26'15" West, a distance of 100.00 feet, to a point;

Course No. 13: run thence, South 32°02'33" West, a distance of 64.88 feet, to a point;

Course No. 14: run thence, South 48°52'26" West, a distance of 89.32 feet, to a point;

Course No. 15: run thence, South 12°31'09" East, a distance of 86.15 feet, to a point;

Course No. 16: run thence, South 15°52'52" West, a distance of 54.18 feet, to a point;

Course No. 17: run thence, North 83°22'53" West, a distance of 81.94 feet, to a point;

Course No. 18: run thence, South 57°04'09" West, a distance of 31.24 feet, to a point;

Course No. 19: run thence, South 03°39'53" East, a distance of 29.87 feet, to a point;

Course No. 20: run thence, South 06°18'56" West, a distance of 91.70 feet, to a point;

Course No. 21: run thence, South 10°27'23" East, a distance of 49.55 feet, to a point;

Course No. 22: run thence, South 54°43'22" West, a distance of 17.02 feet, to a point;

Course No. 23: run thence, South 87°01'45" West, a distance of 83.24 feet, to a point;

Course No. 24: run thence, North 51°09'39" West, a distance of 40.25 feet, to a point;

Course No. 25: run thence, North 27°13'03" West, a distance of 33.80 feet, to a point;

Course No. 26: run thence, North 37°53'50" East, a distance of 57.84 feet, to a point;

Course No. 27: run thence, North 39°27'54" West, a distance of 83.19 feet, to a point;

Course No. 28: run thence, North 13°21'39" West, a distance of 20.73 feet, to a point;

Course No. 29: run thence, North 22°47'49" West, a distance of 66.10 feet, to a point;

Course No. 30: run thence, North 43°13'12" West, a distance of 41.54 feet, to a point;

Course No. 31: run thence, North 12°50'15" West, a distance of 55.19 feet, to the point of curvature, of a curve, leading northwesterly;

Course No. 32: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 15.00 feet, through a central angle of 77°25'58" to the left, an arc distance of 20.27 feet, to the point of tangency, of last said curve, last said arc being subtended by a chord bearing and distance of North 51°33'14" West, 18.76 feet;

Course No. 33: run thence, South 89°43'48" West, along last said tangency, a distance of 31.94 feet, to a point;

Course No. 34: run thence, North 61°08'37" West, a distance of 47.41 feet, to the point of curvature, of a curve, leading westerly;

Course No. 35: run thence, westerly, along and around the arc of a curve, being concave southerly, and having a radius of 15.00, through a central angle of 69°43'18" to the left, an arc distance of 18.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 83°59'44" West, 17.15 feet;

Course No. 36: run thence, South 49°08'05" West, along last said tangency, a distance of 60.87 feet, to a point;

Course No. 37: run thence, South 80°21'55" West, a distance of 25.62 feet, to a point;

Course No. 38: run thence, South 59°11'39" West, a distance of 32.41 feet, to a point;

Course No. 39: run thence, South 33°27'03" West, a distance of 24.29 feet, to a point;

Course No. 40: run thence, South 75°04'23" West, a distance of 99.94 feet, to a point;

Course No. 41: run thence, South 53°12'48" West, a distance of 541.61 feet, to the point of curvature, of a curve, leading southerly;

Course No. 42: run thence, southerly, along and around the arc of a curve, being concave easterly, and having a radius of 20.00 feet, through a central angle of 90°00'00" to the left, an arc distance of 31.42 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 08°12'48" West, 28.28 feet;

Course No. 43: run thence, South 36°47'12" East, a distance of 133.10 feet, to the point of curvature, of a curve, leading southeasterly;

Course No. 44: run thence, southeasterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 400.00 feet, through a central angle of 30°28'12" to the right, an arc distance of 212.72 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 21°33'06" East, 210.22 feet;

Course No. 45: run thence, South 06°18'59" East, along last said tangency, a distance of 702.14 feet, to the point of curvature, of a curve, leading southwesterly;

Course No. 46: run thence, southwesterly, along and around the arc of a curve, being concave northwesterly, and having a radius of 300.00 feet, through a central angle of 58°31'15" to the right, an arc distance of 306.42 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 22°56'38" West, 293.27 feet;

Course No. 47: run thence, South 52°12'16" West, along last said tangency, a distance of 95.64 feet, to the point of curvature, of a curve, leading southwesterly;

Course No. 48: run thence, southwesterly, along and around the arc of a curve, being concave southeasterly, and having a radius of 300.00 feet, through a central angle of 30°17'46" to the left, an arc distance of 158.63 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 37°03'23" West, 156.79 feet;

Course No. 49: run thence, South 21°54'27" West, along last said tangency, a distance of 151.73 feet, to the point of curvature, of a curve, leading southerly;

Course No. 50: run thence, Southerly, along and around the arc of a curve, being concave easterly, and having a radius of 500.00 feet, through a central angle of 42°02'56" to the left, an arc distance of 369.85 feet, to a point, last said arc being subtended by a chord bearing and distance of South 00°42'59" West, 361.48 feet;

Course No. 51: run thence, South 69°01'29" West, departing from last said arc, a distance of 100.00 feet, to a point, on the arc of a curve, leading northerly;

Course No. 52: run thence, northerly, along and around the arc of a curve, being concave easterly, and having a radius of 600.00 feet, through a central angle of 02°51'35" to the right, an arc distance of 29.95 feet, to a point, last said arc being subtended by a chord bearing and distance of North 19°02'43" West, 29.95 feet;

Course No. 53: run thence, South 69°01'44" West, departing from last said arc, a distance of 143.03 feet, to a point;

Course No. 54: run thence, South 85°59'26" West, a distance of 226.33 feet, to a point;

Course No. 55: run thence, South 79°31'49" West, a distance of 204.53 feet, to a point;

Course No. 56: run thence, South 40°20'58" West, a distance of 304.15 feet, to a point;

Course No. 57: run thence, South 63°03'16" West, a distance of 525.37 feet, to a point on the northeasterly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); run thence, along the aforesaid northeasterly Right of Way line of STATE ROAD No. 13, the following four (4) courses and distances:

Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave westerly, and having a radius of 1,491.25 feet, through a central angle of 59°41'20" to the left, an arc distance of 1,553.54 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 16°44'45" West, 1,484.23 feet;

Course No. 2: run thence, North 46°35'25" West, along last said tangency, a distance of 1,725.01 feet, to the point of curvature, of a curve leading westerly;

Course No. 3: run thence westerly, along and around the arc of a curve, being concave southerly, and having a radius of 2,914.90 feet, through a central angle of 42°04'00" to the left, an arc distance of 2,157.08 feet, to the point of tangency of last said curve, last said arc being subtended by a chord bearing and distance of North 67°47'25" West, 2,108.20 feet;

Course No. 4: run thence, North 88°59'25" West, along last said tangency, a distance of 136.96 feet; thence departing from the aforesaid northeasterly Right of Way line of STATE ROAD No. 13, run the following eighteen (18) courses and distances:

Course No. 1: run thence, North 51°46'02" West, a distance of 108.71 feet, to a point;

Course No. 2: run thence, North 28°34'09" West, a distance of 217.98 feet, to a point;

Course No. 3: run thence, North 45°29'39" West, a distance of 582.53 feet, to a point;

Course No. 4: run thence, North 14°47'42" West, a distance of 382.17 feet, to a point;

Course No. 5: run thence, North 25°36'05" West, a distance of 222.60 feet, to a point;

Course No. 6: run thence, North 37°16'32" West, a distance of 251.19 feet, to a point;

Course No. 7: run thence, North 15°04'45" West, a distance of 454.83 feet, to a point;

Course No. 8: run thence, South 69°56'52" West, a distance of 500.85 feet, to a point;

Course No. 9: run thence, South 78°04'06" West, a distance of 591.54 feet, to a point;

Course No. 10: run thence, North 10°08'34" West, a distance of 500.54 feet, to a point;

Course No. 11: run thence, North 05°08'54" East, a distance of 343.48 feet, to a point;

Course No. 12: run thence, South 86°38'10" West, a distance of 131.22 feet, to a point;

Course No. 13: run thence South 32°15'18" West, a distance of 417.65 feet, to a point;

Course No. 14: run thence, South 80°37'31" West, a distance of 371.02 feet, to a point;

Course No. 15: run thence, North 73°41'07" West, a distance of 151.04 feet, to a point;

Course No. 16: run thence, South 79°35'36" West, a distance of 270.11 feet, to a point;

Course No. 17: run thence, North 46°58'09" West, a distance of 330.95 feet, to a point;

Course No. 18: run thence, North 86°04'53" West, a distance of 283.56 feet, to a point, on the easterly Right of Way line of STATE ROAD No. 13; run thence, along the aforesaid easterly Right of Way line of STATE ROAD No. 13, the following three (3) courses and distances:

Course No. 1: run thence, North 12°11'31" East, a distance of 638.25 feet, to the point of curvature, of a curve leading northerly;

Course No. 2: run thence northerly, along and around the arc of a curve, being concave westerly, and having a radius of 2,914.89 feet, through a central angle of 200°00" to the right, an arc distance of 1,051.41 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 01°51'31" East, 1,045.71 feet;

Course No. 3: run thence, North 08°28'29" West, along last said tangency, a distance of 2,119.40 feet, to a point on the monumented southerly line of lands described and recorded in Deed Book "K", page 347 of the Public Records of

said St. Johns County, Florida; run thence, along last said line, and also being the southerly line of those lands described and recorded in Official Records Book 878, page 1283 of the Public Records of St. Johns County, Florida, the following two (2) courses and distances:

Course No. 1: run thence, South ~~88°01'~~88°01'16" East, a distance of 288.50 feet, to a point;

Course No. 2: run thence, North 54°15'52" East, a distance of 4,016.06 feet, to a point, said point also lying on the southerly boundary of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of St. Johns County, Florida; run thence, South ~~89°20'~~89°20'59" East, along last said line, a distance of 883.58 feet, to the aforesaid most southeasterly corner of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, and the POINT OF BEGINNING.

The lands thus described contains 43,087,062 square feet, or 989.14 acres, more or less, in area.

EXHIBIT 3
Landowner Consent

This space reserved for use by
the Clerk of the Circuit Court

This instrument was prepared by and
upon recording should be returned to:

HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Post Office Box 6526
Tallahassee, Florida 32314

CONSENT OF LANDOWNER TO CDD ESTABLISHMENT

The undersigned hereby represents that he/she is the 100% fee simple owner of the property more fully described in Exhibit A attached hereto and made a part hereof (“Property”), or, alternatively, represents that he/she has authority to bind Mattamy Jacksonville, LLC, a Florida limited liability company, as the 100% fee simple owner of the Property with respect to the matters set forth herein (in either case, “Landowner”).

The Landowner understands and acknowledges that a petition to establish a community development district (“CDD”) is intended to be submitted in accordance with the provisions of Chapter 190, *Florida Statutes*. As the owner of lands which are intended to be included in the CDD, the Landowner understands and acknowledges that pursuant to the provisions of Section 190.046 and 190.005, *Florida Statutes*, the petitioner is required to include the written consent of one hundred percent (100%) of the owners of the lands to be included in the CDD.

The Landowner hereby consents to the inclusion of the Property as a part of the CDD. The Landowner agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the CDD establishment. The Landowner further agrees to the recording of this document, which shall be deemed to run with the Property and be binding upon all successors in interest.

