FIDDLER’S CREEK
COMMUNITY DEVELOPMENT
DISTRICT #2
REGULAR MEETING AGENDA
February 27, 2019
February 20, 2019

Board of Supervisors
Fiddler’s Creek Community Development District #2

Dear Board Members:

The Board of Supervisors of the Fiddler’s Creek Community Development District #2 will hold a Regular Meeting on February 27, 2019 at 10:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: Non-Agenda Items
3. Special Counsel Update
4. Health, Safety and Environment Report
5. Developer’s Report/Update
7. Update: Drainage Easements and Encroachments at 3126 and 3130 Aviamar Circle
   • Discussion: Possible Vacation of Certain Drainage Easements Dedicated on Plat of Fiddler’s Creek Phase 5, Aviamar, Unit One
9. Acceptance of Unaudited Financial Statements as of January 31, 2019
10. Consideration of Minutes
    A. January 23, 2019 Regular Meeting
    B. January 24, 2019 Continued Meeting
11. Staff Reports
    A. District Counsel: Woodward, Pires and Lombardo, P.A.
B. District Manager: Wrathell, Hunt and Associates, LLC
   • NEXT MEETING DATE: March 27, 2019 at 10:00 A.M.
C. Operations Manager: Wrathell, Hunt and Associates, LLC

12. Supervisors’ Requests

13. Adjournment

Should you have any questions, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,

Chesley E. Adams, Jr.
District Manager
DATE: February 19, 2019

TO: Board of Supervisors, Fiddler's Creek Community Development District #2 (FCCDD#2)

RE: Possible Vacation of certain Drainage Easements dedicated on the Plat of Fiddler's Creek Phase 5, Aviamar, Unit One

At a recent meeting of the Board of Supervisors, discussion ensued concerning the encroachment of various improvements such as air conditioning units, generators and pool equipment into drainage easements dedicated to FCCDD#2 “with responsibility for maintenance” and to Collier County “without responsibility for maintenance”, on and over Lots 1 and 2 of the plat of the Aviamar Plat. The issue was brought to the attention of the Board as a result of the Board being informed that a generator had been installed at 3216 Aviamar Circle within the drainage easement dedicated to FCCDD#2 and to Collier County on and over Lots 1 and 2 of the Aviamar Plat. The generator was installed without the prior knowledge or consent of the FCCDD#2. The owners of 3216 Aviamar Circle removed the generator and pad after receiving correspondence from FCCDD#2 requiring removal. (see Exhibit “B”)

In the meantime, as part of the process to accurately determine the location of the generator, FCCDD#2 ordered a survey to be performed. As part of the survey, a field inspection was performed to determine the location of any FCCDD#2 stormwater (drainage) pipes, or structures within the drainage easements dedicated to FCCDD#2 on Lots 1 and 2 of the Aviamar Plat.

The site and field inspection revealed that there are no FCCDD#2 stormwater (drainage) pipes, or structures within the drainage easements dedicated to FCCDD#2 on Lots 1 and 2 of the Aviamar Plat.
However, the site and field inspection did reveal that a large drainage pipe is located on Tract “E” of the Aviamar Plat. Tract “E” is dedicated to FCCDD#2 as open space and as a “L.M.E.”, lake maintenance easement. The FCCDD#2 Engineer advised the Board that as there are no FCCDD#2 stormwater (drainage) pipes, or structures within the drainage easements on Lots 1 and 2 and there is a large drainage pipe located on Tract “E” of the Aviamar Plat, once FCCDD#2 had a drainage easement over Tract “E” or owned Tract “E” in fee simple, FCCDD#2 would no longer have a need for the drainage easements on Lots 1 and 2.

As the drainage easements on and over Lots 1 and 2 were dedicated to both FCCDD#2 and to Collier County, they can only be vacated in full by action of the FCCDD#2 and the Board of County Commissioners of Collier County. Even if the FCCDD#2 were to execute a document purporting to vacate and release its drainage easements, the drainage easements in favor of Collier County would still encumber Lots 1 and 2.

The Collier County process requires the submittal and processing of an “Application For Vacating” (see Exhibit “C”) and the Collier County process is outlined in the application form and in Collier County Resolution 2006-160, as amended by Collier County Resolution 2013-166 (see Exhibit “D”).

In addition to the cost/expense associated with retaining necessary professionals to prepare and process the vacation application and generate/retrieve the necessary documents, the applicant must pay to Collier County an application fee of $2,000.00 and a Legal Advertising Fee of up to $1,000.00, as outlined on the “Application For Vacating”.

This Memorandum is to be included in the Meeting Book for the next meeting of the Board of Supervisors that starts at 10:00 a.m. on Wednesday, February 27, 2019 and if the Rocks are in attendance at that meeting they will have the ability to address the Board at that time.
DEDICATIONS AND RESERVATIONS

STATE OF FLORIDA
COUNTY OF COLLIER

KNOW ALL MEN BY THESE PRESENTS THAT DY LAND ASSOCIATES, LTD, THE OWNER OF THE HEREON DESCRIBED LANDS, HAVE CAUSED THIS PLAT ENTITLED FIDDLER'S CREEK PHASE 5, AVAMAR, UNIY ONE, A SUBDIVISION LOCATED IN SECTION 13, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, TO BE MADE AND DOES HEREBY:

A. DEDICATE TO COLLIER COUNTY:
1. ALL DRAINAGE EASEMENTS (D.E.) WITHOUT RESPONSIBILITY FOR MAINTENANCE.
2. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) WITHOUT RESPONSIBILITY FOR MAINTENANCE.

B. DEDICATE TO COLLIER COUNTY WATER-SEWER DISTRICT:
1. ALL COLLIER COUNTY WATER-SEWER UTILITY EASEMENTS (C.U.E.) AS SHOWN, FOR THE PURPOSE OF INSTALLING, MAINTAINING, AND OPERATING ITS FACILITIES. THE COLLIER COUNTY WATER-SEWER DISTRICT, NO RESPONSIBILITY AS TO THE REPLACEMENT OR REPAIR OF LANDSCAPE PLANT MATERIAL, SOD IRRIGATION AND THE LIKE DAMAGED BY THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND/OR OPERATION OF ITS FACILITIES.
2. ALL WATER AND SEWER UTILITY FACILITIES CONSTRUCTED WITHIN SAID DEDICATED EASEMENTS, UPON IMPROVEMENTS REQUIRED BY THE APPLICABLE LAND DEVELOPMENT REGULATIONS.

C. DEDICATE TO COLLIER COUNTY, ITS FRANCHISEES AND THE EAST NAPLES FIRE AND RESCUE DISTRICT:

D. DEDICATE TO FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT 2:
1. TRACT "A" SANDPIPER DRIVE, CLUB CENTER BOULEVARD AND CLEAR MARSH CIRCLE AS DISTRICT RD. RIGHTS-OF-WAY (R.O.W.) SUBJECT TO THE EASEMENTS DEPICTED HERON WITH RESPONSIBILITY FOR MAINTENANCE.
3. TRACTS "B", "C", "D", AND "E" AS OPEN SPACE FOR LANDSCAPING PURPOSES SUBJECT TO THE EASEMENTS DEPICTED HERON WITH RESPONSIBILITY FOR MAINTENANCE.
4. TRACTS "L-65-E", "L-85-A", "L-84-A", AND "L-84-B" AS LAKES FOR DRAINAGE AND STORMWATER MANAGEMENT PURPOSES SUBJECT TO THE EASEMENTS DEPICTED HERON WITH RESPONSIBILITY FOR MAINTENANCE.
5. ALL DRAINAGE EASEMENTS (D.E.) AS DEPICTED HERON WITH RESPONSIBILITY FOR MAINTENANCE.
6. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AS DEPICTED HERON WITH RESPONSIBILITY FOR MAINTENANCE.
January 4, 2019

David and Kathleen Rock
3126 Aviamar Circle
Naples, Florida 34114

Certified Mail Return Receipt Requested
Tracking No: 7014 1820 0001 3402 4229

Re: Encroachment of Concrete Pad and Generator into a Drainage Easement of the Fiddler’s Creek Community Development District #2 (the “District”); Lot 2, Fiddler’s Creek Phase 5, Aviamar Unit One.

Dear Mr. and Mrs. Rock:

Enclosed please find a copy of the correspondence sent on January 2, 2019 by certified mail to your residence at 37 W600 Yorklane, Elgin, Illinois 60124 and sent to West Cost Generators, LLC c/o Jeff Rymer, 230 10th Avenue, Naples, Florida 34120.

Please govern yourselves accordingly as to the timely removal of the encroaching generator, as outlined in the attached correspondence.

Sincerely,

[Signature]

Anthony P. Pires, Jr., Esq.

APP/lg

Enclosure(s)

Cc: w/ enclosures: Chuck Adams; Terry Cole; E. Miller
West Coast Generators, LLC; Timothy Crotts; Wayne Hendrix; Jack McKenna
January 2, 2019

David and Kathleen Rock
37 W600 Yorklane
Elgin, Illinois 60124

Re: Encroachment of Concrete Pad and Generator into a Drainage Easement of the Fiddler’s Creek Community Development District #2 (the "District"); Lot 2, Fiddler’s Creek Phase 5, Aviamar Unit One.

Dear Mr. and Mrs. Rock:

This law firm represents the Fiddler’s Creek Community Development District #2 (the "District"). It has come to the attention of the District that a concrete pad and generator have been constructed within a drainage easement dedicated to the District. The drainage easement at issue is located on Lot 2, Fiddler’s Creek Phase 5, Aviamar Unit One, and is depicted on the attached excerpt from the plat of Fiddler’s Creek Phase 5, Aviamar Unit One (Exhibit "A") and the "Survey Plat" submitted by West Coast Generators, LLC to Collier County (Exhibit "B"). West Coast Generators LLC is well aware that the generator is located within the District’s drainage easement as evidenced by the above noted Survey Plat and two (2) letters sent by Collier County, one on November 15, 2018 and one sent on November 20, 2018. (Exhibit “C”).

The District did not and does not approve or authorize the placement or construction of the concrete pad or generator into the District’s drainage easement. The concrete pad and generator interfere with the District’s rights as the holder of the drainage easement.

The District requires the immediate removal of the encroaching concrete pad and generator. If the encroachment into the District’s drainage easement by the encroaching concrete pad and generator are not removed within fifteen (15) days from the date of your receipt of this letter, the District will have no alternative but to utilize all available legal remedies to effect the removal of the encroaching concrete pad and generator. The District will also avail itself of all legal remedies to recover all of its costs and fees, including engineering and attorney’s fees, incurred in obtaining the removal of this encroachment. Please govern yourself accordingly.

Sincerely,

[Signature]

APP/fg
Enclosure(s)

Cc: w/ enclosures: Chuck Adams; Terry Cole; E. Miller
West Coast Generators, LLC; Timothy Crotts; Wayne Hendrix; Jack McKenna
FIDDLER'S CREEK PHASE 5
AVIAMAR, UNIT ONE

A SUBDIVISION LOCATED IN
SECTION 13, TOWNSHIP 51 SOUTH, RANGE 26 EAST
COLLIER COUNTY, FLORIDA

PLAT BOOK 45 PAGES 30-36
SHEET 5 OF 6
D. DEDICATE TO FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT 2:

1. TRACT "A" SANDPIPER DRIVE, CLUB CENTER BOULEVARD, AND CLEAR MARSH CIRCLE AS DISTRICT ROAD RIGHTS-OF-WAY (R.O.W.) SUBJECT TO THE EASEMENTS DEPICTED HEREON WITH RESPONSIBILITY FOR MAINTENANCE.


3. TRACTS "B", "C", "D", AND "E" AS OPEN SPACE FOR LANDSCAPING PURPOSES SUBJECT TO THE EASEMENTS DEPICTED HEREON WITH RESPONSIBILITY FOR MAINTENANCE.

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5. ALL DRAINAGE EASEMENTS (D.E.) AS DEPICTED HEREON WITH RESPONSIBILITY FOR MAINTENANCE.

6. ALL LAKE MAINTENANCE EASEMENTS (L.M.E.) AS DEPICTED HEREON WITH RESPONSIBILITY FOR MAINTENANCE.

E. DEDICATE TO ALL LICENSED OR FRANCHISED PUBLIC OR PRIVATE UTILITIES:

1. A NON-EXCLUSIVE PUBLIC UTILITY EASEMENT (P.U.E.) TO ALL LICENSED OR FRANCHISED PUBLIC OR PRIVATE UTILITIES AS SHOWN ON THIS PLAT FOR PUBLIC UTILITY PURPOSES, INCLUDING CONSTRUCTION, INSTALLATION, MAINTENANCE, AND
Genset is above BFE
Genset is 5' from any opening
Genset is 18'' from home
Home has Co detectors

281k BTU
Gen

3/4 2nd stage Nat gas reg. with shut off valve and flex connection into generator

3/4" galv pipe with a 10' run

gas meter

House

Garage
Outstanding Corrections

Date: November 15, 2018

Contact Name: West Coast Generators, LLC
Address: 230 10th Ave. NE
City, State Zip: Naples, FL 34120

Dear Applicant:

Plans submitted with the referenced permit have been reviewed. We are unable to approve your permit application for the reason(s) indicated below.

Corrections will need to be submitted through the GMD Portal at http://cvportal.colliergov.net/CityViewWeb. For Electronic submissions, outstanding documents must be submitted online. You will need to click on the "Submittal" button near the bottom of the page to upload to each submittal requirement. For questions regarding permit corrections re-submittal procedures, please call 239-252-2428.