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 Landowner.

[signatures on following page]

This Consent of Landowner to CDD Establishment, as detailed more fully on the preceding page, is executed as of the date written below.

WITNESSES:

MATTAMY JACKSONVILLE, LLC

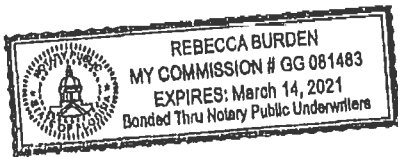
Jacob E. O'Reefe
Name: Jacob E. O'Reefe
Marcia M Cox
Name: Marcia M Cox

By: [Signature]
Name: Jason Sessions
Its: VP
Date: 9/27/19

STATE OF FLORIDA
COUNTY OF Duval

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Jason Sessions as VP of Mattamy Jacksonville, LLC, who executed the foregoing instrument, acknowledged before me that he/she executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Duval and State of Florida this 27 day of Sept., 2019.



[Signature]
Notary Public
Personally known: _____
Produced Identification: _____
Type of Identification: _____

EXHIBIT A

A & J Land Surveyors, Inc.

5847 Luella Street
Jacksonville, Florida 32207
Telephone (904) 346-1733 Fax (904) 346-1736
Jon Bowan, PLS Jeff Ward, PLS

RiverTown
CDD 3 Parcel
Legal Description

A Parcel of land, being a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, and being also lying within Lots 2 and 3, CLAREMONT Tract, which lies within the Francis P. Fatio Grant, all in St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a POINT OF BEGINNING, BEGIN at the most southeasterly corner of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, and run thence, the following six (6) courses:

Course No. 1: run thence, North 67°28'06" East, departing from aforesaid BARTRAM PLANTATION PHASE TWO boundary, a distance of 67.77 feet, to a point;
Course No. 2: run thence, North 48°52'07" East, a distance of 67.73 feet, to a point;
Course NO. 3: run thence, North 35°22'42" East, a distance of 750.01 feet, to a point;
Course No. 4: run thence, North 29°03'57" East, a distance of 140.74 feet, to a point;
Course No. 5: run thence, North 19°14'03" East, a distance of 78.57 feet, to a point;
Course No. 6: run thence North 10°58'43" East, a distance of 222.77 feet, to a point on the southerly Right of Way line of GREENBRIAR ROAD, (formerly known as STATE ROAD No. 11 and/or BOMBING RANGE ROAD, a variable width Public Road Right of Way, as per Right of Way Map prepared by St. Johns County Surveying and mapping Program, dated April 19, 1999); run thence South 77°13'29" East, along said southerly Right of Way line of GREENBRIAR ROAD, a distance of 300.83 feet, to a point on the monumented westerly boundary of GREENBRIAR SECTION ONE, as recorded in Map Book 14, pages 57 and 58, of the Public Records of said St. Johns County, Florida; run thence, along the westerly line of said GREENBRIAR SECTION ONE, and then along the monumented westerly line of a tract of land formerly owned by the United States of America, (acquired by Condemnation Suit 602-J, Civil), and the same being the easterly line of lands described in Official Records Book 702, page 989 (Parcel 4), of the Public Records of St. Johns County, Florida; run thence, along last said line the following two (2) courses and distances:

Course No. 1: run thence, South 35°18'11" West, a distance of 1,258.39 feet, to a point;
Course No. 2: run thence, South 00°00'46" West, a distance of 5,903.67 feet, to the monumented southwesterly corner of last said lands; run thence South 77°09'41" East, along the southerly line of a tract of land formerly owned by the United States of America, (acquired by Condemnation Suit 602-J, Civil), and the same being the northerly line of lands described in Official Records Book 702, page 989 (Parcel 4), of the Public Records of St. Johns County, Florida, a distance of 4,607.42 feet, to a point; run thence, the following fifty-seven (57) courses and distances:

- Course No. 1: run thence, South 24°05'46" West, a distance of 1,005.35 feet, to a point;
- Course No. 2: run thence, South 00°29'55" West, a distance of 449.34 feet, to a point;
- Course No. 3: run thence, South 11°21'40" West, a distance of 379.59 feet, to a point;
- Course No. 4: run thence, South 59°12'52" West, a distance of 671.93 feet, to a point;
- Course No. 5: run thence, South 63°31'14" East, a distance of 448.92 feet, to a point, on the arc of a curve, leading southeasterly;
- Course No. 6: run thence, southeasterly, along and around the arc of a curve, being concave northeasterly, and having a radius of 300.00 feet, through a central angle of 33°05'48" to the left, an arc distance of 173.29 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 80°04'08" East, 170.90 feet;
- Course No. 7: run thence, North 83°22'57" East, along last said tangency, a distance of 232.62 feet, to the point of curvature, of a curve, leading northeasterly;
- Course No. 8: run thence, northeasterly, along and around the arc of a curve, being concave northwesterly, and having a radius of 300.00 feet, through a central angle of 30°06'17" to the left, an arc distance of 157.63 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of North 68°05'57" East, 155.82 feet;
- Course No. 9: run thence, North 53°12'48" East, along last said tangency, a distance of 902.30 feet, to the point of curvature, of a curve, leading northeasterly;
- Course No. 10: run thence, northeasterly, along and around the arc of a curve, being concave southerly, and having a radius of 550.00 feet, through a central angle of 54°13'27" to the right, an arc distance of 520.51 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of North 80°19'31" East, 501.31 feet;
- Course No. 11: run thence, South 72°33'45" East, along last said tangency, a distance of 142.76 feet, to a point;
- Course No. 12: run thence, South 17°26'15" West, a distance of 100.00 feet, to a point;
- Course No. 13: run thence, South 32°32'33" West, a distance of 64.88 feet, to a point;
- Course No. 14: run thence, South 48°52'26" West, a distance of 89.32 feet, to a point;
- Course No. 15: run thence, South 12°31'09" East, a distance of 86.15 feet, to a point;
- Course No. 16: run thence, South 15°52'52" West, a distance of 54.18 feet, to a point;
- Course No. 17: run thence, North 83°22'53" West, a distance of 81.94 feet, to a point;
- Course No. 18: run thence, South 57°04'09" West, a distance of 31.24 feet, to a point;
- Course No. 19: run thence, South 03°39'53" East, a distance of 29.87 feet, to a point;
- Course No. 20: run thence, South 06°18'56" West, a distance of 91.70 feet, to a point;
- Course No. 21: run thence, South 10°27'23" East, a distance of 49.55 feet, to a point;
- Course No. 22: run thence, South 54°33'22" West, a distance of 17.02 feet, to a point;
- Course No. 23: run thence, South 87°11'45" West, a distance of 83.24 feet, to a point;
- Course No. 24: run thence, North 51°09'39" West, a distance of 40.25 feet, to a point;
- Course No. 25: run thence, North 27°13'03" West, a distance of 33.80 feet, to a point;
- Course No. 26: run thence, North 37°53'50" East, a distance of 57.84 feet, to a point;
- Course No. 27: run thence, North 39°27'54" West, a distance of 83.19 feet, to a point;
- Course No. 28: run thence, North 13°21'39" West, a distance of 20.73 feet, to a point;
- Course No. 29: run thence, North 22°47'49" West, a distance of 66.10 feet, to a point;
- Course No. 30: run thence, North 43°18'12" West, a distance of 41.54 feet, to a point;

Course No. 31: run thence, North 12°50'15" West, a distance of 55.19 feet, to the point of curvature, of a curve, leading northwesterly;

Course No. 32: run thence, northwesterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 15.00 feet, through a central angle of 77°05'58" to the left, an arc distance of 20.27 feet, to the point of tangency, of last said curve, last said arc being subtended by a chord bearing and distance of North 51°33'14" West, 18.76 feet;

Course No. 33: run thence, South 89°46'48" West, along last said tangency, a distance of 31.94 feet, to a point;

Course No. 34: run thence, North 61°08'37" West, a distance of 47.41 feet, to the point of curvature, of a curve, leading westerly;

Course No. 35: run thence, westerly, along and around the arc of a curve, being concave southerly, and having a radius of 15.00, through a central angle of 69°43'18" to the left, an arc distance of 18.25 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 83°59'44" West, 17.15 feet;

Course No. 36: run thence, South 49°08'05" West, along last said tangency, a distance of 60.87 feet, to a point;

Course No. 37: run thence, South 80°21'55" West, a distance of 25.62 feet, to a point;

Course No. 38: run thence, South 59°01'39" West, a distance of 32.41 feet, to a point;

Course No. 39: run thence, South 33°27'03" West, a distance of 24.29 feet, to a point;

Course No. 40: run thence, South 75°04'23" West, a distance of 99.94 feet, to a point;

Course No. 41: run thence, South 53°12'48" West, a distance of 541.61 feet, to the point of curvature, of a curve, leading southerly;

Course No. 42: run thence, southerly, along and around the arc of a curve, being concave easterly, and having a radius of 20.00 feet, through a central angle of 90°00'00" to the left, an arc distance of 31.42 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 08°12'48" West, 28.28 feet;

Course No. 43: run thence, South 36°47'12" East, a distance of 133.10 feet, to the point of curvature, of a curve, leading southeasterly;

Course No. 44: run thence, southeasterly, along and around the arc of a curve, being concave southwesterly, and having a radius of 400.00 feet, through a central angle of 30°28'12" to the right, an arc distance of 212.72 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 21°33'06" East, 210.22 feet;

Course No. 45: run thence, South 06°18'59" East, along last said tangency, a distance of 702.14 feet, to the point of curvature, of a curve, leading southwesterly;

Course No. 46: run thence, southwesterly, along and around the arc of a curve, being concave northwesterly, and having a radius of 300.00 feet, through a central angle of 58°01'15" to the right, an arc distance of 306.42 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 22°56'38" West, 293.27 feet;

Course No. 47: run thence, South 52°12'16" West, along last said tangency, a distance of 95.64 feet, to the point of curvature, of a curve, leading southwesterly;

Course No. 48: run thence, southwesterly, along and around the arc of a curve, being concave southeasterly, and having a radius of 300.00 feet, through a central angle of 30°17'46" to the left, an arc distance of 158.63 feet, to the point of tangency, of last said curve, said arc being subtended by a chord bearing and distance of South 37°03'23" West, 156.79 feet;

Course No. 49: run thence, South 21°54'27" West, along last said tangency, a distance of 151.73 feet, to the point of curvature, of a curve, leading southerly;

Course No. 50: run thence, Southerly, along and around the arc of a curve, being concave easterly, and having a radius of 500.00 feet, through a central angle of 42°22'56" to the left, an arc distance of 369.85 feet, to a point, last said arc being subtended by a chord bearing and distance of South 00°42'59" West, 361.48 feet;

Course No. 51: run thence, South 69°31'29" West, departing from last said arc, a distance of 100.00 feet, to a point, on the arc of a curve, leading northerly;

Course No. 52: run thence, northerly, along and around the arc of a curve, being concave easterly, and having a radius of 600.00 feet, through a central angle of 02°51'35" to the right, an arc distance of 02°51'35" to the right, an arc distance of 29.95 feet, to a point, last said arc being subtended by a chord bearing and distance of North 19°02'43" West, 29.95 feet;

Course No. 53: run thence, South 69°21'44" West, departing from last said arc, a distance of 143.03 feet, to a point;

Course No. 54: run thence, South 85°59'26" West, a distance of 226.33 feet, to a point;

Course No. 55: run thence, South 79°31'49" West, a distance of 204.53 feet, to a point;

Course No. 56: run thence, South 40°20'58" West, a distance of 304.15 feet, to a point;

Course No. 57: run thence, South 63°03'16" West, a distance of 525.37 feet, to a point on the northeasterly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); run thence, along the aforesaid northeasterly Right of Way line of STATE ROAD No. 13, the following four (4) courses and distances:

Course No. 1: run thence, northwesterly, along and around the arc of a curve, being concave westerly, and having a radius of 1,491.25 feet, through a central angle of 59°41'20" to the left, an arc distance of 1,553.54 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 16°44'45" West, 1,484.23 feet;

Course No. 2: run thence, North 46°35'25" West, along last said tangency, a distance of 1,725.01 feet, to the point of curvature, of a curve leading westerly;

Course No. 3: run thence westerly, along and around the arc of a curve, being concave southerly, and having a radius of 2,914.90 feet, through a central angle of 42°24'00" to the left, an arc distance of 2,157.08 feet, to the point of tangency of last said curve, last said arc being subtended by a chord bearing and distance of North 67°47'25" West, 2,108.20 feet;

Course No. 4: run thence, North 88°59'25" West, along last said tangency, a distance of 136.96 feet; thence departing from the aforesaid northeasterly Right of Way line of STATE ROAD No. 13, run the following eighteen (18) courses and distances:

Course No. 1: run thence, North 51°46'02" West, a distance of 108.71 feet, to a point;

Course No. 2: run thence, North 28°34'09" West, a distance of 217.98 feet, to a point;

Course No. 3: run thence, North 45°29'39" West, a distance of 582.53 feet, to a point;

Course No. 4: run thence, North 14°47'42" West, a distance of 382.17 feet, to a point;

Course No. 5: run thence, North 25°36'05" West, a distance of 222.60 feet, to a point;

Course No. 6: run thence, North 37°16'32" West, a distance of 251.19 feet, to a point;

Course No. 7: run thence, North 15°04'45" West, a distance of 454.83 feet, to a point;

Course No. 8: run thence, South 69°56'52" West, a distance of 500.85 feet, to a point;

Course No. 9: run thence, South 78°34'06" West, a distance of 591.54 feet, to a point;
 Course No. 10: run thence, North 10°08'34" West, a distance of 500.54 feet, to a point;
 Course No. 11: run thence, North 05°08'54" East, a distance of 343.48 feet, to a point;
 Course No. 12: run thence, South 86°38'10" West, a distance of 131.22 feet, to a point;
 Course No. 13: run thence South 32°15'18" West, a distance of 417.65 feet, to a point;
 Course No. 14: run thence, South 80°37'31" West, a distance of 371.02 feet, to a point;
 Course No. 15: run thence, North 73°41'07" West, a distance of 151.04 feet, to a point;
 Course No. 16: run thence, South 79°35'36" West, a distance of 270.11 feet, to a point;
 Course No. 17: run thence, North 46°58'09" West, a distance of 330.95 feet, to a point;
 Course No. 18: run thence, North 86°04'53" West, a distance of 283.56 feet, to a point, on the easterly Right of Way line of STATE ROAD No. 13; run thence, along the aforesaid easterly Right of Way line of STATE ROAD No. 13, the following three (3) courses and distances:
 Course No. 1: run thence, North 12°16'31" East, a distance of 638.25 feet, to the point of curvature, of a curve leading northerly;
 Course No. 2: run thence northerly, along and around the arc of a curve, being concave westerly, and having a radius of 2,914.89 feet, through a central angle of 208°40'00" to the right, an arc distance of 1,051.41 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 01°51'31" East, 1,045.71 feet;
 Course No. 3: run thence, North 08°28'29" West, along last said tangency, a distance of 2,119.40 feet, to a point on the monumented southerly line of lands described and recorded in Deed Book "K", page 347 of the Public Records of said St. Johns County, Florida; run thence, along last said line, and also being the southerly line of those lands described and recorded in Official Records Book 878, page 1283 of the Public Records of St. Johns County, Florida, the following two (2) courses and distances:
 Course No. 1: run thence, South 88°01'16" East, a distance of 288.50 feet, to a point;
 Course No. 2: run thence, North 54°15'52" East, a distance of 4,016.06 feet, to a point, said point also lying on the southerly boundary of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of St. Johns County, Florida; run thence, South 89°20'59" East, along last said line, a distance of 883.58 feet, to the aforesaid most southeasterly corner of BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, recorded in Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, and the POINT OF BEGINNING.

The lands thus described contains 43,087,062 square feet, or 989.14 acres, more or less, in area.












EXHIBIT 4
Future Land Uses

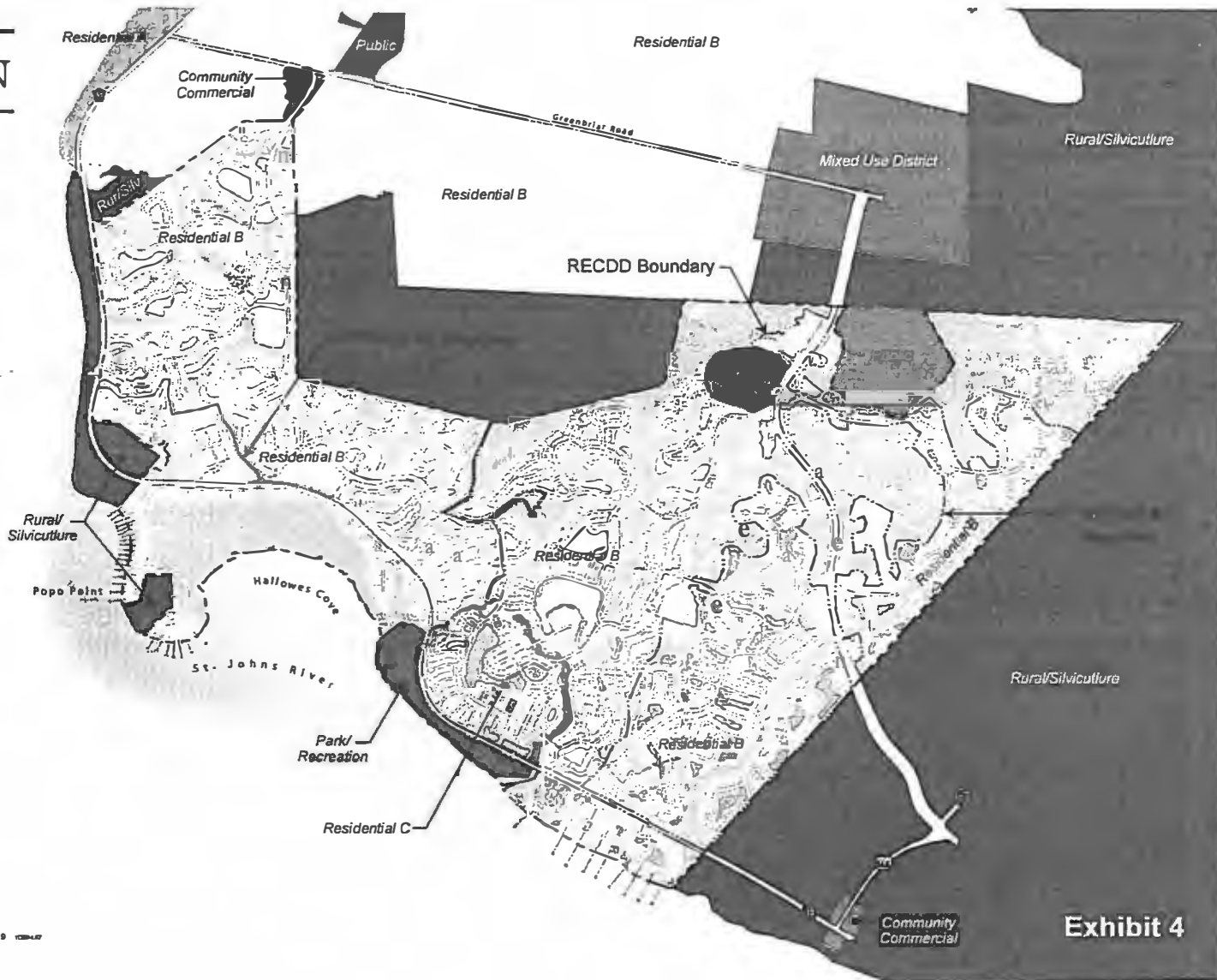
RIVERTOWN

mattamy.com

EXHIBIT 4 Conceptual RECDD #3 Plan LAND USE

LEGEND

-  RECDD Boundary
-  RECDD #2 Boundary
-  RECDD #3 Boundary
-  Residential A
-  Residential B
-  Residential C
-  Community Commercial
-  Mixed Use District
-  Park/Recreation
-  Rural/Silviculture
-  Public



PROSSER

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Exhibit 4

EXHIBIT 5
Existing and Proposed
Major Trunk Water Mains and Sewer Connections

RIVERTOWN

mattamy

EXHIBIT 5

Conceptual RECDD #3 Plan

UTILITIES

LEGEND

- RECDD Boundary
- RECDD #2 Boundary
- RECDD #3 Boundary
- ➔ Stormwater Discharge
- Water
- Sewer
- Reuse Water



PROSSER

September 11, 2018 100047

Exhibit 5

EXHIBIT 6
Proposed District Facilities
and Services

EXHIBIT 6
DISTRICT FACILITIES AND SERVICES
RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT
September 10, 2019

Description of Facility	Ownership	Maintenance Responsibility
Minor Collector Roads Roadways	SJC/CDD ¹	SJC/CDD ¹
Stormwater Management	CDD	CDD
Amenity	CDD	CDD
Parks	CDD	CDD

Notes:

1 - Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as affirmative acceptance by the Board of County Commissioners of improvements or any operation and maintenance obligation of the District.

SJC - St Johns County

CDD - Community Development District

* As set forth in the petition, improvements are assumed to be made, acquired, constructed and /or installed from January 2020 through January 2030

EXHIBIT 7
Summary of Cost Opinions

EXHIBIT a7
RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT
SUMMARY OF COST OPINIONS
September 10, 2019

Improvement Plan Category	Improvement Plan Opinion of Costs (\$)	Notes
Master Drainage & Stormwater Management	\$15,883,206.07	Stormwater ponds
Master Transportation	\$16,736,070.54	Spine Roads
Master Landscape	\$2,070,000.00	Gateway Entry Features
Master Recreation	\$7,705,000.00	Amenity, Parks
Total RECDD III Master Improvement Opinion	\$42,394,276.61	

*Includes construction, design fees and 15% contingency

Improvements are assumed to be made, acquired, constructed and /or installed from January 2020 through January 2030

EXHIBIT 8
Statement of Estimated Regulatory Costs

**RIVERS EDGE III COMMUNITY DEVELOPMENT
DISTRICT**

**Statement
Of
Estimated Regulatory Costs**

November 12, 2019



Provided by

**Governmental Management Services, LLC
475 West Town Place Suite 114
St. Augustine Florida 32092
Phone: 904-940-5850
Website: www.gmsnf.com**

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form the **Rivers Edge III Community Development District** (“District”). The proposed District will comprise approximately 989.14 acres of land located entirely within unincorporated St. Johns County, Florida (the “County”). 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 shall 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.”