For Applications Submitted through the GMD E-Permitting Portal:

- Review the corrections below to identify each document you will need to submit.
- All corrections must be clouded.
- Corrected documents must be submitted as complete files (with the corrected sheets replacing the rejected sheets). Submittals containing just the corrected sheets will be returned as Insufficient. Each complete file should be uploaded as a "New Version" of the previously submitted checklist item.
- Only use the "Miscellaneous Documents" checklist item when your correction comments below request a new/not previously submitted document.
- Submit a Letter of Response summarizing the changes made to address each correction comment below.

JOB DESCRIPTION: Install 1 automatic transfer switch and connect to a standby generator that is mounted to an monolithic concrete pad.
3126 Aviamar CIR

Rejected Review: Zoning Review
Reviewed By: Lisa Blacklidge
Phone: 239-252-2758 Email: LisaBlacklidge@colliergov.net

Correction Comment 1: Calculations from property line are not correct. Distance to property line does not take into account width of generator. Please revise.

Correction Comment 2: Proposed generator is located within a Drainage Easement. Please provide letter from entity that has maintenance responsibility of the easement, specifically authorizing the proposed improvements.

ATTENTION:
Collier County Plan Review and Inspections routinely reviews all outstanding permit applications in order to determine their status. The review process includes appropriate responses from the permit applicant when the permit cannot be approved. When the applicant is advised of deficiencies and does not respond within 180 days with corrected plans or an appeal to the Code Enforcement Board, the permit application will become Void as per Collier County Ordinance 2002-01, Section, 104.5.1.1 to 104.5.1.4 (as amended).
Outstanding Corrections

Date: November 20, 2018

Contact Name: West Coast Generators, LLC
Address: 230 10th Ave. NE
City, State Zip: Naples, FL 34120

PERMIT NO: PREL2018106078801
APPLICATION NO: PREL20181060789
JOB SITE ADDRESS: 3126 Aviamar CIR

Email: rymeradmin@me.com

Dear Applicant:

Plans submitted with the referenced permit have been reviewed. We are unable to approve your permit application for the reason(s) indicated below.

Corrections will need to be submitted through the GMD Portal at http://cvportal.colliergov.net/CityViewWeb. For Electronic submissions, outstanding documents must be submitted online. You will need to click on the “Submittals” button near the bottom of the page to upload to each submittal requirement. For questions regarding permit corrections re-submittal procedures, please call 239-252-2428.

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Reviewed By: Lisa Blackledge
Phone: 239-252-2758 Email: LisaBlackledge@colliergov.net

Correction Comment 2: Proposed generator is located within a Drainage Easement. Please provide letter from entity that has maintenance responsibility of the easement, specifically authorizing the proposed improvements.

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January 2, 2019

West Coast Generators, LLC  
c/o Jeff Rymer  
230 10th Avenue  
Naples, Florida 34120

Via Email and Certified Mail  
jeff@westcoastgenerators.com  
Tracking No: 7014 1820 0001 3402 4236

Re: Encroachment of Concrete Pad and Generator into a Drainage Easement of the Fiddler's Creek Community Development District #2 (the "District"); Lot 2, Fiddler's Creek Phase 5, Aviamar Unit One.

Dear Mr. Rymer:

This law firm represents the Fiddler's Creek Community Development District #2 (the "District"). It has come to the attention of the District that a concrete pad and generator have been constructed within a drainage easement dedicated to the District. The drainage easement at issue is located on Lot 2, Fiddler's Creek Phase 5, Aviamar Unit One, and is depicted on the attached excerpt from the plat of Fiddler's Creek Phase 5, Aviamar Unit One (Exhibit "A") and the "Survey Plat" submitted by West Coast Generators, LLC to Collier County (Exhibit "B"). West Coast Generators LLC is well aware that the generator is located within the District's drainage easement as evidenced by the above noted Survey Plat and two (2) letters sent by Collier County, one on November 15, 2018 and one sent on November 20, 2018. (Exhibit “C”).

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The District requires the immediate removal of the encroaching concrete pad and generator. If the encroachment into the District's drainage easement by the encroaching concrete pad and generator are not removed within fifteen (15) days from the date of your receipt of this letter, the District will have no alternative but to utilize all available legal remedies to effect the removal of the encroaching concrete pad and generator. The District will also avail itself of all legal remedies to recover all of its costs and fees, including engineering and attorney's fees, incurred in obtaining the removal of this encroachment. Please govern yourself accordingly.

Sincerely,

[Signature]

Anthony P. Pires, Jr., Esq.

APP/lg  
Enclosure(s)

Cc: w/ enclosures: Chuck Adams; Terry Cole; E. Miller  
David and Kathleen Rock; Timothy Crotts; Wayne Hendrix; Jack McKenna
APPLICATION FOR VACATING

Florida State Statutes Sections 336.09, 336.10, 177.101, 125.01, and 125.37; Ordinance No. 01-57; Resolution 2013-166; and Applicable sections of the Collier County Land Development Code

☐ AVROW - Vacation of Road Right-of-Way Road Name: ________________________________

☐ AVPLAT - Vacation of Plats or portions of plats of subdivided land

Plat Book: ___________________________ Page(s): ___________________________

☐ AVESMT - The extinguishment of public dedicated easements recorded by separate instrument in the public records (other than on a subdivision plat), platted or unplatted land, except for public roads.

Official Record Book: ___________________________ Page(s): ___________________________

PETITION NO (PL)
PROJECT NAME
DATE PROCESSED

For Staff Use

APPLICANT CONTACT INFORMATION

Property Owner: ___________________________

Address: ___________________________ City: ___________ State: _______ ZIP: ___________

Telephone: ___________ Cell: ___________ Fax: ___________

E-Mail Address: ___________________________

Name of Agent: ___________________________

Firm: ___________________________

Address: ___________________________ City: ___________ State: _______ ZIP: ___________

Telephone: ___________ Cell: ___________ Fax: ___________

E-Mail Address: ___________________________
PROPERTY INFORMATION

Reason for Request: __________________________________________________________

Address of Subject Property: ________________________________________________

Legal Description: __________________________________________________________

Section: ____ Township: _____ Range: ______

Current Zoning: ______________________ Will this affect density? __________________

NOTE:
1) If applicant is a land trust, indicate the name of beneficiaries.
2) If applicant is a corporation other than a public corporation, indicate the name of the officers and major stockholders.
3) If applicant is a partnership, limited partnership or other business entity, indicate the name of the principals.
4) List all other owners.
This completed checklist is to be submitted with the application packet in the exact order listed below, with cover sheets attached to each section. Incomplete submittals will not be accepted.

For further explanation regarding the requirements for the Vacating Application, and the below checklist, refer to Resolution 2013-166.

<table>
<thead>
<tr>
<th>REQUIREMENTS FOR REVIEW</th>
<th># OF COPIES</th>
<th>REQUIRED</th>
<th>NOT REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed Application (download current form from County website)</td>
<td>1</td>
<td>□</td>
<td></td>
</tr>
<tr>
<td>Addressing Checklist signed by Addressing Department</td>
<td>1</td>
<td>□</td>
<td></td>
</tr>
<tr>
<td>CD of complete application and all submittal documents in PDF format</td>
<td>1</td>
<td>□</td>
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</tr>
<tr>
<td>Fee Simple Deed</td>
<td>1</td>
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<tr>
<td>Statement explaining the general public benefit received from the proposed vacation</td>
<td>1</td>
<td>□</td>
<td></td>
</tr>
<tr>
<td>Certificate showing all State and County taxes have been paid for subject parcel</td>
<td>1</td>
<td>□</td>
<td></td>
</tr>
<tr>
<td>Assessment map depicting area of proposed vacation</td>
<td>1</td>
<td>□</td>
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<tr>
<td>List of abutting and other property owners within 250 feet of the proposed vacation</td>
<td>1</td>
<td>□</td>
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<tr>
<td>Site Plan on 8 ½ in. x 11 in. paper</td>
<td>1</td>
<td>□</td>
<td></td>
</tr>
<tr>
<td>Legal Description, signed and sealed, of what is to be vacated on 8 ½ in. x 11 in. paper and labeled (in bold: “Exhibit A”)</td>
<td>3</td>
<td>□</td>
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<tr>
<td>Signed and sealed sketch of the legal description</td>
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<tr>
<td>Copy of the recorded subdivision plat, if applicable</td>
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<tr>
<td>Letter Authorizing representation, if the applicant isn’t the owner</td>
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<tr>
<td>Affidavit of Authorization, signed and sealed</td>
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<tr>
<td>Replacement easement documentation, if applicable</td>
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<tr>
<td>If replacement easement is required by Collier County, provide current attorney’s Title Opinion or ownership &amp; encumbrance report by a title company</td>
<td>1</td>
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<tr>
<td>A copy of document that granted, conveyed or dedicated the right-of-way to the county or public, for Vacation of Easement only</td>
<td>1</td>
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<tr>
<td>Copy of document which granted, conveyed or dedicated the right-of-way to the county or public, for Vacation of Right-of-Way only</td>
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<tr>
<td>Letters of No Objection, from each of the following, as applicable: (addresses may not be current)</td>
<td></td>
<td>□</td>
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<tr>
<td>Electric Company- Florida Power and Light Naples Service Center, 1220 5th Ave North, Naples, FL 34102. (239) 262-1322</td>
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</tr>
<tr>
<td>Telephone Company- Century Link, Florida: ATTN: Jigs Silang, 3530 Kraft Road, Naples, FL 34105. (239) 263-6234</td>
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</tr>
<tr>
<td>Collier County Sheriff's Office: ATTN: Sheriff Kevin Rambosk, 3301 East Tamiami Trail, Naples, FL 34112. (239) 774-4434.</td>
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<tr>
<td>Golden Gate and East Naples Fire Control and Rescue: ATTN: Kingman Schuldt, 14575 Collier Blvd. Naples, FL 34119. (239) 348-7540</td>
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<tr>
<td>North Naples Fire and Rescue: ATTN: Orly Stolts, 1885 Veterans Park Drive, Naples, FL 34109. (239) 597-9227</td>
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<td>Cable Television- Time Warner: ATTN: Don Roberts, 1418 SE 10th Street, Cape Coral, FL 33990. (239) 574-2020</td>
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<td>Cable Television- Comcast: ATTN: Mark Cook, 26100 West Links Drive, Ste 4, Fort Myers, FL 33913. (239) 432-1805.</td>
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<tr>
<td>Adjacent Property Owners</td>
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</tr>
<tr>
<td>Homeowners Association</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>
FEE REQUIREMENTS

☐ Application Fee: $2,000.00
☐ Estimated Legal Advertising Fee (to be paid by the applicant in addition to the application fees at the time of submittal)
  ○ AVROW: $700.00
  ○ AVPLAT: $1000.00
  ○ AVESMT: $1000.00

All checks payable to: Board of County Commissioners

The completed application, all required submittal materials, and fees shall be submitted to:
Growth Management Department/Development Review Division
ATTN: Business Center
2800 North Horseshoe Drive
Naples, FL 34104

_____________________________    ________________
Applicant/Agent Signature       Date
AFFIDAVIT OF AUTHORIZATION

FOR PETITION NUMBERS(S) __________________________

I, __________________________ (print name), as __________________________ (title, if applicable) of __________________________ (company, If applicable), swear or affirm under oath, that I am the (choose one) owner __ applicant__ contract purchaser__ and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Collier County to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application; and that
4. The property will be transferred, conveyed, sold or subdivided subject to the conditions and restrictions imposed by the approved action.
5. We/I authorize __________________________ to act as our/my representative in any matters regarding this petition including 1 through 2 above.

*Notes:
• If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
• If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
• If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
• If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
• If the applicant is a trust, then they must include the trustee's name and the words "as trustee."
• In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

______________________________   __________________________
Signature                      Date

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was sworn to (or affirmed) and subscribed before me on ____________ (date) by ____________ (name of person providing oath or affirmation), as __________________________ who is personally known to me or who has produced ____________ (type of identification) as identification.

STAMP/SEAL

______________________________
Signature of Notary Public
RESOLUTION 2006-160

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, SUPERSEDDING AND REPLACING RESOLUTION 1998-465 IN ORDER TO AMEND THE POLICIES AND PROCEDURES FOR: 1) THE CLOSING AND VACATION OF ROAD RIGHTS-OF-WAY; 2) THE VACATION AND ANNULMENT OF PLATS OR PORTIONS OF PLATS OF SUBDIVIDED LAND; AND 3) THE EXTINGUISHMENT OF PUBLIC EASEMENTS CONVEYED BY SEPARATE INSTRUMENT RECORDED IN THE PUBLIC RECORDS (CONVEYANCES OTHER THAN ON A SUBDIVISION PLAT) ON PLATTED OR UNPLATTED LAND, EXCEPT FOR PUBLIC ROADS.

WHEREAS, the Board of County Commissioners of Collier County, Florida (Board), pursuant to Sections 125.01, 125.37, 177.101, 336.09 and 336.10, Florida Statutes, Collier County Ordinance No. 2001-57, and the Collier County Land Development Code is authorized to grant or deny vacations and annulments of plats of subdivided land, road rights-of-way, alleyways, and public dedicated easements conveyed by separate instrument recorded in the public records; and

WHEREAS, the Board, on November 17, 1998, adopted Resolution 1998-465 which amended the policies and procedures previously established for the above; and

WHEREAS, the Board desires to further amend the policies and procedures for: 1) closing and vacation of road rights-of-way; 2) vacation and annulment of plats or portions of plats of subdivided land; and 3) extinguishment of public easements conveyed by separate instrument records in the public records (conveyances other than on a subdivision plat) on platted or unplatted land, except for public roads.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

1. This Resolution supersedes and replaces Resolution 1998-465.
2. The policies and procedures for the closing and vacation of road rights-of-way are amended and set forth in Attachment "A", incorporated herein and made part of this Resolution.
3. The policies and procedures for the vacation and annulment of plats or portions of plats of subdivided land are amended and set forth in Attachment "B" incorporated herein and made part of this Resolution.
4. The policies and procedures for the extinguishment of public easements conveyed by separate instrument records in the public records (conveyances other than on a subdivision plat) on platted or unplatted land, except for public roads, are amended and set forth in Attachment "C", incorporated herein and made a part of the Resolution.

BE IT ALSO RESOLVED, that the Clerk be directed to record this Resolution in the Public Records of Collier County, Florida.
THIS RESOLUTION ADOPTED after motion, second, and majority vote favoring same this 25th day of July, 2006.

ATTEST:
DWIGHT E. BROCK, Clerk

FRANK HALAS, Chairman

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

Deputy Clerk

Approved as to form and legal sufficiency:

Jeffrey A. Kastrow
Assistant County Attorney
A. **AUTHORITY:** Sections 336.09 and 336.10, Florida Statutes.

B. **POLICY:** When a request is in the interest of the general public welfare or where no public detriment is established and when said request does not invade or violate individual property rights and otherwise qualifies under Section 336.09, Florida Statutes, the Board of County Commissioners (BCC) may:

1. Vacate, abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof, other than a state or federal highway, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith.

2. Renounce and disclaim any right of the County and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes, other than lands acquired for state and federal highways.

3. Renounce and disclaim any right of the County and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road, highway or other place used for vehicular travel.

C. **PROCEDURE:**

1. A petition for the vacation of road right-of-way is to be submitted to Planning Services on the form attached. The petition must be accompanied by a filing fee of one thousand dollars ($1,000).

2. An application for the vacation of road right-of-way is to be completed along with the listed items needed for review and to be submitted to Community Development and Environmental Services. It must be accompanied by a non-refundable application fee (refer to Community Development and Environmental Services current fee schedule for the applicable fee).

2. The petitioner must also provide:

   a) Evidence to show that the petitioner owns the fee simple title to the whole or that part of the parcel sought to be vacated (FEE SIMPLE DEED). If petitioner is not the owner of the fee simple title, petitioner shall provide a statement demonstrating the
reason for the request including any property or financial interest or projects affected by a granting of such request.

b) A statement explaining the general public benefit received from the proposed vacation.

c) A copy of the document which granted, conveyed or dedicated the right-of-way to the County or the public.

d) Certificate(s) showing all State and County taxes have been paid for the subject parcel. Required if petitioner is the owner, or petitioner is the agent of owner, of the fee simple title to the whole or part of the parcel sought to be vacated. (Available from the Collier County Tax Collector's Office, Building C-1, at the Government Center).

e) Assessment Map depicting area of proposed vacation. (Available from the Collier County Property Appraiser's Office, Building C-2, at the Government Center).

f) List of abutting and other property owners within 250 feet of the proposed vacation to include:

   (1) Name
   (2) Address
   (3) Zip Code
   (4) Parcel Number


gh) Site Plan - the site plan must be on 8 ½" X 11" paper and show all data pertinent to the proposed vacation, which shall include at least the following:

   (1) Date of drawing
   (2) Scale
   (3) North arrow
   (4) Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed and/or existing structures, and any proposed landscaping.
   (5) Location of proposed vacation and, if applicable, proposed dedication.

h) Legal description of what is to be vacated submitted on 8 ½" X 11" paper as Exhibit "A". This legal description is to be accompanied by a sketch of the legal description. Both the legal description and sketch are to be signed and sealed by a Florida Professional Surveyor and Mapper and have a "Prepared by" block listing the name and address of the Florida Professional Surveyor and Mapper.

i) When applicable, a copy of the recorded subdivision plat. (Available from the Clerk of Court Recording Department on the 4th Floor of Building F at the Government Center).

j) "Letters of No Objection" from all pertinent utility companies or authorized users of the easement and/or dedicated public area as determined by Community Development and Environmental Services Administrator or his designee. Such letters may include but shall not be limited to the following:

   (1) Collier County Utilities
The letter sent to the utility companies and authorized users requesting a “Letter of No Objection” shall contain the statement “I have no objection to the proposed vacation” at the bottom of the letter with a signature block directly below it.

Upon submitting the petition for approval, Community Development and Environmental Services will distribute the package to the following areas for their approval or objection.

1) Collier County Utilities/PUED
2) Collier County Engineering Services - Subdivision Review
3) Collier County Engineering Services - Stormwater Review
4) Collier County Transportation Division

If the petitioner is unable to get the pertinent “approvals” or Letters of No Objections from the listed above then the application is deemed denied.

k) If a replacement easement is required by Collier County, the following shall be submitted:

1) Legal description and sketch of what is to be dedicated, signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Professional Surveyor and Mapper.
2) Attorney's title opinion or Ownership & Encumbrance Report by a title company (current).
3) Executed conveyance document.
4) Executed subordination documents.

3. Planning Services will review the petition application for completeness and compliance with the Resolution. Planning Services will prepare an appropriate executive summary and resolution and transmit both documents to the office of the County Attorney's Office for approval.

3. Community Development and Environmental Services will review the application for completeness and compliance with this Resolution. Community Development and Environmental Services will prepare an appropriate executive summary and resolution and transmit both documents to the office of the County Attorney for approval.

If approved as to form and legal sufficiency by the County attorney, the petition will be filed with the Clerk to the Board with a request for a time and date for a public hearing. The petition may be placed on the BCC agenda to establish a time and date for a public hearing by Resolution pursuant to Section 336.09, Florida Statutes.
4. Once the time and date of the public hearing are established, the Clerk to the Board shall publish legal notice of the hearing one time in a newspaper of general circulation at least two weeks prior to the date stated therein for such hearing.

5. The petitioner and all property owners within 250 feet (and others as may be required by Planning Services Community Development and Environmental Services) of the requested vacation parcel shall be given notice by the Clerk to the Board; stating time, place and date of public hearing, by regular mail. If the number of property owners within two hundred fifty feet (250') exceeds twenty (20), petitioner shall incur an additional postage and handling charge of fifty cents ($0.50) per additional property owner.

6. In the event that the petitioner for the property in question does not represent himself at the public hearing(s), he must provide a signed letter or other appropriate documentation which authorizes another specific person to represent him.

7. The Board of County Commissioners shall then hold a public hearing and any approved resolution by such governing body shall have the effect of vacating all requested streets and alleys which have not become highways necessary for use by the traveling public.

8. Notice of the adoption of such a resolution by the Commissioners shall be published by the Clerk to the Board one time, within 30 days following its adoption, in one issue of a newspaper of general circulation published in the County. The proof of publication of notice of public hearing, a certified copy of the resolution, and the proof of publication of the notice of the adoption of such resolution shall be recorded by the Clerk to the Board in the Public Records of the County.

9. The processing of this petition shall coincide, where applicable, with the processing of such other platting or land use change applications proposed for the same property with regard to submissions of applications, staff reviews, reviews by advisory bodies, or the Board of County Commissioners, so that the decision on such vacation shall occur at the same meeting at which time the reuse application is reviewed by the Board of County Commissioners.

10. Once the application is accepted for review it will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 90 days of the date on which the comments were sent to the applicant with a one time extension of an additional 90 days upon written notification. If a response is not received within this time, the application for request review will be considered withdrawn. Further review of the project will require a new application subject to the then current code.
A. **AUTHORITY:** Section 177.101 Florida Statutes, and Collier County Ordinance No. 97-17-01-57 and the Collier County Land Development Code.

B. **POLICY:** Requests may be granted as long as the public benefit is established or no public detriment is determined and whenever as stated in Section 177.101, Florida Statutes: When a request is in the interest of the general public welfare or no public detriment is established and the request does not invade or violate individual property rights and otherwise qualifies under Section 336.09, Florida Statutes, the Board of County Commissioners (BCC) may adopt resolutions vacating plats in whole or in part of subdivisions in said counties, returning the property covered by such plats either in whole or in part into acreage.

C. **PROCEDURE:**

1. A petition for the vacation and annulment of plats or portions of plats of subdivided land is to be submitted to Planning Services on the form attached. The petition must be accompanied by a filing fee of one thousand dollars ($1,000).

2. To petition for the vacation and annulment of plats or portions of plats of subdivided land an application is to be completed along with the listed items needed for review. The application must be submitted to Community Development and Environmental Services, accompanied by a non-refundable application fee (refer to Community Development and Environmental Services current fee schedule for the applicable fee).

2. The petitioner must also provide:

   a) Evidence to show that the petitioner owns the fee simple title to the whole or that part of the parcel sought to be vacated (FEE SIMPLE DEED).

   b) A statement explaining the general public benefit received from the proposed vacation.

   c) Certificate showing all State and County taxes have been paid for the subject parcel. (Available from the Collier County Tax Collector's Office, Building C-1, in the Government Center).
d) Assessment Map. (Available from the Collier County Property Appraiser’s Office, Building C-2, in the Government Center).

e) List of abutting and other property owners within 250 feet of the proposed vacation to include:

   (1) Name
   (2) Address
   (3) Zip Code
   (4) Parcel Number

f) Site Plan - the site plan must be on 8 ½" X 11" paper with an adequate scale showing all data pertinent to the proposed vacation, which shall include at least the following:

   (1) Date of drawing
   (2) Scale
   (3) North arrow
   (4) Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed and/or existing structures, and any proposed landscaping.
   (5) Location of proposed vacation and, if applicable, proposed dedication.

g) Legal description of what is to be vacated submitted on 8 ½" X 11" paper as Exhibit "A" to the petition. This legal description is to be accompanied by a sketch of the legal description. Both the legal description and sketch are to be signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Florida Professional Surveyor and Mapper.

h) A copy of the recorded subdivision plat. (Available from the Clerk of Court Recording Department on the 4th Floor of Building F at the Government Center).

i) “Letters of No Objection” from all pertinent utility companies or authorized users of the easement and/or dedicated public area as determined by Community Development and Environmental Services Administrator or his designee. Such letters may include but shall not be limited to the following:

   (1) Collier County Utilities
   (2) Collier County Engineering Review Services
   (3) Collier County Transportation Department
   (4) Collier County Water Management
   (5) Electric Company
   (6) Telephone Company
   (7) Cable Television Company
   (8) Collier County Sheriff’s Office
   (9) Homeowner’s Association
   (10) Rescue and Fire Control District
   (11) Adjacent property owners
The letter sent to the utility companies and authorized users requesting a "Letter of No Objection" shall contain the statement "I have no objection to the proposed vacation" at the bottom of the letter with a signature block directly below it.

Upon submitting the petition for approval Community Development Services will distribute the package to the following areas for their approval or objection.

1) Collier County Utilities/PUED
2) Collier County Engineering Services – Subdivision Review
3) Collier County Engineering Services – Stormwater Review
4) Collier County Transportation Division

If the petitioner is unable to get the pertinent "approvals" or Letters of No Objections from the listed above then the application is deemed denied.

j) If a replacement easement is required by Collier County, the following shall be submitted:

(1) Legal description and sketch of what is to be dedicated signed and sealed by a Florida Professional Surveyor and Mapper and have a "Prepared by" block listing the name and address of the Professional Surveyor and Mapper.
(2) Attorney’s title opinion or Ownership & encumbrance Report by a title company (current).
(3) Executed conveyance document.
(4) Executed subordination documents.

3. Planning Services will review the petition application for completeness and compliance with the Resolution. Planning Services will prepare an appropriate executive summary and resolution and transmit both documents to the County Attorney’s Office for approval. After approval, the petition will be filed with the Clerk to the Board with a request for a time and date for an agenda item.

3. Community Development and Environmental Services will review the application for completeness and compliance with this Resolution. Community Development and Environmental Services will prepare an appropriate executive summary and resolution and transmit both documents to the office of the County Attorney for approval.

If approved as to form and legal sufficiency by the County attorney, the petition will be filed with the Clerk to the Board with a request for a time and date for a public hearing. The petition shall be placed on the BCC agenda to establish a time and date for a public hearing by Resolution pursuant to Section 336.09, Florida Statutes.

4. Once the time and date of the agenda item are established, the Clerk to the Board shall publish legal notice of the hearing in not less than two weekly issues of a newspaper of general circulation in the County.

5. The petitioner and all property owners within 250 feet (and others as may be required by Planning Services Community Development and Environmental Services) of the requested vacation parcel shall be given notice by the Clerk to the Board; stating time, place and date of the agenda item, by regular mail. If the number of property owners within two hundred fifty feet (250') exceeds twenty (20), petitioner shall incur an additional postage and handling charge of fifty cents ($0.50) per additional property
owner. If the County receives an objection or anticipates an objection to the vacation request, then the agenda item shall be scheduled under advertised public hearings in the BCC Agenda.

6. In the event that the owner for the property in question does not represent himself at the BCC meeting, he must provide a signed letter or other appropriate documentation which authorizes another specific person to represent him.

7. The County Commission may adopt a resolution vacating plats in whole or in part of subdivisions in the County, returning the property covered by such plats either in whole or part into acreage.

8. A certified copy of any approved resolution shall be recorded in the public records of Collier County.

9. The processing of this petition shall coincide, where applicable, with the processing of such other platting or land use change applications proposed for the same property with regard to submissions of applications, staff reviews, reviews by advisory bodies, or the Board of County Commissioners, so that the decision on such vacation shall occur at the same meeting at which time the reuse application is reviewed by the Board of County Commissioners.