1.2 Overview of the Rivers Edge III Community Development District

The proposed District is designed to provide community infrastructure, services, and facilities along with their operations and maintenance to the Rivers Edge III Community Development District. The Rivers Edge III Community Development District is planned for development of approximately 989.14 acres and is anticipated to include approximately 1,788 single-family units. All development units are authorized for inclusion in the 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 large, planned community developments. CDDs 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.” Section 190.002 (1) (a) *Florida Statutes*.

A CDD is not a substitute for the local, general-purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting; zoning and police possessed by general purpose governments. A community development district is an alternative means of financing, constructing, operating, and maintaining community infrastructure for developments.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), *Florida Statutes* (2019), defines the elements of 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) 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*. (St Johns County is not defined as a small county for purposes of this requirement.)

(e) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required complying 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.

(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 paragraph (1)(a) 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 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), *Florida Statutes*. The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0.

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

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

As noted above, the development is a community designed for 1,788 single-family homes. Formation of the District is expected to result in the provision of roadway improvements, stormwater systems, landscaping/hardscaping, water and sewer improvements, and recreational improvements, including parks. It is not anticipated that anyone outside the development would be affected by the ordinance creating the District.

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

4.1 Costs of Governmental Agencies of Implementing and Enforcing the Ordinance

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 less than 2,500 acres. The modest costs to various State entities to implement and enforce the proposed ordinance 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 Economic Opportunity, which offsets such costs.

St. Johns County

The proposed land for the District is located within the County and consists of less than 2,500 acres. The County and their staff members may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. The process the County will follow will not require the County to add resources for the petition process.

These costs to the County are modest for a number of reasons. First, according to Chapter 190, *Florida Statutes*, review of the petition to establish the District does not include analysis of the project itself. Such analysis of the project is prohibited by Statute. 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 staff. Fourth, there is no capital required to review the petition. Fifth, the County routinely processes similar petitions for land uses and zoning charges that are far more complex than is the petition to establish a community development district. Finally, the County requires a filing fee over \$15,000 to offset County staff costs in processing the petition which is anticipated to cover any minimal expenditures incurred by the County in its review.

The following illustrates the minimal nature of any other costs the County may incur due to the approval of the District. Within 30 days of the effective date of approval of the ordinance establishing the District, the District must record a notice of establishment, pursuant to Section 190.0485, *Florida Statutes*. The fees established by the Clerk are designed to cover all costs so there will be no additional costs to the County for the filing.

The annual costs to the County, because of the establishment of the District, are also very small. The proposed District is an independent unit of local government, which is responsible for its budget, administration, and reporting and established powers within its boundaries. The only annual costs the County faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County.

Further, pursuant to Section 190.008, *Florida Statutes*, the District must provide the County with its annual budget but there is no required County action. The County has no requirement to review the District's budget but can do so as an option. We know of no County formally reviewing the budget of a community development district. If the County does decide to review the budget, then staff resources would be required. Since the County has professional staff that can review the budget no capital expenditures would be needed for such a review.

Also pursuant to Section 189.08(2), *Florida Statutes*, the District must provide a public facilities report to the County. The purpose of the report is to help foster and promote coordination between the County and the District regarding public facilities. The report helps to eliminate possible duplicate facilities and the provision of services. The report also assists the County in the evaluation of the capital improvement element of the County Comprehensive Plan. Costs to the County related to the public facilities report are minimal because the County is not required to take any action on the report and the District files the report.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance 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 its infrastructure, or for any other reason, are not debts of the State of Florida or any other unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs 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 the proposed District may provide. The proposed District intends to finance the infrastructure improvements.

Table 1. Rivers Edge III Community Development District Possible Facilities and Services

FACILITY	FUNDED BY	O&M	OWNERSHIP
Stormwater Systems	CDD	CDD	CDD
Transportation	CDD	CDD/C	C
Landscaper/ Hardscape	CDD	CDD*	CDD
Recreation Improvements	CDD	CDD	CDD
Parks	CDD	CDD	CDD

CDD= Rivers Edge III Community Development District; C= St. Johns County.**

* Possible enhanced landscaping by CDD with a Contract with the County.

** Acceptance of any offer of dedication shall be at the sole discretion of the Board of County Commissioners. Nothing herein shall be construed as an affirmative acceptance by the Board of County Commissioners of improvements or any operation and maintenance obligation of the District.

The petitioner has estimated the design and development costs for providing the capital facilities; the cost estimates are shown in Table 2 below. Total design and development costs for these facilities are estimated to be approximately \$42,394,277. The District may issue special assessment or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all properties in the District that may benefit from the District’s capital improvement program as outlined in Table 1.

Table 2. Rivers Edge III Community Development District Cost Estimate for District Facilities

Infrastructure cost estimates are based on preliminary estimates of probable construction costs estimated from the most recent Conceptual Plans. The infrastructure consists of the following categories:

Table 2	
<u>Category</u>	<u>Cost</u>
Stormwater Systems	\$15,883,206
Master Transportation	\$16,736,071
Master Landscape	\$ 2,070,000
Master Recreation	<u>\$ 7,705,000</u>
Total Projected Costs of Improvements	<u>\$42,394,277</u>

Prospective future 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 a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non-ad valorem assessments in exchange for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the seller to all prospective purchasers of property within the District.

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

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

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

Second, a CDD is a mechanism for assuring that the community services and infrastructure 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 CDD 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 County's overall requirements.

Fourth, the CDD 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(6), *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 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 all of its contracts. This affords small businesses the opportunity to bid on District work.

The County has a population in 2018 that is greater than 75,000n Therefore, the County is not defined as a “small county” 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 developer’s engineer and other professionals associated with the developer.

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

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

EXHIBIT 9
Authorization of Agent

Authorization of Agent

This letter shall serve as a designation of Jennifer L. Kilinski of Hopping Green & Sams P.A., whose address is 119 S. Monroe Street, Suite 300, Tallahassee, Florida 32301, to act as agent for Mattamy Jacksonville, LLC, with regard to any and all matters pertaining to the Petition to the St. Johns County Board of County Commissioners to establish a community development district pursuant to Chapter 190, *Florida Statutes*. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

MATTAMY JACKSONVILLE, LLC

Jacob F. O'Keefe
Print Name: Jacob F. O'Keefe

Jason Sessions
By: Jason Sessions
Its: VP

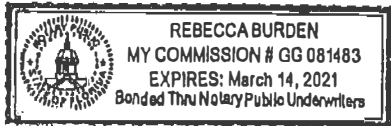
Marcia M Cox
Print Name: MARCIA M COX

STATE OF FLORIDA
COUNTY OF Duval

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Jason Sessions, VP of Mattamy Jacksonville, LLC, who executed the foregoing instrument, acknowledged before me that she/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Duval and State of Florida this 27 day of Sept, 2019.

Rebecca Burden
Notary Public



Personally known
Produced Identification: _____
Type of Identification: _____

Pre-File Testimony

BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

IN&RE: PETITION TO ESTABLISH)
 RIVERS EDGE III COMMUNITY)
 DEVELOPMENT DISTRICT)
_____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF DUVAL

I, Jason Sessions, 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 Jason Sessions and I am the Vice President of Development and Land Acquisition of Mattamy Jacksonville LLC. My business mailing address is 7800 Belfort Parkway #195, Jacksonville, FL 32256.
3. The prepared written, pre-filed testimony consisting of seven (7) pages, submitted under my name to the St. Johns County Board of County Commissioners relating to the establishment of the Rivers Edge III 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 Rivers Edge III Community Development District establishment hearing, 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 are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony generally addresses the accuracy of the information set forth in the petition and compliance with establishment requirements.

7. No corrections 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.

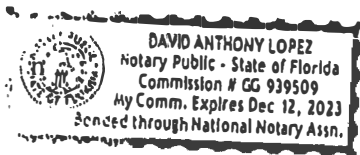
Executed this 23 day of January, 2020.

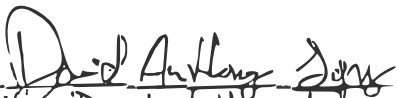


Jason Sessions

STATE OF FLORIDA)
COUNTY OF DUVAL)

Sworn to and subscribed before me by means of physical presence or online notarization, this 23 day of January, 2020, by Jason Sessions.





Name: David Anthony Lopez _____
Personally Known _____
OR Produced Identification _____
Type of Identification _____

1 **9. Are there any changes or corrections to any of the exhibits submitted to the County**
2 **at this time?**

3
4 No.

5
6 **10. Please generally describe each of the exhibits attached to the Petition.**

7
8 Exhibit 1 is the map showing the general location of the proposed District.

9
10 Exhibit 2 is the metes and bounds description of the external boundary of the proposed
11 District.

12
13 Exhibit 3 is the Consent of Landowner to CDD Establishment, executed by Mattamy
14 Jacksonville LLC, which represents the consent of one hundred percent (100%) of the
15 owners of the lands to be included within the District.

16
17 Exhibit 4 contains a map depicting the future general distribution, location and extent of
18 the public and private land uses within the proposed District by the land use plan element.

19
20 Exhibit 5 contains a map identifying existing and proposed major trunk water mains and
21 sewer connections serving the lands within and around the proposed District.

22
23 Exhibit 6 contains a list of the facilities and services the proposed District is expected to
24 finance, fund, construct, acquire and/or install, as well as the anticipated entity
25 responsible for the ownership and maintenance thereof.

26
27 Exhibit 7 contains the estimated costs of construction the infrastructure serving the land
28 within the proposed District.

29
30 Exhibit 8 is the Statement of Estimated Regulatory Costs (“SERC”), required by statute.

31
32 Exhibit 9 is the authorization of agent form, which authorizes Jennifer L. Kilinski to act
33 as agent for the Petitioner.

34
35 **11. Were these exhibits prepared by you or under your supervision?**

36
37 Yes, I engaged a consultant team and directed the preparation of the exhibits to the
38 Petition.

39
40 **12. To the best of your knowledge, is the general location map identified as Exhibit 1 a**
41 **true and accurate depiction of the general location of the proposed District?**

42
43 Yes, it is.

44
45 **13. To the best of your knowledge, is the metes and bounds description of the external**
46 **boundary of the District included in Exhibit 2, a true and accurate recitation of the**
47 **land area to be included within the proposed District?**

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Yes, it is.

14. To the best of your knowledge, is Exhibit 3 a true and accurate copy of the consent obtained from the owner of one hundred percent (100%) of the lands to be included within the proposed District?

Yes, it is.

15. To the best of your knowledge, is the map included in Exhibit 4 a true and accurate depiction of the future general distribution, location and extent of public and private land uses within the proposed District?

Yes, it is.

16. To the best of your knowledge, is Exhibit 5 a true and accurate depiction of the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District?

Yes, it is.

17. To the best of your knowledge, does Exhibit 6 truly and accurately list the facilities and services that the proposed District is expected to finance, fund, construct, acquire and/or install, as well as the anticipated owner and entity responsible for operation and maintenance thereof?

Yes, it does.

18. To the best of your knowledge, does Exhibit 7 truly and accurately list the estimated costs of constructing the infrastructure serving land within the proposed District?

Yes, it does.

18. To the best of your knowledge, is Exhibit 8 a true and accurate copy of the Statement of Estimated Regulatory Costs?

Yes, it is.

19. To the best of your knowledge, is Exhibit 9 a true and accurate copy of the Authorization of Agent form?

Yes, it is.

20. Are the contents of the Petition and the exhibits attached to it, as described herein, true and correct to the best of your knowledge?

Yes, it is.

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

Yes, I am familiar with the general area and the site specifically.

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

The proposed District is located entirely within unincorporated St. Johns County and covers approximately 989.14 acres of land.

23. What steps were taken with respect to filing the Petition with the County?

On October 3, 2019, the Petitioner filed the original Petition with the County. Subsequently, an amended and restated petition was filed with the County on November 13, 2019, and revisions to Exhibits 6 and 8 were submitted on December 6, 2019.

24. Has notice of the hearing been provided in accordance with Section 190.005, Florida Statutes?

Yes. A notice of hearing is being published in the St. Augustine Record, a newspaper of general circulation in the County and of general interest and readership in the community, as a display ad for four (4) consecutive weeks immediately preceding the hearing. Proof of publication has been requested and will be available by the time of the establishment hearing.

25. Who are the five persons designated in the Petition to serve as the initial Board of Supervisors?

The five persons are myself, Chris Henderson, Louis Cowling, Jason Thomas, and Jacob Okeefe.

26. Do you know each of these persons personally?

Yes, I do.

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

Yes, they are.

28. Are there residential units planned for development within the proposed District?

Yes. There are approximately 1,788 single family units planned for development within the proposed District, which are anticipated to be constructed in multiple phases.

29. Are there residents currently living within the areas to be included within the District, and, if so, have they been notified about the creation of the District?

1
2 No, there are no residents currently living within the areas to be included within the
3 District.
4

5 **30. What steps will be taken to ensure that prospective purchasers of the District**
6 **receive notice of the existence of the District and its assessments?**
7

8 There are certain state law disclosure requirements that all community development
9 districts (“CDDs”) must meet.
10

11 First, within thirty (30) days of the establishment of the District, a Notice of
12 Establishment is required to be recorded in the property records. The notice contains a
13 legal description of the boundaries of the District and discloses, as required by Section
14 190.0485, *Florida Statutes*, through inclusion of the bold-faced language set forth in the
15 paragraph immediately below, that the District may levy assessments. The document
16 also provides contact information for members of the public to obtain more information
17 about the District. This document should appear on a title search typically prepared when
18 someone intends to purchase a home after a District has been established.
19

20 Second, Section 190.048, *Florida Statutes*, requires certain contractual language to
21 appear in bold-faced and conspicuous type immediately prior to the signature line on
22 every initial purchase contract. The following language will be required: **The Rivers**
23 **Edge III Community Development District may impose and levy taxes or**
24 **assessments, or both taxes and assessments, on this property. These taxes and**
25 **assessments pay the construction, operation, and maintenance costs of certain public**
26 **facilities and services of the District and are set annually by the governing board of**
27 **the District. These taxes and assessments are in addition to county and other local**
28 **governmental taxes and assessments and all other taxes and assessments provided**
29 **for by law.**
30

31 Third, when assessments are levied for the first time or when previously levied
32 assessments are raised, notice of a public hearing is required to be given by publication in
33 a local newspaper and by mail to all property owners within the District. The assessments
34 are then considered at a public hearing.
35

36 Fourth, the District will be required to adopt and record in the St. Johns County Public
37 Records a Disclosure of Public Financing and Maintenance of Public Improvements. This
38 Disclosure summarizes the financing plan the District has undertaken, the existence, if
39 any, of capital and operation and maintenance assessments, and the facilities and services
40 that the District provides and maintains. This Disclosure is then provided by the District
41 to the developer to satisfy the requirements of Section 190.009, *Florida Statutes*, and is
42 also available for inspection by residents and prospective residents.
43

44 **31. Would you please describe the proposed timetable for development of land within**
45 **the proposed District?**
46

47 It is anticipated that the District improvements will be made, acquired, constructed and/or

1 installed from 2020 to 2030.

2
3 **32. Has all of the developable land within the proposed District been planned as a single**
4 **community?**

5
6 Yes, the developable land, along with the master infrastructure to be maintained by the
7 proposed District that will service the developable land, although anticipated to be
8 constructed in multiple phases, is planned as a single community. The Petitioner is
9 requesting security powers in its Petition as the District is expected to have a gated
10 portion of the community.

11
12 **33. Would you generally describe the services and facilities you currently expect the**
13 **proposed District to provide?**

14
15 The Petitioner presently intends for the District to be involved in providing the following
16 services and facilities: minor collector roadways, stormwater management facilities,
17 recreational amenities, parks and related improvements. The facilities are outlined in
18 Exhibit 6 of the Petition.

19
20 Petitioner's good faith expectation of the costs associated with such facilities and services
21 is itemized in Exhibit 7 to the Petition.

22
23 **34. Did you cause the cost estimates identified in Exhibit 7 to be prepared?**

24
25 Yes, the cost estimates were prepared under my supervision and direction.

26
27 **35. What methods were used to estimate these costs?**

28
29 The estimates are based on research regarding historical costs of constructing similar
30 infrastructure and current market conditions.

31
32 **36. In your opinion, are the cost estimates for the facilities for the proposed District**
33 **reasonable?**

34
35 Yes, to the best of my knowledge and based on the information available.

36
37 **37. In general, what financing methods does the Petitioner propose the District may use**
38 **to pay for the anticipated facilities and services?**

39
40 Petitioner presently expects that the District will finance facilities and services through
41 the issuance of tax-exempt bonds, special assessments and through other available
42 financing mechanisms. The debt issued by the proposed District is expected to be retired
43 by non-ad valorem assessments (also known as "special assessments") on benefitted
44 property within the proposed District. Ongoing maintenance and operation of the District
45 and its facilities and services are expected to be funded by non-ad valorem special
46 assessments. Any facilities not financed with a bond issue may be funded by the
47 developer using conventional financing options.

1
2 **38. Who will be responsible for paying the proposed District's assessments?**
3

4 Only current property owners and those who choose to acquire property within the
5 proposed District will be responsible for paying District assessments.
6

7 **39. Will these proposed District debts be an obligation of the County or the State of**
8 **Florida?**
9

10 No. The debts will be solely the District's obligation and secured by non-ad valorem
11 assessments levied against property owners. Florida law provides that CDD debt cannot
12 become the obligation of a county, a city, or the state without the consent of that
13 government.
14

15 **40. Why is the Petitioner seeking to have a CDD established for this area?**
16

17 There are hundreds of CDDs throughout the State of Florida. CDDs are an efficient,
18 effective way to provide infrastructure and have become accepted in the marketplace to
19 homebuyers. CDDs have the ability to assist in the streamlined and efficient maintenance
20 and operation of infrastructure and services to developing communities.
21

22 From our perspective, the establishment of a CDD is logical for this project. It provides a
23 long-term, stable, financially secure entity. The proposed District is a structured, formal
24 entity with the legal ability to respond to future changes in the circumstances and desires
25 of its residents. Under Florida law, the proposed District has access to the County's tax
26 collection mechanisms, which helps ensure that the facilities will be maintained. In that
27 sense, it is preferable over control by a property owners association.
28

29 Additionally, a CDD has the ability to enter into interlocal agreements with other
30 government entities. These allow a CDD to work with other government entities to
31 complete projects that benefit residents within the CDD boundaries while also assisting
32 local governments in completing infrastructure necessary to serve growth.
33

34 A CDD has the financial capability to assist in the provision of necessary capital
35 improvements sooner than may otherwise be the case. The County, developers, builders
36 and residents will all benefit from these improvements in terms of access, traffic flow,
37 safety and general property enhancement. Additionally, a CDD is the entity preferred by
38 many regulatory agencies, including many water management districts, to operate and
39 maintain the stormwater management and other similar systems. This is because the
40 CDD is a perpetual entity, operating in open meetings, with the financial ability to ensure
41 that the maintenance of these important environmental facilities and amenities is
42 accomplished. Given the nature of this project, in my opinion, a CDD is a logical,
43 prudent, and desirable way to ensure this needed infrastructure is maintained.
44

45 **41. Does this conclude your testimony?**
46

47 Yes.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

IN RE: PETITION TO ESTABLISH)
RIVERS EDGE III COMMUNITY)
DEVELOPMENT DISTRICT)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF ST. JOHNS

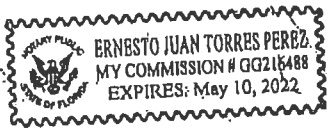
I, James Perry, of Governmental Management Services, LLC, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is James Perry, and my business address is 475 West Town Place, Suite 114, World Golf Village, St. Augustine, Florida 32092.
3. The prepared written, pre-filed testimony consisting of eight (8) pages, submitted under my name to the St. Johns County Board of County Commissioners relating to the establishment of the Rivers Edge III 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 Rivers Edge III Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning the managerial and financial aspects of special districts are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various managerial and financial aspects, including the Statement of Estimated Regulatory Costs, related to the proposed Rivers Edge III Community Development District.

7. 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 20th day of January, 2020.



James Perry

A handwritten signature in cursive script, appearing to read "James Perry", written over a horizontal line.

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

Sworn to and subscribed before me by means of physical presence or online notarization, this 20 day of January, 2020, by James Perry.

A handwritten signature in cursive script, appearing to read "Ernesto J. Torres", written over a horizontal line.

Name: Ernesto J. Torres

Personally Known

OR Produced Identification

Type of Identification _____

1 **TESTIMONY OF JAMES PERRY FOR THE ESTABLISHMENT**
2 **OF THE RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT**
3

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

5
6 My name is James Perry. My business address is 475 West Town Place, Suite 114, St.
7 Augustine, Florida 32092.
8

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

10
11 I am employed by Governmental Management Services, LLC. I serve as a District
12 Manager and assessment consultant for community development districts.
13

14 **3. Please briefly summarize your duties and responsibilities.**

15
16 Our company provides management and assessment consulting services to the real estate
17 development industry. We also work with many community development districts.
18

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

20
21 Yes. I work with a number of public sector clients that include community development
22 districts (“CDD” or “CDDs”) across the state. I also work with various private
23 companies as well.
24

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

27
28 My previous work experience includes JEA Director of Strategic Acquisitions and
29 Partnerships and JEA Acquisition and Disposition Specialist. My responsibilities
30 included water/wastewater acquisitions including due diligence, contract negotiations,
31 public hearings and financial analysis. I was responsible for interlocal agreements with
32 surrounding counties including compliance and modifications. I was also responsible for
33 electric purchase power agreements and green power initiative contracts. Prior to JEA, I
34 served in senior financial positions with Fortune 100 companies in the utility and land
35 development industries.
36

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

38
39 I graduated from University of Central Florida and received a BSBA with a major in
40 accountancy. I am a Certified Public Accountant (Florida), a former Certified Internal
41 Auditor, and a Certified Information Systems Auditor. I am also a graduate of Wharton
42 Business School Executive Development Program.
43

44 **7. What has been your role with respect to the proposed Rivers Edge III Community**
45 **Development District (“District”) establishment proceeding?**