10. Once the application is accepted for review it will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 90 days of the date on which the comments were sent to the applicant with a one time extension of an additional 90 days upon written notification. If a response is not received within this time, the application for request review will be considered withdrawn. Further review of the project will require a new application subject to the then current code.
POLICY AND PROCEDURE FOR THE EXTINGUISHMENT OF PUBLIC EASEMENTS CONVEYED BY SEPARATE INSTRUMENT RECORDED IN THE PUBLIC RECORDS (CONVEYANCES OTHER THAN ON A SUBDIVISION PLAT) ON PLATTED OR UNPLATTED LAND, EXCEPT FOR PUBLIC ROADS.

A. AUTHORITY: Sections 125.01 and 125.37, Florida Statutes.

B. POLICY: Requests will be granted as long as the public benefit is established or no public detriment is established. The Board of County Commissioners may:

1. Extinguish, vacate, abandon, discontinue, and close any easements, or any portion thereof, granted to the County or public by any instrument recorded in the public records of Collier County and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; when such interest is granted to the County or public by any instrument recorded in the public records other than on a subdivision plat.

2. Quitclaim, renounce, and disclaim any right of the County and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for drainage, utilities, access, maintenance, preservation, or conservation or other public purposes; when such interest is granted to the County or public by any instrument recorded in the public records of Collier County other than on a subdivision plat.

C. PROCEDURE:

1. A petition for the extinguishment of County dedicated easement on unplatted land or platted land is to be submitted to Planning Services on the form attached. The petition must be accompanied by a filing fee of one thousand dollars ($1,000).

1. To petition for the extinguishment of County dedicated easement on unplatted land or platted land a application is to be completed along with the listed items needed for review be submitted to Community Development and Environmental Services and it must be accompanied by a non refundable application fee (refer to Community Development and Environmental Services current fee schedule for the applicable fee).

2. The petitioner must also provide:
a) Evidence to show that the petitioner owns the fee simple title to the whole or that part of the parcel on which a public dedicated easement is sought to be extinguished (FEE SIMPLE DEED).

b) A statement explaining the general public benefit received from the proposed vacation.

c) A copy of the document which granted, conveyed or dedicated the easement interest to the County or the public.

d) Certificate(s) showing all State and County taxes have been paid for the subject parcel. (Available from the Collier County Tax Collector’s Office, Building C-1, in the Government Center).

e) Assessment Map. (Available from the Collier County Property Appraiser’s Office, Building C-2, in the Government Center).

f) Site Plan - the site plan must be on 8 ½” X 11” paper with an adequate scale showing all data pertinent to the proposed extinguishment, which shall include at least the following:

1. Date of drawing
2. Scale
3. North arrow
4. Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed and/or existing structures, and any proposed landscaping.
5. Location of proposed extinguishment and, if applicable, proposed dedication.

f) Legal description of what is to be extinguished submitted on 8 ½” X 11” paper as Exhibit “A”. This legal description is to be accompanied by a sketch of the legal description. Both the legal description and sketch are to be signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Florida Professional Surveyor and Mapper.

h) “Letters of No Objection” from all pertinent utility companies or authorized users of the easement and/or dedicated public area as determined by Community Development and Environmental Services Administrator or his designee. Such letters may include but shall not be limited to the following:

1. Collier County Utilities
2. Collier County Engineering Review Services
3. Collier County Transportation Department
4. Collier County Water Management
5. Electric Company
6. Telephone Company
7. Cable Television Company
8. Collier County Sheriff’s Office
9. Homeowner’s Association
10. Rescue and Fire Control District
11. Adjacent property owners
The letter sent to the utility companies and authorized users requesting a "Letter of No Objection" shall contain the statement "I have no objection to the proposed vacation" at the bottom of the letter with a signature block directly below it.

Upon submitting the petition for approval Community Development Services will distribute the package to the following areas for their approval or objection:

Collier County Utilities/PUED
Collier County Engineering Services – Subdivision Review
Collier County Engineering Services – Stormwater Review
Collier County Transportation Division

If the petitioner is unable to get the pertinent "approvals" or Letters of No Objections from the listed above then the application is deemed denied.

i) To the extent applicable, where the petitioner desires to exchange his/her interest with that interest dedicated to the County, the requirements and procedures of §125.37, Florida Statutes, and the Collier County Utilities Standards and Procedures Ordinance No. 97-17 shall be utilized as practicable and legally required. The following shall be submitted:

1. Legal description and sketch of what is to be dedicated signed and sealed by a Florida Professional Surveyor and Mapper and have a "Prepared by" block listing the name and address of the Florida Professional Surveyor and Mapper.
2. Attorney's Title Opinion or Ownership & Encumbrance Report (current).
3. Executed conveyance document.
4. Executed subordination documents.

3. Planning Services will review the petition application for completeness and compliance with the Resolution. Planning Services will prepare an appropriate executive summary and resolution and transmit both documents to the County Attorney's Office for approval. After approval, the petition will be filed with the Clerk to the Board with a request for a time and date for an agenda item.

3. Community Development and Environmental Services will review the application for completeness and compliance with this Resolution. Community Development and Environmental Services will prepare an appropriate executive summary and resolution and transmit both documents to the office of the County Attorney for approval.

If approved as to form and legal sufficiency by the County attorney, the petition will be filed with the Clerk to the Board with a request for a time and date for a public hearing. The petition may be placed on the BCC agenda to establish a time and date for a public hearing by Resolution pursuant to Section 336.09, Florida Statutes.

4. In the event that the owner of the property in question does not represent himself at the BCC meeting, he must provide a signed letter or appropriate documentation which authorizes another specific person to represent him.

5. The processing of this petition shall coincide, where applicable, with the processing of such other platting or land use change applications proposed for the same property with regard to submissions of applications, staff reviews, reviews by advisory bodies, or the Board of County Commissioners, so that the decision on such extinguishment shall
occurs at the same meeting at which time the re-use application is reviewed by the Board of County Commissioners.

6. Once the application is accepted for review it will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 90 days of the date on which the comments were sent to the applicant with a one time extension of an additional 90 days upon written notification. If a response is not received within this time, the application for request review will be considered withdrawn. Further review of the project will require a new application subject to the then current code.
RESOLUTION 2013-166

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING RESOLUTION 2006-160 IN ORDER TO AMEND THE POLICIES AND PROCEDURES FOR: 1) THE CLOSING AND VACATION OF ROAD RIGHTS-OF-WAY; 2) THE VACATION AND ANNULMENT OF PLATS OR PORTIONS OF PLATS OF SUBDIVIDED LAND; AND 3) THE EXTINGUISHMENT OF PUBLIC EASEMENTS CONVEYED BY SEPARATE INSTRUMENT RECORDED IN THE PUBLIC RECORDS (CONVEYANCES OTHER THAN ON A SUBDIVISION PLAT) ON PLATTED OR UNPLATTED LAND, EXCEPT FOR PUBLIC ROADS.

WHEREAS, the Board of County Commissioners of Collier County, Florida (Board), pursuant to Sections 125.01, 125.37, 177.101, 336.09 and 336.10, Florida Statutes, Collier County Ordinance No. 2001-57, and the Collier County Land Development Code is authorized to grant or deny vacations and annulments of plats of subdivided land, road rights-of-way, alleyways, and public dedicated easements conveyed by separate instrument recorded in the public records; and

WHEREAS, the Board, on July 25, 2006 adopted Resolution 2006-160 which superseded and replaced Resolution 1998-465, establishing the policies and procedures previously established for the above; and

WHEREAS, the Board desires to further amend the policies and procedures for: 1) closing and vacation of road rights-of-way; 2) vacation and annulment of plats or portions of plats of subdivided land; and 3) extinguishment of public easements conveyed by separate instrument records in the public records (conveyances other than on a subdivision plat) on platted or unplatted land, except for public roads.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

1. This Resolution amends Resolution No. 2006-160 as set forth in the following Attachments.
2. The policies and procedures for the closing and vacation of road rights-of-way are amended and set forth in Attachment “A”, incorporated herein and made part of this Resolution.

3. The policies and procedures for the vacation and annulment of plats or portions of plats of subdivided land are amended and set forth in Attachment “B” incorporated herein and made part of this Resolution.

4. The policies and procedures for the extinguishment of public easements conveyed by separate instrument records in the public records (conveyances other than on a subdivision plat) on platted or unplatted land, except for public roads, are amended and set forth in Attachment “C”, incorporated herein and made a part of the Resolution.

BE IT ALSO RESOLVED, that the Clerk be directed to record this Resolution in the Public Records of Collier County, Florida.

THIS RESOLUTION ADOPTED after motion, second, and majority vote favoring same this 10th day of September, 2013.

ATTEST:

DWIGHT E. BROCK, Clerk

By: [Signature]

Deputy Clerk

Attest as to Chairman’s signature only.

APPROVED AS TO FORM AND LEGALITY:

Emily R. Pepin
Assistant County Attorney

BOARDS OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: [Signature]

Georgina A. Hiller, Esq., Chairwoman
POLICY AND PROCEDURE ON THE CLOSING AND VACATION OF ROAD RIGHT-OF-WAY

A. AUTHORITY: Sections 336.09 and 336.10, Florida Statutes.

B. POLICY: When a request is in the interest of the general public welfare or where no public detriment is established and when said request does not invade or violate individual property rights and otherwise qualifies under Section 336.09, Florida Statutes, the Board of County Commissioners (BCC) may:

1. Vacate, abandon, discontinue and close any existing public or private street, alleyway, road, highway, or other place used for travel, or any portion thereof, other than a state or federal highway, and to renounce and disclaim any right of the County and the public in and to any land in connection therewith.

2. Renounce and disclaim any right of the County and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for street, alleyway, road or highway purposes, other than lands acquired for state and federal highways.

3. Renounce and disclaim any right of the County and the public in and to land, other than land constituting, or acquired for, a state or federal highway, delineated on any recorded map or plat as a street, alleyway, road, highway or other place used for vehicular travel.

C. PROCEDURE:

1. An application for the vacation of road right-of-way is to be completed along with the listed items needed for review and to be submitted to Community Development and Environmental Services - Growth Management / Planning and Regulation, Engineering Services Section. It must be accompanied by a non-refundable application fee (refer to Community Development and Environmental Services - Growth Management / Planning and Regulation current fee schedule for the applicable fee).

2. The petitioner must also provide:
   a) Evidence to show that the petitioner owns the fee simple title to the whole or that part of the parcel sought to be vacated (FEE SIMPLE DEED). If petitioner is not the owner of the fee simple title, petitioner shall provide a statement demonstrating the reason for the request including any property or financial interest or projects affected by a granting of such request.
   b) A statement explaining the general public benefit received from the proposed vacation.

Attachment “A”
June 2013
c) A copy of the document which granted, conveyed or dedicated the right-of-way to the County or the public.

d) Certificate(s) showing all State and County taxes have been paid for the subject parcel if petitioner is the owner or the agent of owner of the fee simple title to the whole or part of the parcel sought to be vacated. (Available from the Collier County Tax Collector’s Office, Building C-1, at the Government Center).

e) Assessment Map depicting area of proposed vacation. (Available from the Collier County Property Appraiser’s Office, Building C-2, at the Government Center Radio Road).

f) List of abutting and other property owners within 250 feet of the proposed vacation to include:

(1) Name
(2) Address
(3) Zip Code
(4) Parcel Number

g) Site Plan - the site plan must be on 8 ½” X 11” paper and show all data pertinent to the proposed vacation, which shall include at least the following:

(1) Date of drawing
(2) Scale
(3) North arrow
(4) Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed and/or existing structures, and any proposed landscaping.
(5) Location of proposed vacation and, if applicable, proposed dedication.

h) Legal description of what is to be vacated submitted on 8 ½” X 11” paper labeled in bold capital letters as EXHIBIT Exhibit “A”. This legal description is to be accompanied by a sketch of the legal description. Both the legal description and sketch are to be signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Florida Professional Surveyor and Mapper.

i) When applicable, a copy of the recorded subdivision plat. (Available from the Clerk of Court Recording Department on the 4th Floor of Building F at the Government Center 2ND Floor of the Collier County Courthouse).

j) “Letters of No Objection” from all pertinent utility companies or authorized users of the easement and/or dedicated public area as determined by Community Development and Environmental Services Growth Management / Planning and Regulation Administrator or his designee. Such letters may include but shall not be limited to the following:

(1) Electric Company
(2) Telephone Company
(3) Cable Television Company
(4) Collier County Sheriff’s Office
(5) Homeowner’s Association
(6) Rescue and Fire Control District
(7) Adjacent property owners
The letter sent to the utility companies and authorized users requesting a “Letter of No Objection” shall contain the statement “I have no objection to the proposed vacation” at the bottom of the letter with a signature block directly below it.

Upon submitting the petition for approval Community Development Engineering Services will distribute the package to the following areas for their approval or objection.

(1) Collier County Utilities/PUED
(2) Collier County Engineering Services – Subdivision Review
(3) Collier County Engineering Services – Stormwater Review
(4) Collier County Transportation Department

If the petitioner is unable to get the pertinent “approvals” or Letters of No Objections from the listed above then the application is deemed denied.

k) If a replacement easement is required by Collier County, the reviewing parties are under no obligation to accept the offered alternative. If a Petition to Vacate is premised on the grant of a replacement easement, the Board will not take action on the Petition until the instrument necessary to grant the alternative real property interest has been accepted in form and content by all reviewing parties and the County Attorney’s Office, it is properly executed by the granting or conveying entity, and delivered to the County Attorney’s Office to be held in trust pending the Board’s consideration of the requested vacation. If a replacement easement is required by Collier County, the following shall be submitted:

(1) Legal description and sketch of what is to be dedicated, signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Professional Surveyor and Mapper.
(2) Attorney’s title opinion or Ownership & Encumbrance Report by a title company (current).
(3) Executed conveyance document.
(4) Executed subordination documents.