1 I serve as an economic and management consultant relating to the establishment of the
2 District.

3
4 **DISTRICT MANAGEMENT**
5

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

10 CDDs are governed by a five-member Board of Supervisors (“Board”). These Board
11 members are initially elected by landowners in the CDD. The Board is the governing
12 body of the CDD. The Board employs a district manager, who supervises the district’s
13 services, facilities, and administrative functions. The Board annually considers and, after
14 public notice and hearing, adopts a budget. The CDD submits a copy of the proposed
15 budget to the applicable local general-purpose government for review and optional
16 comment prior to its adoption each year.
17

- 18 **9. Are there requirements, such as the open meetings and public records laws, imposed**
19 **upon CDDs in order to safeguard the public that are similar to those imposed upon**
20 **other general purpose local governments?**
21

22 Yes, there are.
23

- 24 **10. Please describe these requirements and safeguards.**
25

26 First, it is important to note that the establishment of a CDD does not change any
27 requirements for governmental approval of construction within the CDD. Any land
28 development requirements and all state and local development regulations still apply.
29

30 Second, members of the Board must be residents of Florida and citizens of the United
31 States. After the Board shifts to being elected by the resident electors of the CDD, the
32 supervisors must also be residents and electors of the CDD. Board members must
33 annually file the same financial disclosure forms required by other local officials. All
34 meetings of the Board are open to the public and are subject to the government in the
35 sunshine requirements of Chapter 286, *Florida Statutes*. Furthermore, the CDD’s records
36 must be open for public inspection in accordance with the Florida law governing public
37 records.
38

39 Next, the CDD must provide financial reports to the state in the same form and manner as
40 is required of all other political subdivisions. The CDD is annually audited by an
41 independent certified public accountant. As I said before, the CDD budget is adopted
42 annually by the Board after a public hearing. All rates, fees, and charges imposed by the
43 district must be adopted pursuant to Chapter 120, *Florida Statutes*.
44

1 Finally, to impose special or non-ad valorem assessments under Chapter 170, *Florida*
2 *Statutes*, a CDD must provide published and mailed notice to those who are assessed.
3 That assessment process entails preparation of a methodology that fairly and equitably
4 allocates the cost of the CDD's projects.
5

6 **11. Please describe in general terms how a CDD operates financially, both on a day-to-**
7 **day and a long-term basis.**
8

9 In the early stages, particularly when a CDD is formed in mid-year, the CDD's operating
10 funds may be funded by a "funding agreement" between the CDD and the
11 landowner/developer in lieu of assessments that the CDD might have imposed on
12 property within the CDD.
13

14 In order to provide long term financing of capital projects, CDDs often issue bonds. All
15 bonds issued by CDDs must be secured by a trust agreement, and any bond maturing over
16 a period of more than five years must be validated and confirmed by court decree
17 pursuant to Chapter 75, *Florida Statutes*. The CDD also may borrow funds on a long or
18 short-term basis.
19

20 Debt may be retired by the district through non-ad valorem or special assessments
21 imposed on benefited properties, or rates, fees, and charges imposed on users of CDD
22 facilities and services. By law, debt of the CDD cannot become debt of any other
23 government (county, city or state), without that government's consent.
24

25 **12. What alternatives, other than CDDs, are you familiar with that might be available**
26 **to provide community infrastructure for the lands within the District?**
27

28 In my opinion there are two alternatives that might provide community infrastructure
29 such as the roads, utilities, drainage, and other improvements contemplated for the
30 District. First, the general-purpose local government could finance the improvements
31 utilizing special assessments and general funds. Alternatively, the developer could
32 provide infrastructure through private means, including private financing if available. As
33 discussed later in my testimony, neither of these alternatives is preferable to use of the
34 CDD concept.
35

36 **13. Do you have an opinion, as someone experienced in district management and**
37 **operations, as to whether the District is the best available alternative for delivering**
38 **community services and facilities to the areas that will be served by the District?**
39

40 Yes. For this project, the District is the best alternative available for delivering the
41 proposed services and facilities to the area that will be served. These improvements
42 include: minor collector roadways, stormwater management facilities, recreational
43 facilities, parks and related improvements.
44

45 **14. What is the basis for your opinion?**

1
2 Let's look at the alternatives. St. Johns County ("County") could finance and manage the
3 roadway and drainage improvements utilizing special assessments or general funds. The
4 developer and/or a property owner's association ("POA") could provide these facilities,
5 as well as the water and sewer facilities, through private financing.
6

7 In evaluating these alternatives, it is important to consider whether the alternative can
8 provide the best focus, can effectively and efficiently manage and maintain the facilities,
9 and whether the alternative can secure low cost, long-term public financing. The County
10 clearly provides the long-term perspective and is a stable and relatively low-cost source
11 of financing and provider of services at sustained levels. However, the County has
12 substantial demands over a broad geographical area that places a heavy management
13 delivery load on its staff. In addition, if dependent district financing were used, the
14 County would be responsible for all administrative aspects of the dependent district. By
15 using a dependent district mechanism, the County would be increasing its responsibility
16 and hence liability for the variety of actions that will take place in development of the
17 lands within the Rivers Edge III boundaries. By contrast, a CDD can be created to
18 provide focused attention to a specific area in a cost-effective manner. It also allows the
19 County to focus staff time, finances, and other resources elsewhere and does not burden
20 the general body of taxpayers in the County with the debt associated with this growth.
21

22 The other alternative is the use of private means – either through a POA or through the
23 developer, or both in combination. This combination can clearly satisfy the high demand
24 for focused service and facilities and managed delivery. However, only a public entity
25 can assure a long-term perspective, act as a stable provider of services and facilities,
26 qualify as a lower cost source of financing and pay for services at sustained levels.
27 POA's lack the ability to effectively finance these types of improvements. Their ability
28 to assure adequate funds for sustained high levels of maintenance is less than with a
29 CDD.
30

31 Furthermore, neither the developer nor a POA would be required to conduct all actions
32 relating to the provision of these improvements in the "sunshine" as a CDD must, or
33 abide by other public access requirements that are incumbent upon a CDD and its Board.
34 Also, provision and long-term operation and maintenance of these improvements,
35 particularly the recreation and drainage activities, by a CDD ensures that residents have
36 guaranteed access to the body or entity making decisions about these facilities, and in fact
37 will one day sit as the five-member Board making the decisions that impact their
38 community directly.
39

40 A CDD is an independent special purpose unit of local government designed to focus its
41 attention on providing the best long-term service to its specific benefited properties and
42 residents. It has limited power and a limited area of jurisdiction. The District will be
43 governed by its own Board and managed by those whose sole purpose is to provide the
44 District long term planning, management and financing of these services and facilities.

1 This long-term management capability extends to the operation and maintenance of the
2 facilities owned by the District. Further, the sources for funding and manner of collection
3 of funds will assure that the District's facilities will be managed at the sustained levels of
4 quality desired by residents well into the future.
5

- 6 **15. Do you have an opinion, as someone experienced in district management and**
7 **operations, as to whether the area of land to be included within the District is of**
8 **sufficient size, is sufficiently compact, and is sufficiently contiguous to be**
9 **developable as one functional interrelated community?**

10
11 Yes.

- 12
13 **16. What is your opinion?**

14
15 Yes. From a management perspective, the area to be included within the proposed
16 District is of sufficient size, compactness and is sufficiently contiguous to be developable
17 as one functional, interrelated community.
18

- 19 **17. What is the basis for your opinion?**

20
21 The size of the District is approximately 989.14 acres. Based on my previous experience,
22 the District is of sufficient size, compactness, and contiguity to be developed as a
23 functional interrelated community.
24

25 The qualities of compactness, contiguity, and size relate directly to whether an area can
26 become one functional interrelated community. From the standpoint of the provision,
27 management and operation of the community infrastructure expected to be provided by
28 the District, the acres contemplated for inclusion within the District is sufficiently
29 compact, contiguous and of sufficient size to maximize the successful delivery of these
30 infrastructure improvements to these lands. The delivery of services and facilities to the
31 lands within the District will not be hampered by insurmountable barriers or spatial
32 problems. The area within the District is suitably configured to maximize the benefits
33 available from the District services and facilities to be provided.
34

- 35 **18. Do you have an opinion, as someone experienced in district management and**
36 **operations, as to whether the area that will be served by the District is amenable to**
37 **separate special district government?**

38
39 Yes.

- 40
41 **19. What is your opinion?**

42
43 The District is of sufficient size, compactness and contiguity. Therefore, the area to be
44 served by the District is clearly amenable to separate special district governance.
45

1 **20. What is the basis for your opinion?**

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Two criteria are needed to evaluate a land area as amcnable to separate special district government. One, does the land area have need for the facilities and services and will its owners and residents benefit from facilities that the special district could provide? Two, is the land area of sufficient size, sufficient compactness and sufficiently contiguous to be the basis for a functional interrelated community?

9 Under both criteria, the District is a planned community of sufficient size with a need for
10 the facilities and improvements that are presently expected to be provided by the
11 District. As described in the Petition, the District will construct and maintain certain
12 needed facilities and services. Other facilities and improvements may be constructed by
13 the District and ultimately maintained by the County. Based on my experience, CDDs of
14 this size are large enough to effectively provide and manage services. From a
15 management and operations perspective, the land area is well suited to the provision of
16 the proposed services and facilities. Ultimately, of course, if later circumstances wouldnn
17 cause the County to re-evaluate whether these lands should continue as separate special
18 district government, the County has the option under Section 190.046(4), *Florida*
19 *Statutes*, to effectively take over the functions of any CDD.

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

25
26 Yes.

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

29
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33

Yes. It is my opinion that the proposed services and facilities of the proposed District are not incompatible with the capacity and uses of existing local or regional community development services and facilities.

34 **23. What is the basis for your opinion?**

35
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40

There is no duplication or overlap of facilities or services because no other entity or unit of government is presently funding or providing the improvements proposed by the District. Furthermore, the proposed District is an efficient method to maintain and manage the necessary infrastructure improvements within the proposed District without overburdening the County's government and its taxpayers.