3. Community Development and Environmental Engineering Services will review the petition application for completeness and compliance with this Resolution. Community Development and Environmental Engineering Services will prepare an appropriate executive summary and resolution and transmit both documents to the County Attorney’s Office for approval.

If approved as to form and legality-sufficiency by the County Attorney, the petition will be filed with the Clerk to the Board with a request for a time and date for a public hearing. The petition may be placed on the BCC agenda to establish a time and date for a public hearing by Resolution pursuant to Section 336.09, Florida Statutes.

4. Once the time and date of the public hearing are established, the Clerk to the Board shall publish legal notice of the hearing one time in a newspaper of general circulation at least two weeks prior to the date stated therein for such hearing.

5. The petitioner and all property owners within 250 feet (and others as may be required by Community Development and Environmental Engineering Services of the requested vacation parcel shall be given notice by the Clerk to the Board; stating time, place and date of public hearing, by regular mail. If the number of property owners within two hundred fifty feet (250’) exceeds twenty (20), petitioner shall incur an additional postage and handling charge of fifty cents ($0.50) per additional property owner.
6. In the event that the petitioner for the property in question does not represent himself at the public hearing(s), he must provide a signed letter or other appropriate documentation which authorizes another specific person to represent him.

7. The Board of County Commissioners shall then hold a public hearing and any approved resolution by such governing body shall have the effect of vacating all requested streets and alleys which have not become highways necessary for use by the traveling public.

8. Notice of the adoption of such a resolution by the Commissioners shall be published by the Clerk to the Board one time, within 30 days following its adoption, in one issue of a newspaper of general circulation published in the County. The proof of publication of notice of public hearing, a certified copy of the resolution, and the proof of publication of the notice of the adoption of such resolution shall be recorded by the Clerk to the Board in the Public Records of the County.

9. The processing of this petition shall coincide, where applicable, with the processing of such other platting or land use change applications proposed for the same property with regard to submissions of applications, staff reviews, reviews by advisory bodies, or the Board of County Commissioners, so that the decision on such vacation shall occur at the same meeting at which time the reuse application is reviewed by the Board of County Commissioners.

10. Once the application is accepted for review it will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 90 days of the date on which the comments were sent to the applicant with a one time extension of an additional 90 days upon written notification. If a response is not received within this time, the application for request review will be considered withdrawn. Further review of the project will require a new application subject to the then current code.
POLICY AND PROCEDURE FOR THE VACATION AND ANNULMENT OF PLATS OR PORTIONS OF PLATS OF SUBDIVIDED LAND

A. AUTHORITY: Section 177.101 Florida Statutes, and Collier County Ordinance No. 01-57 and the Collier County Land Development Code.

B. POLICY: When a request is in the interest of the general public welfare or no public detriment is established and the request does not invade or violate individual property rights or otherwise qualifies under Section 336.09, Florida Statutes, the Board of County Commissioners may adopt resolutions vacating plats in whole or in part of subdivisions in said counties, returning the property covered by such plats either in whole or in part into acreage.

C. PROCEDURE:

1. To petition for the vacation and annulment of plats or portions of plats of subdivided land, an application is to be completed along with the listed items needed for review. The application must be submitted to Community Development and Environmental Engineering Services, accompanied by a non-refundable application fee (refer to Community Development and Environmental Service Growth Management/Planning and Regulation current fee schedule for the applicable fee).

2. The petitioner must also provide:

   a) Evidence to show that the petitioner owns the fee simple title to the whole or that part of the parcel sought to be vacated (FEE SIMPLE DEED).

   b) A statement explaining the general public benefit received from the proposed vacation.

   c) Certificate showing all State and County taxes have been paid for the subject parcel. (Available from the Collier County Tax Collector’s Office, Building C-1, in the Government Center).

   d) Assessment Map. (Available from the Collier County Property Appraiser’s Office, Building C-2, in the Government Center Radio Road).

   e) List of abutting and other property owners within 250 feet of the proposed vacation to include:

      (1) Name
      (2) Address
      (3) Zip Code
      (4) Parcel Number
f) Site Plan - the site plan must be on 8 ½” X 11” paper with an adequate scale showing all data pertinent to the proposed vacation, which shall include at least the following:

(1) Date of drawing  
(2) Scale  
(3) North arrow  
(4) Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed and/or existing structures, and any proposed landscaping.  
(5) Location of proposed vacation and, if applicable, proposed dedication.

g) Legal description of what is to be vacated submitted on 8 ½” X 11” paper labeled in bold capital letters as EXHIBIT A to the petition. This legal description is to be accompanied by a sketch of the legal description. Both the legal description and sketch are to be signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Florida Professional Surveyor and Mapper.

h) A copy of the recorded subdivision plat. (Available from the Clerk of Court Recording Department on the 4th Floor of Building F at the Government Center 2nd Floor of the Collier County Courthouse).

e) “Letters of No Objection” from all pertinent utility companies or authorized users of the easement and/or dedicated public area. Such letters may include but shall not be limited to the following:

(1) Electric Company  
(2) Telephone Company  
(3) Cable Television Company  
(4) Collier County Sheriff’s Office  
(5) Homeowner’s Association  
(6) Rescue and Fire Control District  
(7) Adjacent property owners

The letter sent to the utility companies and authorized users requesting a “Letter of No Objection” shall contain the statement “I have no objection to the proposed vacation” at the bottom of the letter with a signature block directly below it.

Upon submitting the petition for approval Community Development Engineering Services will distribute the package to the following areas for their approval or objection.

(1) Collier County Utilities/PUED  
(2) Collier County Engineering Services – Subdivision Review  
(3) Collier County Engineering Services – Stormwater Review  
(4) Collier County Transportation Department

If the petitioner is unable to get the pertinent “approvals” or Letters of No Objections from the listed above then the application is “null and void”

f) If a replacement easement is required by Collier County, the reviewing parties are under no obligation to accept the offered alternative. If a Petition to Vacate is premised on the grant of a replacement easement, the Board will not take action on the Petition until the instrument necessary to grant the alternative real property interest has been accepted in form and content by all reviewing parties and the County Attorney’s Office, it is properly executed by the granting or conveying
entity and delivered to the County Attorney’s Office to be held in trust pending the Board’s consideration of the requested vacation. If a replacement easement is required by Collier County, the following shall be submitted:

(1) Legal description and sketch of what is to be dedicated signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Professional Surveyor and Mapper.
(2) Attorney’s title opinion or Ownership & encumbrance Report by a title company (current).
(3) Executed conveyance document.
(4) Executed subordination documents.

3. Community Development and Environmental Engineering Services will review the petition for completeness and compliance with this Resolution. Community Development and Environmental Engineering Services will prepare an appropriate executive summary and resolution and transmit both documents to the County Attorney’s Office for approval.

If approved as to form and legality-sufficiency by the County Attorney, the petition will be filed with the Clerk to the Board with a request for a time and date for a public hearing. The petition shall be placed on the BCC agenda to establish a time and date for a public hearing by Resolution pursuant to Section 336.09, Florida Statutes.

4. Once the time and date of the agenda item are established, the Clerk to the Board shall publish legal notice of the hearing in not less than two weekly issues of a newspaper of general circulation in the County, pursuant to Section 177.101, Fla. Stat.

5. The petitioner and all property owners within 250 feet (and others as may be required by Community Development and Environmental Engineering Services of the requested vacation parcel shall be given notice by the Clerk to the Board; stating time, place and date of the agenda item, by regular mail. If the number of property owners within two hundred fifty feet (250’) exceeds twenty (20), petitioner shall incur an additional postage and handling charge of fifty cents ($.50) per additional property owner. If the County receives an objection or anticipates an objection to the vacation request, then the agenda item shall be scheduled under advertised public hearings in the BCC Agenda.

6. In the event that the owner for the property in question does not represent himself at the BCC meeting, he must provide a signed letter or other appropriate documentation which authorizes another specific person to represent him.

7. The County Commission may adopt a resolution vacating plats in whole or in part of subdivisions in the County, returning the property covered by such plats either in whole or part into acreage.

8. A certified copy of any approved resolution shall be recorded in the public records of Collier County.

9. The processing of this petition shall coincide, where applicable, with the processing of such other platting or land use change applications proposed for the same property with regard to submissions of applications, staff reviews, reviews by advisory bodies, or the Board of County Commissioners, so that the decision on such vacation shall occur at the same meeting at which time the reuse application is reviewed by the Board of County Commissioners.

10. Once the application is accepted for review it will remain under review so long as a resubmittal in response to a county reviewer’s comments is received within 90 days of the date on which the comments were sent to the applicant with a one time extension of an additional 90 days upon written notification. If a response is not received within this time, the application for request review will be considered

Attachment “B”
June 2013
withdrawn and cancelled. Further review of the project will require a new application subject to the then current code.
POLICY AND PROCEDURE FOR THE EXTINGUISHMENT OF
PUBLIC EASEMENTS CONVEYED BY SEPARATE INSTRUMENT
RECORDED IN THE PUBLIC RECORDS (CONVEYANCES
OTHER THAN ON A SUBDIVISION PLAT) ON PLATTED OR
UNPLATTED LAND, EXCEPT FOR PUBLIC ROADS.

A. AUTHORITY: Sections 125.01 and 125.37, Florida Statutes.

B. POLICY: Requests will be granted as long as the public benefit is established or no public detriment is established. The Board of County Commissioners may:

1. Extinguish, vacate, abandon, discontinue, and close any easements, or any portion thereof, granted to the County or public by any instrument recorded in the public records of Collier County and to renounce and disclaim any right of the County and the public in and to any land in connection therewith; when such interest is granted to the County or public by any instrument recorded in the public records other than on a subdivision plat.

2. Quitclaim, renounce, and disclaim any right of the County and the public in and to any land, or interest therein, acquired by purchase, gift, devise, dedication or prescription for drainage, utilities, access, maintenance, preservation, or conservation or other public purposes; when such interest is granted to the County or public by any instrument recorded in the public records of Collier County other than on a subdivision plat.

3. To make an exchange of real property whenever, in the opinion of the County Commissioners, the County holds and possesses any real property, not needed for county purposes, and such property may be to the best interest of the County exchanged for other real property, which the County may desire to acquire for county purposes, as authorized by Section 125.37, Florida Statutes.

C. PROCEDURE:

1. To petition for the extinguishment of County dedicated easement on unplatted land or platted land an application is to be completed along with the listed items needed for review be submitted to Community Development and Environmental Engineering Services and it must be accompanied by a non refundable application fee (refer to Community Development and Environmental Services Growth Management / Planning and Regulation current fee schedule for the applicable fee).

2. The petitioner must also provide:

   a) Evidence to show that the petitioner owns the fee simple title to the whole or that part of the parcel on which a public dedicated easement is sought to be extinguished (FEE SIMPLE DEED).
   b) A statement explaining the general public benefit received from the proposed vacation.
c) A copy of the document which granted, conveyed or dedicated the easement interest to the County or the public.

d) Certificate(s) showing all State and County taxes have been paid for the subject parcel. 
(Available from the Collier County Tax Collector’s Office, Building C-1, in the Government Center).

e) Assessment Map. (Available from the Collier County Property Appraiser’s Office, Radio Road).

f) Site Plan - the site plan must be on 8 ½” X 11” paper with an adequate scale showing all data pertinent to the proposed extinguishment, which shall include at least the following:

   (1) Date of drawing
   (2) Scale
   (3) North arrow
   (4) Locations and dimensions of property lines, abutting rights-of-way, easements, setbacks, off-street parking, proposed and/or existing structures, and any proposed landscaping.
   (5) Location of proposed extinguishment and, if applicable, proposed dedication.

f) Legal description of what is to be extinguished submitted on 8 ½” X 11” paper labeled in bold capital letters as EXHIBIT Exhibit “A”. This legal description is to be accompanied by a sketch of the legal description. Both the legal description and sketch are to be signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Florida Professional Surveyor and Mapper.

g) Letters of No Objection” from all pertinent utility companies or authorized users of the easement and/or dedicated public area. Such letters may include but shall not be limited to the following:

   (1) Electric Company
   (2) Telephone Company
   (3) Cable Television Company
   (4) Collier County Sheriff’s Office
   (5) Homeowner’s Association
   (6) Rescue and Fire Control District
   (7) Adjacent property owners

The letter sent to the utility companies and authorized users requesting a “Letter of No Objection” shall contain the statement “I have no objection to the proposed vacation” at the bottom of the letter with a signature block directly below it.

Upon submitting the petition for approval Community Development Engineering Services will distribute the package to the following areas for their approval or objection.

   (1) Collier County Utilities/PUED
   (2) Collier County Engineering Services – Subdivision Review
   (3) Collier County Engineering Services – Stormwater Review
   (4) Collier County Transportation Department

Attachment “C”
June 2013
If the petitioner is unable to get the pertinent “approvals” or Letters of No Objections from the listed above then the application is “null and void.”

h) To the extent applicable, where the petitioner desires to exchange his/her interest with that interest dedicated to the County, the requirements and procedures of §125.37, Florida Statutes, and the Collier County Utilities Standards and Procedures Ordinance No. 97-17 shall be utilized as practicable and legally required. The reviewing parties are under no obligation to accept the offered alternative. If a Petition to Vacate is premised on the grant of a replacement easement, the Board will not take action on the Petition until the instrument necessary to grant the alternative real property interest has been accepted in form and content by all reviewing parties and the County Attorney’s Office, it is properly executed by the granting or conveying entity, and delivered to the County Attorney’s Office to be held in trust pending the Board’s consideration of the requested vacation. The following shall be submitted:

1. Legal description and sketch of what is to be dedicated signed and sealed by a Florida Professional Surveyor and Mapper and have a “Prepared by” block listing the name and address of the Florida Professional Surveyor and Mapper.
2. Attorney’s Title Opinion or Ownership & Encumbrance Report (current).
3. Executed conveyance document.
4. Executed subordination documents.