41
42 **ECONOMICS AND FINANCING**

43
44 **24. Are you familiar with the Petition filed by Mattamy Jacksonville LLC.**

1 (“Petitioner”), to establish the District?
2

3 Yes, I have reviewed the petition and all of the attached exhibits. Specifically, I have
4 reviewed Petition Exhibit 8 which is the Statement of Estimated Regulatory Costs
5 (“SERC”), a requirement of Chapter 190, *Florida Statutes*.
6

7 **25. Based on your review of Petition Exhibit 8, are there any updates that need to be**
8 **made at this time?**
9

10 No updates are necessary at this time.
11

12 **26. What exactly is a SERC?**
13

14 It is a requirement under Section 120.541(2), *Florida Statutes*, which has been
15 incorporated into the law on establishment of CDDs.
16

17 **27. In general terms, please summarize the economic analyses presented in the SERC.**
18

19 An understanding of the SERC requires the recognition of the scope of review and
20 evaluation for the establishment of a CDD as set out in Chapter 190, *Florida Statutes*.
21 Section 190.002(2)(d), *Florida Statutes*, states “that the process of establishing such a
22 district pursuant to uniform general law [must] be fair and based only on factors material
23 to managing and financing the service-delivery function of the district, so that any matter
24 concerning permitting or planning of the development is not material or relevant.” Thus,
25 the scope of the economic analysis included in the SERC addresses only the
26 establishment of the District, and not the planning or development of the property itself.
27

28 The economic analysis sets out the assumptions about the development within the District
29 and the anticipated infrastructure to be provided by it. The analysis addresses each of the
30 potentially affected parties defined in the statute and evaluates the impact of the District
31 on each such group.
32

33 The District is a limited and highly specialized unit of local government. It is a special-
34 purpose unit of local government with a single objective: the provision and maintenance
35 of infrastructure and services for a planned new community. Its economic benefits
36 exceed its economic cost to Petitioner, the County, and to all subsequent purchasers and
37 landowners of the community - in short, to all affected parties.
38

39 Once the District is established, there are no direct costs to the County. While the
40 District will provide certain reports and budgets to the County for its discretionary
41 review, there are no requirements that it incur any obligations or expense associated with
42 its review. In addition, to the extent the District utilizes the services of the Property
43 Appraiser or Tax Collector under the provisions of Chapter 197, *Florida Statutes*, to
44 collect its assessments the District must pay the costs associated with those services.
45

1 It is important to note that under Chapter 190, *Florida Statutes*, the debt of the District
2 cannot become the debt of the County, or the State of Florida. Since the District will be
3 an independent unit of government and will issue its own bonds, the District will not have
4 any affect on the bonding capacity of the County or the State of Florida.
5

6 **28. Please describe briefly the data and methodology used in preparing the SERC and**
7 **related analyses.**

8
9 The data for the analysis came from the landowner, other experts working on the Petition,
10 and from the Petition itself. The methodology is standard economic impact assessment.
11

12 **29. As a financial advisor, do you have an opinion regarding the financial viability and**
13 **feasibility of the District?**

14
15 Yes, I do.
16

17 **30. What is that opinion?**

18
19 In my opinion, based on my experience with other CDDs, the District is expected to be
20 financially viable and feasible.
21

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

23
24 Yes it does.
25

BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA

IN RE: PETITION TO ESTABLISH)
 RIVERS EDGE III COMMUNITY)
 DEVELOPMENT DISTRICT)
_____)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF DUVAL

I, Ryan P. Stilwell, of Prosser, Inc., 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 Ryan P. Stilwell and my business address is 13901 Sutton Park Drive South, Suite 200, Jacksonville, Florida 32224.
3. The prepared written, pre-filed testimony consisting of nine (9) pages, submitted under my name to the St. Johns County Board of County Commissioners relating to the establishment of the Rivers Edge III 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 Rivers Edge III Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience, and qualifications related to professional engineering are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony generally addresses the nature of the services and facilities proposed and the applicable estimated improvement costs for the proposed Rivers Edge III Community Development District.

7. 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 24 day of January, 2020.



Ryan P. Stilwell

STATE OF FLORIDA)
COUNTY OF DUVAL)

Sworn to and subscribed before me by means of physical presence or online notarization, this 24 day of January, 2020, by Ryan P. Stilwell.



Name: Carrie L. Smith
Personally Known
OR Produced Identification
Type of Identification



1 **TESTIMONY OF RYAN P. STILWELL, P.E., FOR ESTABLISHMENT OF**
2 **RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT**
3

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

5
6 My name is Ryan P. Stilwell and my business address is 13901 Sutton Park Drive South,
7 Suite 200, Jacksonville, Florida 32224.
8

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

10
11 I am employed by Prosser, Inc. as Principal.
12

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

14
15 I have been a civil engineer/Principal at Prosser, Inc. since September 2002.
16

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

19
20 I attended Auburn University and graduated with a Bachelor's Degree in Civil
21 Engineering in 2002.
22

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

24
25 I am a licensed Professional Engineer in the State of Florida.
26

27 **6. Are you a member of any professional associations?**

28
29 Florida Engineering Society.
30

31 **7. Have you been involved in any developments of the type and nature contemplated**
32 **within the proposed Rivers Edge III Community Development District ("District")?**
33

34 Yes. I have been involved in several developments that contain similar necessary public
35 infrastructure facilities utilizing my expertise in the design, permitting, and construction
36 of similar systems.
37

38 **8. Please summarize your previous experience as it relates to public facility design,**
39 **construction and land development.**
40

41 I have been involved in and responsible for the design and construction of many land
42 development projects during the last 17 years. Almost every project has some type of
43 public facility improvement associated with it, such as roadway improvements or
44 extensions of sewer and water lines. In addition, I have been involved in several large
45 community development district projects and involved in the design and construction of

1 public facilities. This includes stormwater, roadways, sewer and water facilities,
2 recreational facilities and other public facilities.

3
4 **9. Are you familiar with the Petition to Establish Rivers Edge III Community**
5 **Development District (“Petition”) filed by Mattamy Jacksonville LLC**
6 **(“Petitioner”), on October 3, 2019, which was subsequently amended on November**
7 **13, 2019 and December 6, 2019, seeking the establishment of the proposed District?**

8
9 Yes, I have reviewed the Petition and the revised exhibits.

10
11 **10. Are you generally familiar with the geographical area, type, and scope of**
12 **development and the available services and facilities in the vicinity of the proposed**
13 **District?**

14
15 Yes, I am.

16
17 **11. Which documents did you prepare or have others prepare under your supervision?**

18
19 Exhibits 1, 2, 4, 5, 6 and 7.

20
21 **12. Do any of those exhibits require any change or correction?**

22
23 No.

24
25 **13. Are Exhibits 1, 2, 4, 5, 6 and 7 to the Petition true and correct?**

26
27 Yes, to the best of my knowledge.

28
29 **14. In general, what do Exhibits 1, 2, 4, 5, 6 and 7 to the Petition demonstrate?**

30
31 Exhibit 1 depicts the general location of the project.

32
33 Exhibit 2 is a metes and bounds description of the external boundary of the proposed
34 District.

35
36 Exhibit 4 is a map depicting the future general distribution, location and extent of public
37 and private land uses within the proposed District by the land use plan element.

38
39 Exhibit 5 is a map showing the existing and proposed major trunk water mains and sewer
40 connections serving the lands within and around the proposed District.

41
42 Exhibit 6 contains a list of the facilities and services the proposed District is expected to
43 finance, fund, construct, acquire and/or install, as well as the entity anticipated to be
44 responsible for the ownership and maintenance thereof.

1 Exhibit 7 identifies the estimated costs of constructing the infrastructure serving the land
2 within the proposed District.
3

4 **15. What capital facilities are presently expected to be financed, funded, constructed,**
5 **acquired, and/or installed by the District?**
6

7 Based on information provided by Petitioner and as more fully described in Petition
8 Exhibit 6, it is presently expected that the District will provide for the following facilities
9 and services: minor collector roadways, stormwater management, amenity facilities, and
10 parks.
11

12 **16. Based upon your training and experience as an engineer, do you have an opinion as**
13 **to whether the proposed District is of sufficient size, compactness, and sufficient**
14 **contiguity to be developed as a functional interrelated community?**
15

16 Yes, based on my experience, the proposed District is of sufficient size, compactness and
17 contiguity to be developed as one functional interrelated community.
18

19 **17. What is the basis for your opinion?**
20

21 For many reasons, the proposed District facilities can be provided in an efficient,
22 functional and integrated manner.
23

24 First, there are sufficient, significant infrastructure needs for the area within the proposed
25 District to allow development as a functionally interrelated community.
26

27 Second, the specific design of the community allows infrastructure to be provided in a
28 cost-effective manner. The land included within the proposed District area is contiguous,
29 which facilitates an efficient and effective planned development.
30

31 Third, the provision of services and facilities through the use of one development plan
32 provides a contiguous and homogenous method of providing services to lands throughout
33 the District.
34

35 **18. You said the proposed District is sufficiently compact and contiguous to be**
36 **developable as a functionally interrelated community. Would you please explain**
37 **what you mean when stating that the proposed District is of sufficient compactness?**
38

39 The District will encompass approximately 989.14 acres and will provide a range of
40 residential and residential-support land uses that require the necessary elements of
41 infrastructure, including a stormwater management system; roadway improvements;
42 water and sewer utility improvement; recreation improvements; and other improvements
43 described in the Petition. The proposed District will have sufficient overall residential
44 density to require all the above-mentioned necessary elements of infrastructure of a
45 comprehensive community. These facilities and services require adequate planning,

1 design, financing, construction, and maintenance to provide the community with
2 appropriate infrastructure. The preferred method of developing land, especially for
3 higher density residential uses, is for the development to be spatially compact. This
4 augments the District's ability to construct and maintain improvements, and provide
5 services, in a cost-effective manner.

6
7 **19. Can you provide an example of a service or facility and explain why a community**
8 **development district is a preferred alternative for long-term operation and**
9 **maintenance?**

10
11 Yes. A good example would be a stormwater management system. Both a community
12 development district and property owner's association ("POA") are permitted to operate
13 and maintain such systems under applicable St. Johns River Water Management District
14 ("SJRWMD") rules. However, SJRWMD rules generally require POA's to provide
15 significantly more information and documentation before the SJRWMD. This additional
16 information is required to ensure that the association has the financial, legal and
17 administrative capability to provide for long-term maintenance of the stormwater
18 management system. Such documentation generally must (1) indicate that the association
19 has the power to levy assessments; (2) mandate that the association will operate and
20 maintain such systems; and (3) provide that the association cannot be dissolved until
21 another entity is found to maintain the system.

22
23 In comparison, a community development district is a perpetual local government unit,
24 which by law has the requisite assessment authority, including the ability to collect such
25 assessments on the County tax roll. Thus, a community development district generally
26 must simply provide a letter to the SJRWMD stating that the community development
27 district will accept operation and maintenance responsibility. All things being equal, a
28 community development district is preferred over a POA for operation and maintenance
29 of a stormwater management system.

30
31 **20. Based on your experience, do you have an opinion as to whether the services and**
32 **facilities to be provided by the proposed District will be incompatible with the**
33 **capacities and uses of existing local and regional community facilities and services?**

34
35 Yes. It is my opinion that the proposed services and facilities of the proposed District
36 will not be incompatible with the capacity and uses of existing local or regional
37 community development services and facilities.

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

40
41 Currently, none of the planned infrastructure improvements that the proposed District
42 plans to provide exist on the subject property in a manner that is useful to the proposed
43 development. Each of the elements of infrastructure for the necessary services and
44 facilities will connect into the County's existing, surrounding systems according to

1 criteria, review and approval of the County; there will be no incompatibility issue.

- 2
3 **22. Based on your experience, do you have an opinion as to whether the area to be**
4 **included within the proposed District is amenable to being served by a separate**
5 **special district government?**

6
7 Yes. In my opinion, and to the best of my knowledge, the area identified in the petition is
8 amenable to being served by a separate special district government.

- 9
10 **23. What is the basis for your opinion?**

11
12 The proposed District is limited in purpose and the infrastructure improvements to be
13 provided by the proposed District are limited in scope. This infrastructure is expected to
14 directly benefit the development and may be adequately served by a special district
15 government. In addition, special district governance provides a mechanism whereby
16 long-term maintenance obligations can be satisfied by the persons primarily using the
17 facilities and services.

- 18
19 **24. In the course of your work in Florida, have you had an opportunity to work with the**
20 **State Comprehensive Plan found in Chapter 187, Florida Statutes?**

21
22 Yes, I have often referred to the State Comprehensive Plan in rendering consultation to
23 clients.

- 24
25 **25. In the course of your work in Florida, have you had an opportunity to review local**
26 **government comprehensive plans?**

27
28 Yes.

- 29
30 **26. What types of land development projects have you worked on that involved**
31 **analyzing consistency with the state and local comprehensive plans?**

32
33 On all multi-use projects, it is absolutely essential to check with state and local
34 comprehensive plans. When you develop a site plan, you have to determine what is
35 allowed. So yes, most of my large multi-use projects involved analyzing consistency.
36 The existing CDDs at RiverTown (Rivers Edge Community Development District and
37 Rivers Edge II Community Development District), Palencia (Marshall Creek Community
38 Development District), and World Commerce Community Development District serve as
39 examples.

- 40
41 **27. Do you have an opinion, as someone experienced in planning, as to whether the**
42 **establishment of the proposed District is inconsistent with any applicable element or**
43 **portion of the state comprehensive plan?**

44
45 Yes.

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28. What is that opinion?

It is my opinion that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan.

29. What is the basis for that opinion?

I have reviewed, from a planning perspective, applicable portions of the State Comprehensive Plan that relate to the establishment of a community development district.

The State of Florida Comprehensive Plan (Chapter 187, F.S.) "provides long-range policy guidance for the orderly social, economic, and physical growth of the state." The State Plan sets forth 25 subjects, goals, and numerous policies. Two subjects are particularly relevant, from a planning perspective, to the establishment of the District: No. 15- Land Use and No. 25- Plan Implementation.

30. What is Subject 15 and why is it relevant?

Subject 15 recognizes the importance of locating development in areas that have the fiscal abilities and service capacity to accommodate growth. It is relevant because community development districts are designed to provide infrastructure services and facilities in a fiscally responsible manner to the areas that can accommodate development. The proposed District is not inconsistent with this goal because the District will have the fiscal capability to provide the specified services and facilities in this growth area. Additionally, under this subject, Policy 1 is relevant.

31. What is Policy 1 and what is its relevance?

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

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

This subject calls for systematic planning capabilities to be integrated into all levels of government throughout the state, with particular emphasis on improving inter-governmental coordination and maximizing citizen involvement. The proposed District will be able to finance and construct (and in some cases operate and maintain) the contemplated infrastructure improvements as authorized under Chapter 190, F.S., subject to and not inconsistent with the local government comprehensive plan and land development regulations. Citizen involvement is maximized since District Board

1 meetings are publicly advertised, open to the public and all District property owners and
2 residents can be involved in the provision of the improvements. Additionally,
3 establishment of the District will enhance governmental coordination since Section
4 189.08, F.S., requires the District to file public facilities reports with the County, and to
5 annually update such reports to the extent there are any changes, which reports and
6 updates the County may rely upon in any revisions to its local comprehensive plan.
7

8 **33. Are there any relevant policies under this subject of the State Comprehensive Plan?**
9

10 Yes, Policies 2, 3, 6 and 8. Policy 2 seeks to ensure that every level of government has
11 the appropriate operational authority to implement the policy directive established in the
12 plan. Chapter 190, F.S., provides the District with its necessary operational authority. In
13 fact, Section 190.002(1), F.S., identifies community development districts as a means to
14 deliver the basic community services and capital infrastructure called for by the Growth
15 Management Act without overburdening other local governments and their taxpayers.
16 The establishment of the District to provide the infrastructure systems and facilities for
17 the acreage to be included within the District in a manner which does not burden the
18 general body of taxpayers in the County is directly in furtherance of this policy.
19

20 Policy 3 provides for establishing effective monitoring, incentive, and enforcement
21 capabilities to see that the requirements established by regulatory programs are met.
22 Section 189.08(2), F.S., requires all independent special districts to submit public
23 facilities reports, including annual updates as to changes. This facilitates an effective
24 monitoring program of the District by the County. Sections 190.002(2)(c) and
25 190.004(3), F.S., dictate the legislative policy that all community development districts
26 comply with all government laws, rules and regulations applicable to community
27 development. Therefore, establishment of the District is not inconsistent, and in fact is in
28 furtherance, of this policy.
29

30 Policy 6 encourages citizen participation at all levels of policy development, planning
31 and operations. The District holds its meetings in the sunshine pursuant to Chapter 286,
32 F.S. This process encourages citizen participation in, and ultimately citizen control of, the
33 activities of the District.
34

35 Policy 8 encourages continual cooperation among communities to bring the private and
36 public sectors together for establishing an orderly, environmentally, and economically
37 sound plan for future needs and growth. The District will be a vehicle to enhance
38 cooperation in the provision of infrastructure between the private sector and the County.
39

40 **34. Are there any other subjects within the State Comprehensive Plan which are**
41 **relevant?**
42

43 Two additional subject areas applicable to establishment of a community development
44 district include Subject 9 - Natural Systems and Recreational Lands, and Subject 17 -
45 Public Facilities. The applicable policies of Subject 9 relate to expanding state and local

1 efforts to provide activity-based recreational opportunities to urban areas which can be
2 accomplished with the funding assistance of the District. The applicable goal and
3 policies of Subject 17 relate to: (i) protecting investments in existing public facilities; (ii)
4 providing financing for new facilities; (iii) allocating the costs of new public facilities on
5 the basis of the benefits received by future residents; (iv) implementing innovative but
6 fiscally sound techniques for financing public facilities; and (v) identifying and using
7 stable revenue sources for financing public facilities. The establishment of the District
8 will further these State Comprehensive Plan Goals and Policies.
9

10 **35. Do you have an opinion as to whether the District will be inconsistent with any**
11 **portion or element of the St. Johns County Comprehensive Plan, adopted pursuant**
12 **to Chapter 163, Florida Statutes?**
13

14 Yes, I do.
15

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

18 It is my opinion that the District will not be inconsistent with any applicable element or
19 portion of the St. Johns County Comprehensive Plan.
20

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

23 The following elements of the St. Johns County Comprehensive Plan generally relate to
24 and are consistent with the establishment of and exercise of the powers by the proposed
25 District.
26

27 Land Use Element – One stated goal of this element explains that the
28 Comprehensive Plan “shall protect and enhance the quality of life in this
29 community by providing economically sound educational, employment, cultural,
30 recreational, commercial, industrial and professional opportunities to its citizens
31 while channeling inevitable growth into locations and activities that protect the
32 natural and aesthetic environments and residential neighborhoods.” The District
33 can provide the desired services and facilities to this area in accordance with this
34 goal.
35

36 Intergovernmental Coordination Element - One stated goal of this element is to
37 “promote maximum local government effectiveness, efficiency, and
38 coordination through the identification and provision of mechanisms for
39 resolving incompatible or conflicting statements within the local government
40 comprehensive plan, and with the plans of other governmental entities.” The
41 District will continue to be a vital link in this coordination process as a provider
42 and maintainer of community infrastructure, whose activities are coordinated
43 with and are not inconsistent with plans and activities of related public and
44 private agencies.

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Capital Improvement Element – The goal of this element is to “use sound fiscal policies to provide adequate public facilities concurrent with, or prior to development in order to achieve and maintain adopted standards for levels of services, and to exceed the adopted standards, when possible.” The proposed District will provide high quality public facilities consistent with this goal.

Furthermore, since Chapter 190, *Florida Statutes*, prohibits any community development district from acting in a way inconsistent with the local government's comprehensive plan, the exercising of any power must be done with the comprehensive plan in mind. Any construction activities of the District will require County permitting review under established procedures. Thus, the use of those powers granted to the District does not make it inconsistent with the St. Johns County Comprehensive Plan.

It is my opinion, therefore, that with respect to the establishment of the proposed District, the proposed District will not be inconsistent with any applicable element or portion of the St. Johns County Comprehensive Plan.

38. Does this conclude your testimony?

Yes, it does.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

RIVERS EDGE III CDD
475 WEST TOWN PLACE, SUITE 114

SAINT AUGUSTINE, FL 32092

ACCT: 48211
AD# 0003252687-01

PO#

PUBLISHED EVERY MORNING SUNDAY THROUGH SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared MELISSA RIIINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA Legal Retail in the matter of EST. RIVERS EDGE III was published in said newspaper on 02/04/2020, 02/11/2020, 02/18/2020, 02/25/2020.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this _____ day of FEB 25 2020

by Melissa Riiinehart who is personally known to me or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)



NOTICE OF PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING THE RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT

DATE: March 3, 2020

TIME: 9:00 a.m.

LOCATION: County Auditorium, County Administration Building
500 San Sebastian View
St. Augustine, Florida

Notice is hereby given that the Board of County Commissioners of St. Johns County, Florida ("Board"), will consider the enactment of one County Ordinance granting a petition to establish a community development district to be known as the "Rivers Edge III Community Development District" ("District"). The proposed Ordinance title is as follows:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE RIVERS EDGE III COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON COUNTY OBLIGATIONS AND ACCEPTANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The petitioner has proposed to establish the District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may be authorized by such District under Florida law, including Chapter 190, Florida Statutes. If adopted, the ordinance will establish the District, name its initial Board of Supervisors, describe its functions and powers, and designate the land to be serviced by the District. Specifically, the Board will consider the six factors listed in §190.005(1)(a), Florida Statutes. This hearing will afford the affected units of general-purpose local government and the general public a fair and adequate opportunity to appear and present oral and written comments regarding the proposed establishment of the District. The specific legal authority for the establishment of the District is set forth in §190.005, Florida Statutes.

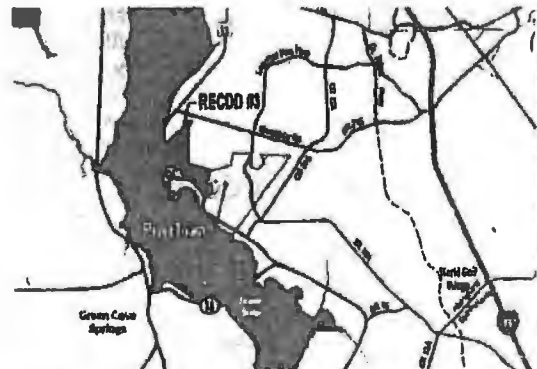
The proposed District is located in unincorporated St. Johns County, Florida, and is generally located south of Greenbriar Road, north and east of State Road 13, and west of the Rivers Edge CDD, and is anticipated to comprise approximately 969.14 acres. The proposed boundaries of the District are outlined in the map depicted in this notice.

Copies of this notice, the proposed Ordinance, the petition for establishment, and associated documentation are on file in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida 32084 and may be inspected by interested parties prior to said public hearing. All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

This matter may be subject to court-imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners on this topic, except in compliance with Resolution 95-128, to properly noticed public hearings or to written communication, in care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING-IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, please call the Florida Relay Service (1 800 365 8770), no later than five (5) days prior to the meeting.

BOARD OF COUNTY COMMISSIONERS
JES@. SMITH, CHAIR
ST. JOHNS COUNTY, FLORIDA
File No.: CDD 2019000001
Rivers Edge III CDD



0003252887 February 4, 11, 18, 25, 2020

STATE OF FLORIDA DEPARTMENT OF STATE

I, LAUREL M. LEE, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of St. Johns County Ordinance No. 2020-7, which was filed in this office on March 5, 2020, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
9th day of March, A.D., 2020.



Laurel M. Lee
Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2" x 11" document.