3. Community Development and Environmental Engineering Services will review the petition for completeness and compliance with this Resolution. Community Development and Environmental Engineering Services will prepare an appropriate executive summary and resolution and transmit both documents to the office of the County Attorney for approval.

If approved as to form and legality sufficiency by the County Attorney, the petition will be filed with the Clerk to the Board with a request for a time and date for a public hearing. The Petition may be placed on the BCC agenda to establish a time and date for a public hearing by Resolution pursuant to Section 336.09, Florida statutes. Where an exchange of property interest is applicable, the terms and conditions of any such exchange of property shall be published, once a week for at least two weeks, in a newspaper of general circulation published in the County prior to the adoption by the Board of County Commissioners.

4. In the event that the owner of the property in question does not represent himself at the BCC meeting, he must provide a signed letter or appropriate documentation which authorizes another specific person to represent him.

5. The processing of this petition shall coincide, where applicable, with the processing of such other platting or land use change applications proposed for the same property with regard to submissions of applications, staff reviews, reviews by advisory bodies, or the Board of County Commissioners, so that the decision on such extinguishment shall occur at the same meeting at which time the re-use application is reviewed by the Board of County Commissioners.

6. Once the application is accepted for review it will remain under review so long as a resubmittal in response to a county reviewer’s comments is received within 90 days of the date on which the comments were sent to the applicant with a one time extension of an additional 90 days upon written notification. If a response is not received within this time, the application for request review will be considered withdrawn and cancelled. Further review of the project will require a new application subject to the then current code.
PROFESSIONAL SERVICES AGREEMENT

SECTION 1 – GENERAL

THIS IS AN AGREEMENT made as of ______________, 2018, between Fiddler’s Creek Community Development District #2 (“CLIENT”) and Passarella & Associates, Inc. (“CONSULTANT”).

This Agreement is for GIS Services for the Fiddler’s Creek Community Development District #2 (“Project”) located in Collier County, Florida.

CLIENT and CONSULTANT in consideration of their mutual covenants herein agree in respect of the performance or furnishing of professional services (“Services”) by CONSULTANT with respect to the Project and the payment for those services by CLIENT as set forth below.

CLIENT and CONSULTANT each is hereby bound and the partners, successors, executors, administrators, assigns and legal representatives of CLIENT and CONSULTANT are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, assigns and legal representatives of such other party, in respect to all covenants, agreements, and obligations of this Agreement.

SECTION 2 – SCOPE OF SERVICES

Execution of this Agreement by CONSULTANT and CLIENT constitutes CLIENT’S written authorization to CONSULTANT to proceed on the date first above written with the Services described in Exhibit A, (“Scope of Services”) and in the other exhibits listed below. This Agreement will become effective on the date first above written.

SECTION 3 – COMPENSATION

For services provided and performed by CONSULTANT for providing and performing the Task(s) set forth and enumerated in Exhibit A entitled “Scope of Services,” the CLIENT shall compensate the CONSULTANT as provided in Exhibit B.

For Reimbursable Expenses, in addition to payments provided for CONSULTANT and CONSULTANT’s Sub-Consultants, CLIENT shall pay CONSULTANT for reimbursable expenses incurred by CONSULTANT as set forth in Exhibit B.

Invoices for CONSULTANT’s services, Sub-Consultants, and Reimbursable Expenses will be prepared in accordance with CONSULTANT’s standard invoicing practices and will be submitted to CLIENT by CONSULTANT at least monthly. The amount billed for these services will be calculated on the basis set forth in Exhibit B. Invoices are due and payable on receipt.

If CLIENT fails to make any payment due to CONSULTANT for services and expenses within thirty days after receipt of CONSULTANT’s invoice, CONSULTANT may, after giving seven day’s written notice to CLIENT, suspend services under this Agreement until CONSULTANT has been paid in full all amounts due for services, expenses and charges. In the event of a disputed or contested billing, only that portion so contested may be withheld from payment, and the undisputed portion will be paid.
If either the CLIENT or CONSULTANT terminates this Agreement, CONSULTANT will be paid for all services performed or furnished in accordance with this Agreement by CONSULTANT through the date of termination on the basis specified in Exhibit B including any costs reasonably incurred by CONSULTANT that are directly attributable to the termination. CONSULTANT will be paid for the charges of CONSULTANT’s Sub-Consultants employed to perform or furnish services to the extent such services have been performed or furnished in accordance with this Agreement through the effective date of the termination. CONSULTANT also will be paid for all unpaid Reimbursable Expenses.

SECTION 4 – STANDARD OF PERFORMANCE

The standard of care for all professional consulting and related services furnished by CONSULTANT under this Agreement will be the care and skill ordinarily used by members of the CONSULTANT’s profession practicing under the same or similar circumstances at the same time and in the same locality. CONSULTANT makes no warranties, expressed or implied, under this Agreement or otherwise, in conjunction with CONSULTANT’s services.

SECTION 5 – LIMITATION OF LIABILITY

CONSULTANT’s total liability to CLIENT for any loss or damage, including but not limited to special and consequential damages arising out of or in conjunction with the performance of services or any other cause, including CONSULTANT’s professional negligent acts, errors, or omissions, shall not exceed the CONSULTANT’s compensation, and CLIENT hereby releases and holds harmless CONSULTANT from any liability above such amount.

SECTION 6 – EXHIBITS

This Agreement is subject to the provisions of the following Exhibits (if checked) which are attached to and made a part of this Agreement:

Exhibit A. ☑ “Scope of Services”
Exhibit B. ☑ “Compensation”
Exhibit C. ☑ “Consultant’s Hourly Rate Schedule”
Exhibit D. ☑ “Reimbursables”

IN WITNESS WHEREOF, the parties warrant and represent that they are authorized to enter into this Agreement for Professional Services. CLIENT hereby authorizes the performance of the services in Exhibit A and agrees to pay the charges resulting therefrom as identified in Exhibit B. As CLIENT or CLIENT’s legal representative, I have read, understand, and agree to the business terms and conditions contained herein including the CONSULTANT’s Limited Liability printed on Page 1 of this Agreement.

CLIENT:  
Fiddler’s Creek Community Development District #2

_____________________________________________  ________________________________
Signature  
By: Chuck Adams  By: Kenneth C. Passarella
Name Typed or Printed
Title: District Manager  Title: President
Address for giving notices:

Fiddlers Creek Community Development
District #2
c/o Wrathell, Hunt and Associates, LLC
9220 Bonita Beach Road, Suite 214
Bonita Springs, Florida 34135
Phone: (239) 498-9020
Fax: (239) 274-0069

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
Phone: (239) 274-0067
Fax: (239) 274-0069

Attest: ________________________________
Signature
(If corporation, affix corporate seal)

OR

State of ________________
County of ________________
The foregoing instrument was acknowledged before me this ___ day of __________, 20____, by
____________________ who is personally known to me or who has produced _______________ as
identification.

______________________________
Notary Public
Name typed, printed or stamped (Seal)
EXHIBIT A

Exhibit A consisting of two (2) pages referred to and controlled by the terms and conditions contained in the Professional Services Agreement between CLIENT and CONSULTANT for professional services dated ________________, 2018.

Services not set forth in this Exhibit A, or not listed or described herein, are expressly excluded from the Scope of the Professional Services of the CONSULTANT. The CONSULTANT assumes no responsibility to perform any services not specifically identified and/or otherwise described in this Exhibit A.

Initial:

CLIENT _____
CONSULTANT _____

SCOPE OF SERVICES

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>GIS Services</td>
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<tr>
<td></td>
<td>Consultant will create a GIS web application for Fiddler’s Creek Community Development District #2 (FCCDD2). Data layers shall include but not be limited to:</td>
</tr>
<tr>
<td>1.1</td>
<td>Parcels</td>
</tr>
<tr>
<td></td>
<td>• STRAP Number</td>
</tr>
<tr>
<td></td>
<td>• Parcel Owner</td>
</tr>
<tr>
<td></td>
<td>• Owner’s Address</td>
</tr>
<tr>
<td></td>
<td>• Site Address</td>
</tr>
<tr>
<td></td>
<td>• Existing Land Use</td>
</tr>
<tr>
<td></td>
<td>• Approximate Acreage</td>
</tr>
<tr>
<td></td>
<td>• Hyperlink to Parcel’s Property Appraiser Website</td>
</tr>
<tr>
<td></td>
<td>Drainage (where construction plans are available)</td>
</tr>
<tr>
<td></td>
<td>• Drainage Pipes</td>
</tr>
<tr>
<td></td>
<td>• Drainage Structures</td>
</tr>
<tr>
<td></td>
<td>Labels</td>
</tr>
<tr>
<td></td>
<td>• Street Names</td>
</tr>
<tr>
<td></td>
<td>• Address Numbers</td>
</tr>
<tr>
<td></td>
<td>• Preserve Numbers</td>
</tr>
<tr>
<td></td>
<td>• Community Names</td>
</tr>
<tr>
<td></td>
<td>• Lake Numbers</td>
</tr>
<tr>
<td></td>
<td>Document Hyperlinks</td>
</tr>
<tr>
<td></td>
<td>• Construction Plans (where available)</td>
</tr>
<tr>
<td></td>
<td>• Plat Documents</td>
</tr>
</tbody>
</table>
### Task Description

**Preserves**
- ID Number
- Preserve Acreage
- Preserve Area
- Preserve Perimeter

**Platted Easements**
- Type
- Width
EXHIBIT B

Exhibit B consisting of one (1) page referred to and controlled by the terms and conditions contained in the Professional Services Agreement between CLIENT and CONSULTANT for professional services dated ________________, 2018.

Initial:

CLIENT _____

CONSULTANT _____

COMPENSATION

For services provided and performed by CONSULTANT for providing and performing the Task(s) set forth and enumerated in Exhibit A entitled “Scope of Services,” the CLIENT shall compensate the CONSULTANT as follows:

<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Fee Type</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>1.0</td>
<td>GIS Services – FCCDD2 GIS Web Application</td>
<td>T&amp;M</td>
<td>$20,000.00</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Total:</strong> $20,000.00</td>
</tr>
</tbody>
</table>

Fee Type Definition:

**Time and Materials (T&M):** For the actual hours expended by the CONSULTANT’s professional and technical personnel, multiplied by the applicable hourly rates for each classification or position on the CONSULTANT’s hourly rate schedule in effect at the time the services are rendered. The current hourly rate schedule is included as Exhibit C of this Professional Services Agreement. CONSULTANT shall provide CLIENT with CONSULTANT’s annual increases to the current standard billing rate 30 days prior to incurring costs under any rate increases.
EXHIBIT C

Exhibit C consisting of one (1) page referred to and controlled by the terms and conditions contained in the Professional Services Agreement between CLIENT and CONSULTANT for professional services dated ________________, 2018.

Initial:

CLIENT _____

CONSULTANT _____

CONSULTANT’S HOURLY RATE SCHEDULE

<table>
<thead>
<tr>
<th>Position</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>GIS Manager</td>
<td>$140.00/hr.</td>
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<td>GIS Analyst III</td>
<td>$120.00/hr.</td>
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<tr>
<td>GIS Analyst II</td>
<td>$100.00/hr.</td>
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<tr>
<td>GIS Analyst I</td>
<td>$ 85.00/hr.</td>
</tr>
<tr>
<td>Reimbursable Expenses</td>
<td>Cost</td>
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</tbody>
</table>
EXHIBIT D

Exhibit D consisting of one (1) page referred to and controlled by the terms and conditions contained in the Professional Services Agreement between CLIENT and CONSULTANT for professional services dated ________________, 2018.

Initial:

CLIENT _____

CONSULTANT _____

CONSULTANT’S REIMBURSABLES

<table>
<thead>
<tr>
<th>Service</th>
<th>Price Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bond (line dwg. with no aerials or other graphics)</td>
<td>$10.00 (24x36); $20.00 (36x48); $25.00 (36x62) Other sizes – $1.67 per square foot (i.e., 2 ft. x 3 ft. = 6 sq. ft. x $1.67 = $10.02)</td>
</tr>
<tr>
<td>Aerial Photos</td>
<td>$20.00 (24x36); $40.00 (36x48); $50.00 (36x62) Other sizes - $3.33 per square foot</td>
</tr>
<tr>
<td>Color Photos</td>
<td>8 x 11 – 1st copy of each sheet is $2.75 all additional copies are $1.35</td>
</tr>
<tr>
<td>Matte</td>
<td>$35.00 (24x36); $70.00 (36x48); $87.00 (36x62) Other sizes - $5.80 per square foot</td>
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<tr>
<td>Acetate</td>
<td>$15.00 (24x36); $30.00 (36x48); $37.50 (36x62) Other sizes - $2.50 per square foot</td>
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<td>Fedex</td>
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### ASSETS

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<tr>
<td><strong>Total assets</strong></td>
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<td>$22,032,552</td>
<td>$267,317</td>
<td>$341,513</td>
<td>$46,486</td>
<td>$445,114</td>
<td>$3,962</td>
<td>$493,771</td>
<td>$216,460</td>
<td>$152</td>
<td>$612,798</td>
<td>$193,928</td>
<td>$190,723</td>
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</table>

### LIABILITIES AND FUND BALANCES

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<td>4,197,412</td>
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<td>-</td>
<td>-</td>
<td>85,416</td>
</tr>
<tr>
<td>Due to Fiddler's Creek CDD #1</td>
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<td>-</td>
<td>-</td>
<td>26,796</td>
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<tr>
<td>Due to Developer</td>
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<td>-</td>
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<td>-</td>
<td>110,735</td>
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<td>Total liabilities</td>
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<td>-</td>
<td>-</td>
<td>3,842</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total liabilities</strong></td>
<td>2,731,760</td>
<td>15,144,147</td>
<td>269,734</td>
<td>-</td>
<td>-</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>3,842</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total liabilities &amp; fund balances</strong></td>
<td>$5,060,132</td>
<td>$22,032,552</td>
<td>$267,317</td>
<td>$341,513</td>
<td>$46,486</td>
<td>$445,114</td>
<td>$3,962</td>
<td>$493,771</td>
<td>$216,460</td>
<td>$152</td>
<td>$612,798</td>
<td>$193,928</td>
<td>$190,723</td>
</tr>
</tbody>
</table>

*The entire series 2003 accounts payable relates billing from a third party which is in dispute.*
## FIDDLER’S CREEK
### COMMUNITY DEVELOPMENT DISTRICT #2
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
##### GENERAL FUND
#### FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$113,312</td>
<td>$2,115,247</td>
<td>$2,502,055</td>
<td>85%</td>
</tr>
<tr>
<td>Assessment levy: off-roll</td>
<td>16,608</td>
<td>24,912</td>
<td>99,648</td>
<td>25%</td>
</tr>
<tr>
<td>Interest &amp; miscellaneous</td>
<td>175</td>
<td>391</td>
<td>7,500</td>
<td>5%</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td><strong>130,095</strong></td>
<td><strong>2,140,550</strong></td>
<td><strong>2,609,203</strong></td>
<td><strong>82%</strong></td>
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<table>
<thead>
<tr>
<th>EXPENDITURES</th>
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</thead>
<tbody>
<tr>
<td>Supervisors</td>
<td>892</td>
<td>5,198</td>
<td>14,369</td>
<td>36%</td>
</tr>
<tr>
<td>Management</td>
<td>7,055</td>
<td>28,220</td>
<td>84,662</td>
<td>33%</td>
</tr>
<tr>
<td>Assessment roll preparation</td>
<td>22,500</td>
<td>22,500</td>
<td>22,500</td>
<td>100%</td>
</tr>
<tr>
<td>Audit</td>
<td>-</td>
<td>-</td>
<td>16,500</td>
<td>0%</td>
</tr>
<tr>
<td>Legal - general</td>
<td>4,384</td>
<td>9,546</td>
<td>17,500</td>
<td>55%</td>
</tr>
<tr>
<td>Legal - litigation</td>
<td>32,605</td>
<td>45,291</td>
<td>140,000</td>
<td>32%</td>
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<td>Engineering</td>
<td>4,546</td>
<td>7,220</td>
<td>18,000</td>
<td>40%</td>
</tr>
<tr>
<td>Telephone</td>
<td>24</td>
<td>97</td>
<td>292</td>
<td>33%</td>
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<td>415</td>
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<td>8,219</td>
<td>8,868</td>
<td>93%</td>
</tr>
<tr>
<td>Printing and binding</td>
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<td>198</td>
<td>595</td>
<td>33%</td>
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<td>Legal advertising</td>
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<td>318</td>
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<td>16%</td>
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<td>19%</td>
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<td>175</td>
<td>100%</td>
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<td>Trustee</td>
<td>7,000</td>
<td>17,500</td>
<td>25,500</td>
<td>69%</td>
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<td>8,000</td>
<td>0%</td>
</tr>
<tr>
<td>Contingency</td>
<td>182</td>
<td>266</td>
<td>46,000</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Total administrative</strong></td>
<td><strong>79,371</strong></td>
<td><strong>145,302</strong></td>
<td><strong>407,711</strong></td>
<td><strong>36%</strong></td>
</tr>
</tbody>
</table>

| Field management | Field management services | 952 | 3,808 | 11,424 | 33% |
| Total field management | 952 | 3,808 | 11,424 | 33% |

| Water management | Other contractual | 11,096 | 16,644 | 147,494 | 11% |
| Fountains | 31,245 | 63,837 | 127,500 | 50% |
| **Total water management** | **42,341** | **80,481** | **274,994** | **29%** |

| Street lighting | Contractual services | 69,274 | 70,773 | 20,000 | 354% |
| Electricity | 2,961 | 5,461 | 30,000 | 18% |
| Miscellaneous | 4,894 | 4,894 | 1,000 | 489% |
| **Total street lighting** | **77,129** | **81,128** | **51,000** | **159%** |
# FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Landscaping</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other contractual</td>
<td>180,661</td>
<td>240,993</td>
<td>1,109,000</td>
<td>22%</td>
</tr>
<tr>
<td>Improvements and renovations</td>
<td>4,808</td>
<td>19,578</td>
<td>75,000</td>
<td>26%</td>
</tr>
<tr>
<td>Contingencies</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
<td>0%</td>
</tr>
<tr>
<td>Hurricane clean-up</td>
<td>458</td>
<td>1,083</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total landscaping</td>
<td>185,927</td>
<td>261,654</td>
<td>1,189,000</td>
<td>22%</td>
</tr>
</tbody>
</table>

| **Access control**       |               |              |        |             |
| Contractual services     | 21,848        | 33,583       | 306,489 | 11%        |
| Rentals & leases          | -             | 80           | 27,331 | 0%         |
| Fuel                     | 472           | 1,729        | 7,198  | 24%        |
| Repairs & maintenance - parts | -       | -            | 3,374  | 0%         |
| Repairs & maintenance - gate house | 20     | 768          | 11,247 | 7%         |
| Insurance                | 1,577         | 7,318        | 13,497 | 54%        |
| Total access control     | 28,159        | 51,508       | 391,631 | 13%        |

| **Roadway maintenance**  |               |              |        |             |
| Contractual services (street cleaning) | 570        | 855          | 5,000  | 17%        |
| Roadway maintenance       | -             | 1,640        | 75,000 | 2%         |
| Total roadway services    | 570           | 2,495        | 80,000 | 3%         |

| **Irrigation**            |               |              |        |             |
| Controller repairs & maintenance | 2,847     | 2,895        | 2,000  | 145%       |
| Supply system             | 4,647         | 20,014       | 110,222 | 18%        |
| Total irrigation          | 7,494         | 22,909       | 112,222 | 20%        |

| **Other fees & charges**  |               |              |        |             |
| Property appraiser        | -             | -            | 39,095 | 0%         |
| Tax collector             | 2,249         | 42,288       | 52,126 | 81%        |
| Total other fees & charges| 2,249         | 42,288       | 91,221 | 46%        |
| Total expenditures and other charges | 424,192  | 691,573      | 2,609,203 | 27%  |

| Excess/(deficiency) of revenues over/(under) expenditures | (294,097) | 1,448,977 | - |

| Fund balances - beginning | 2,622,469 | 879,395 | 1,119,322 |
| Fund balances - ending    | $ 2,328,372 | $ 2,328,372 | $ 1,119,322 |
# Fiddler's Creek
## Community Development District #2
### Statement of Revenues, Expenditures, and Changes in Fund Balances
#### Debt Service Fund Series 2003
##### For the Period Ended January 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$72,278</td>
<td>$1,349,251</td>
<td>$1,617,215</td>
<td>83%</td>
</tr>
<tr>
<td>Assessment prepayments</td>
<td>145,261</td>
<td>145,261</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>32,995</td>
<td>120,726</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total revenues</td>
<td>250,534</td>
<td>1,615,238</td>
<td>1,617,215</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal A</td>
<td>-</td>
<td>-</td>
<td>530,000</td>
<td>0%</td>
</tr>
<tr>
<td>Interest A</td>
<td>-</td>
<td>-</td>
<td>1,003,106</td>
<td>0%</td>
</tr>
<tr>
<td>Total debt service</td>
<td>-</td>
<td>-</td>
<td>1,533,106</td>
<td>0%</td>
</tr>
<tr>
<td>Other fees &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>25,269</td>
<td>0%</td>
</tr>
<tr>
<td>Legal Fees</td>
<td>11,171</td>
<td>11,171</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Tax collector</td>
<td>1,435</td>
<td>26,974</td>
<td>33,692</td>
<td>80%</td>
</tr>
<tr>
<td>Total other fees &amp; charges</td>
<td>12,606</td>
<td>38,145</td>
<td>58,961</td>
<td>65%</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>12,606</td>
<td>38,145</td>
<td>1,592,067</td>
<td>2%</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues</td>
<td>237,928</td>
<td>1,577,093</td>
<td>25,148</td>
<td></td>
</tr>
<tr>
<td>over/(under) expenditures</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>6,650,477</td>
<td>5,311,312</td>
<td>5,838,970</td>
<td></td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$6,888,405</td>
<td>$6,888,405</td>
<td>$5,864,118</td>
<td></td>
</tr>
</tbody>
</table>

*Pursuant to Generally Accepted Accounting Practices (GAAP) and Government Accounting Standards Board (GASB), the District's outstanding debt has not been reduced by assessments that have been remitted by the District to the Indenture Trustees for which the Trustees have not remitted to the Bondholders. As such, the District's future obligation for this debt is no more than the reported outstanding debt less the funds that the Trustees have received from the District but not remitted to Bondholders.*
## FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2004
FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$2,629</td>
<td>$49,069</td>
<td>$66,336</td>
<td>74%</td>
</tr>
<tr>
<td>Assessment prepayments</td>
<td>48,728</td>
<td>98,453</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>937</td>
<td>5,005</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total revenues</td>
<td>52,294</td>
<td>152,527</td>
<td>66,336</td>
<td>230%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>15,000</td>
<td>0%</td>
</tr>
<tr>
<td>Principal prepayment</td>
<td>-</td>
<td>35,000</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>20,250</td>
<td>40,500</td>
<td>50%</td>
</tr>
<tr>
<td>Total debt service</td>
<td>-</td>
<td>55,250</td>
<td>55,500</td>
<td>100%</td>
</tr>
<tr>
<td>Other fees &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>1,037</td>
<td>0%</td>
</tr>
<tr>
<td>Tax collector</td>
<td>53</td>
<td>981</td>
<td>1,382</td>
<td>71%</td>
</tr>
<tr>
<td>Total other fees &amp; charges</td>
<td>53</td>
<td>981</td>
<td>2,419</td>
<td>41%</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>53</td>
<td>56,231</td>
<td>57,919</td>
<td>97%</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>52,241</td>
<td>96,296</td>
<td>8,417</td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>$345,342</td>
<td>$301,287</td>
<td>$333,109</td>
<td></td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$397,583</td>
<td>$397,583</td>
<td>$341,526</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Current Month</td>
<td>Year to Date</td>
<td>Budget</td>
<td>% of Budget</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>---------------</td>
<td>--------------</td>
<td>--------------</td>
<td>-------------</td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$ 9,271</td>
<td>$ 173,061</td>
<td>$ 213,481</td>
<td>81%</td>
</tr>
<tr>
<td>Assessment prepayments</td>
<td>34,735</td>
<td>34,735</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>182</td>
<td>1,103</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td>$ 44,188</td>
<td>$ 208,899</td>
<td>$ 213,481</td>
<td>98%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>60,000</td>
<td>0%</td>
</tr>
<tr>
<td>Principal prepayment</td>
<td>-</td>
<td>90,000</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>68,400</td>
<td>136,800</td>
<td>50%</td>
</tr>
<tr>
<td><strong>Total debt service</strong></td>
<td>-</td>
<td>158,400</td>
<td>196,800</td>
<td>80%</td>
</tr>
<tr>
<td>Other fees &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>3,336</td>
<td>0%</td>
</tr>
<tr>
<td>Tax collector</td>
<td>184</td>
<td>3,460</td>
<td>4,448</td>
<td>78%</td>
</tr>
<tr>
<td><strong>Total other fees &amp; charges</strong></td>
<td>184</td>
<td>3,460</td>
<td>7,784</td>
<td>44%</td>
</tr>
<tr>
<td><strong>Total expenditures</strong></td>
<td>184</td>
<td>161,860</td>
<td>204,584</td>
<td>79%</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>over/(under) expenditures</td>
<td>44,004</td>
<td>47,039</td>
<td>8,897</td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>$ 297,509</td>
<td>$ 294,474</td>
<td>$ 214,615</td>
<td></td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$ 341,513</td>
<td>$ 341,513</td>
<td>$ 223,512</td>
<td></td>
</tr>
</tbody>
</table>
## FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
DEBT SERVICE EXCHANGE FUND SERIES 2014-1A
EXCHANGED SERIES 2004 AND BIFURCATED SERIES 2014-1
FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th>Source of Revenues</th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment levy: off-roll</td>
<td>$ -</td>
<td>$ 134,730</td>
<td>$ 380,000</td>
<td>35%</td>
</tr>
<tr>
<td>Assessment prepayments</td>
<td>44,196</td>
<td>44,196</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>4</td>
<td>80</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td><strong>44,200</strong></td>
<td><strong>179,006</strong></td>
<td><strong>380,000</strong></td>
<td><strong>47%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditure Type</th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>110,000</td>
<td>0%</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>135,000</td>
<td>270,000</td>
<td>50%</td>
</tr>
<tr>
<td><strong>Total debt service</strong></td>
<td><strong>-</strong></td>
<td><strong>135,000</strong></td>
<td><strong>380,000</strong></td>
<td><strong>36%</strong></td>
</tr>
</tbody>
</table>

| Excess/(deficiency) of revenues over/(under) expenditures | 44,200 | 44,006 | - |

| Fund balances - beginning | 2,286 | 2,480 | 757 |
| Fund balances - ending   | $46,486 | $46,486 | $757 |

On June 15, 2018, the District bifurcated the Series 2014-1 Bonds into two separate Bond Series- Series 2014-1 and Series 2014-1B. As a result of the bifurcation, the par amount of the Series 2014-1 Bonds is $4,000,000; the par amount of the Series 2014-1B Bonds is $3,815,000.
## FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
DEBT SERVICE EXCHANGE FUND SERIES 2014-1B
EXCHANGED SERIES 2004 AND BIFURCATED SERIES 2014-1
FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$16,875</td>
<td>$315,009</td>
<td>$376,222</td>
<td>84%</td>
</tr>
<tr>
<td>Interest</td>
<td>224</td>
<td>1,275</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total revenues</td>
<td>17,099</td>
<td>316,284</td>
<td>376,222</td>
<td>84%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>105,000</td>
<td>0%</td>
</tr>
<tr>
<td>Principal prepayment</td>
<td>-</td>
<td>30,000</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>128,756</td>
<td>257,513</td>
<td>50%</td>
</tr>
<tr>
<td>Total debt service</td>
<td>-</td>
<td>158,756</td>
<td>362,513</td>
<td>44%</td>
</tr>
<tr>
<td>Other fees &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>5,878</td>
<td>0%</td>
</tr>
<tr>
<td>Tax collector</td>
<td>335</td>
<td>6,298</td>
<td>7,838</td>
<td>80%</td>
</tr>
<tr>
<td>Total other fees &amp; charges</td>
<td>335</td>
<td>6,298</td>
<td>13,716</td>
<td>46%</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>335</td>
<td>165,054</td>
<td>376,229</td>
<td>44%</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>16,764</td>
<td>151,230</td>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>428,350</td>
<td>293,884</td>
<td>293,177</td>
<td></td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$445,114</td>
<td>$445,114</td>
<td>$293,170</td>
<td></td>
</tr>
</tbody>
</table>

On June 15, 2018, the District bifurcated the Series 2014-1 Bonds into two separate Bond Series- Series 2014-1 and Series 2014-1B. As a result of the bifurcation, the par amount of the Series 2014-1 Bonds is $4,000,000; the par amount of the Series 2014-1B Bonds is $3,815,000.
### REVENUES

<table>
<thead>
<tr>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment levy: off-roll</td>
<td>$ -</td>
<td>$ 258,008</td>
<td>$ 753,100</td>
</tr>
<tr>
<td>Interest</td>
<td>6</td>
<td>149</td>
<td>-</td>
</tr>
<tr>
<td>Total revenues</td>
<td>6</td>
<td>258,157</td>
<td>753,100</td>
</tr>
</tbody>
</table>

### EXPENDITURES

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>259,050</td>
</tr>
<tr>
<td>Total debt service</td>
<td>-</td>
<td>259,050</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>6</td>
<td>(893)</td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>1,432</td>
<td>2,331</td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$1,438</td>
<td>$1,438</td>
</tr>
</tbody>
</table>

On June 15, 2018, the District bifurcated the Series 2014-2 Bonds into two separate Bond Series - Series 2014-2 and Series 2014-2B. As a result of the bifurcation, the par amount of the Series 2014-2 Bonds is $8,635,000; the par amount of the Series 2014-2B Bonds is $4,835,000.
### FIDDLER'S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
DEBT SERVICE EXCHANGE FUND SERIES 2014-2B
EXCHANGED SERIES 2005 AND BIFURCATED SERIES 2014-2
FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$ 19,758</td>
<td>$ 368,835</td>
<td>$ 435,996</td>
<td>85%</td>
</tr>
<tr>
<td>Interest</td>
<td>213</td>
<td>1,196</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td>19,971</td>
<td>370,031</td>
<td>435,996</td>
<td>85%</td>
</tr>
</tbody>
</table>

| **EXPENDITURES**     |               |              |            |             |
| Debt service         |               |              |            |             |
| Principal            | -             | -            | 130,000    | 0%          |
| Interest             | -             | 145,050      | 290,100    | 50%         |
| **Total debt service** | -           | 145,050      | 420,100    | 35%         |
| Other fees & charges |               |              |            |             |
| Property appraiser   | -             | -            | 6,812      | 0%          |
| Tax collector        | 392           | 7,373        | 9,083      | 81%         |
| **Total other fees & charges** | 392     | 7,373        | 15,895     | 46%         |
| **Total expenditures** | 392         | 152,423      | 435,995    | 35%         |

| Excess/(deficiency) of revenues over/(under) expenditures | 19,579     | 217,608    | 1 |

| Fund balances - beginning | 474,192 | 276,163 | 275,392 |
| Fund balances - ending   | $493,771 | $493,771 | $275,393 |

On June 15, 2018, the District bifurcated the Series 2014-2 Bonds into two separate Bond Series- Series 2014-2 and Series 2014-2B. As a result of the bifurcation, the par amount of the Series 2014-2 Bonds is $8,635,000; the par amount of the Series 2014-2B Bonds is $4,835,000.
## FIDDLER'S CREEK COMMUNITY DEVELOPMENT DISTRICT #2
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
#### DEBT SERVICE EXCHANGE FUND SERIES 2014-3 (SERIES 2005)
##### FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$ 2,851</td>
<td>$ 53,228</td>
<td>$ 63,004</td>
</tr>
<tr>
<td>Assessment levy: off-roll</td>
<td>-</td>
<td>246,300</td>
<td>651,893</td>
</tr>
<tr>
<td>Interest</td>
<td>269</td>
<td>1,110</td>
<td>-</td>
</tr>
<tr>
<td>Total revenues</td>
<td>3,120</td>
<td>300,638</td>
<td>714,897</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>220,000</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>246,300</td>
<td>492,600</td>
</tr>
<tr>
<td>Total debt service</td>
<td>-</td>
<td>246,300</td>
<td>712,600</td>
</tr>
<tr>
<td><strong>Other fees &amp; charges</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>984</td>
</tr>
<tr>
<td>Tax collector</td>
<td>56</td>
<td>1,064</td>
<td>1,313</td>
</tr>
<tr>
<td>Total other fees &amp; charges</td>
<td>56</td>
<td>1,064</td>
<td>2,297</td>
</tr>
<tr>
<td><strong>Total expenditures</strong></td>
<td>56</td>
<td>247,364</td>
<td>714,897</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>3,064</td>
<td>53,274</td>
<td>-</td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>213,396</td>
<td>163,186</td>
<td>659,415</td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$ 216,460</td>
<td>$ 216,460</td>
<td>$ 659,415</td>
</tr>
</tbody>
</table>
### FIDDLER’S CREEK COMMUNITY DEVELOPMENT DISTRICT #2
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
### DEBT SERVICE EXCHANGE FUND SERIES 2014-4 (SERIES 2005)
### FOR THE PERIOD ENDED JANUARY 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: off-roll</td>
<td>$</td>
<td>$ 301,449</td>
<td>$ 874,200</td>
<td>34%</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>152</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total revenues</td>
<td></td>
<td>$ 301,601</td>
<td>$ 874,200</td>
<td>35%</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>270,000</td>
<td>0%</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>$ 302,100</td>
<td>604,200</td>
<td>50%</td>
</tr>
<tr>
<td>Total expenditures</td>
<td></td>
<td>$ 302,100</td>
<td>$ 874,200</td>
<td>35%</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>-</td>
<td>(499)</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>152</td>
<td>651</td>
<td>504,374</td>
<td></td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$ 152</td>
<td>$ 152</td>
<td>$ 504,374</td>
<td></td>
</tr>
</tbody>
</table>
# Fiddler's Creek
## Community Development District #2
### Statement of Revenues, Expenditures, and Changes in Fund Balances
#### Debt Service Fund Series 2015A-1
### For the Period Ended January 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$13,475</td>
<td>$251,538</td>
<td>$311,559</td>
<td>81%</td>
</tr>
<tr>
<td>Assessment levy: off-roll</td>
<td>-</td>
<td>49,889</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Assessment prepayments</td>
<td>95,407</td>
<td>95,407</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>444</td>
<td>2,920</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>109,326</strong></td>
<td><strong>399,754</strong></td>
<td><strong>311,559</strong></td>
<td><strong>128%</strong></td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>65,000</td>
<td>0%</td>
</tr>
<tr>
<td>Principal prepayment</td>
<td>-</td>
<td>390,000</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>117,600</td>
<td>235,200</td>
<td>50%</td>
</tr>
<tr>
<td><strong>Total Debt Service</strong></td>
<td>-</td>
<td><strong>507,600</strong></td>
<td><strong>300,200</strong></td>
<td><strong>169%</strong></td>
</tr>
<tr>
<td>Other fees &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>4,868</td>
<td>0%</td>
</tr>
<tr>
<td>Tax collector</td>
<td>267</td>
<td>5,028</td>
<td>6,491</td>
<td>77%</td>
</tr>
<tr>
<td><strong>Total Other Fees &amp; Charges</strong></td>
<td>267</td>
<td>5,028</td>
<td>11,359</td>
<td>44%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>267</strong></td>
<td><strong>512,628</strong></td>
<td><strong>311,559</strong></td>
<td><strong>165%</strong></td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>109,059</td>
<td>(112,874)</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Fund Balances - Beginning</strong></td>
<td>$499,897</td>
<td>$721,830</td>
<td>$486,309</td>
<td></td>
</tr>
<tr>
<td><strong>Fund Balances - Ending</strong></td>
<td><strong>$608,956</strong></td>
<td><strong>$608,956</strong></td>
<td><strong>$486,309</strong></td>
<td></td>
</tr>
</tbody>
</table>
# Fiddler's Creek Community Development District #2
## Statement of Revenues, Expenditures, and Changes in Fund Balances
### Debt Service Fund Series 2015A-2
### For the Period Ended January 31, 2019

<table>
<thead>
<tr>
<th>Category</th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: on-roll - net</td>
<td>$4,669</td>
<td>$87,158</td>
<td>$105,548</td>
<td>83%</td>
</tr>
<tr>
<td>Assessment levy: off-roll</td>
<td>-</td>
<td>22,916</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Assessment prepayments</td>
<td>27,402</td>
<td>27,402</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>133</td>
<td>845</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total revenues</strong></td>
<td>32,204</td>
<td>138,321</td>
<td>105,548</td>
<td>131%</td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt service</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td>-</td>
<td>35,000</td>
<td>0%</td>
</tr>
<tr>
<td>Principal prepayment</td>
<td>-</td>
<td>115,000</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td>33,350</td>
<td>66,700</td>
<td>50%</td>
</tr>
<tr>
<td><strong>Total debt service</strong></td>
<td>-</td>
<td>148,350</td>
<td>101,700</td>
<td>146%</td>
</tr>
<tr>
<td>Other fees &amp; charges</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Property appraiser</td>
<td>-</td>
<td>-</td>
<td>1,649</td>
<td>0%</td>
</tr>
<tr>
<td>Tax collector</td>
<td>92</td>
<td>1,742</td>
<td>2,199</td>
<td>79%</td>
</tr>
<tr>
<td><strong>Total other fees &amp; charges</strong></td>
<td>92</td>
<td>1,742</td>
<td>3,848</td>
<td>45%</td>
</tr>
<tr>
<td><strong>Total expenditures</strong></td>
<td>92</td>
<td>150,092</td>
<td>105,548</td>
<td>142%</td>
</tr>
<tr>
<td><strong>Excess/(deficiency) of revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>over/(under) expenditures</td>
<td>32,112</td>
<td>(11,771)</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>161,816</td>
<td>205,699</td>
<td>213,334</td>
<td></td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$193,928</td>
<td>$193,928</td>
<td>$213,334</td>
<td></td>
</tr>
</tbody>
</table>
# Fiddler's Creek Community Development District #2

**Statement of Revenues, Expenditures, and Changes in Fund Balances**

*Debt Service Fund Series 2015B*

**For the Period Ended January 31, 2019**

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
<th>Budget</th>
<th>% of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment levy: off-roll</td>
<td>$</td>
<td>$ 66,328</td>
<td>$ 132,813</td>
<td>50%</td>
</tr>
<tr>
<td>Interest</td>
<td>314</td>
<td>1,180</td>
<td>-</td>
<td>N/A</td>
</tr>
<tr>
<td>Total revenues</td>
<td>314</td>
<td>67,508</td>
<td>132,813</td>
<td>51%</td>
</tr>
</tbody>
</table>

|                      |               |              |        |             |
| **Expenditures**     |               |              |        |             |
| Debt service         |               |              |        |             |
| Interest             | -             | 66,406       | 132,813 | 50%         |
| Total debt service   | -             | 66,406       | 132,813 | 50%         |
| Total expenditures   | -             | 66,406       | 132,813 | 50%         |

| Excess/(deficiency) of revenues over/(under) expenditures | 314 | 1,102 | - |

<p>| Fund balances - beginning | 190,409 | 189,621 | 242,001 |
| Fund balances - ending   | $190,723 | $190,723 | $242,001 |</p>
<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest &amp; miscellaneous</td>
<td>$ 318</td>
<td>$ 1,287</td>
</tr>
<tr>
<td>Total revenues</td>
<td>318</td>
<td>1,287</td>
</tr>
<tr>
<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital outlay</td>
<td>-</td>
<td>38,692</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>-</td>
<td>38,692</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues</td>
<td>318</td>
<td>(37,405)</td>
</tr>
<tr>
<td>over/(under) expenditures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>177,885</td>
<td>215,608</td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$ 178,203</td>
<td>$ 178,203</td>
</tr>
</tbody>
</table>
# Fiddler's Creek Community Development District #2
## Statement of Revenues, Expenditures, and Changes in Fund Balances
### Capital Projects Fund 2015
#### For the Period Ended January 31, 2019

<table>
<thead>
<tr>
<th></th>
<th>Current Month</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest &amp; miscellaneous</td>
<td>$ 486</td>
<td>$ 1,902</td>
</tr>
<tr>
<td>Total revenues</td>
<td>$ 486</td>
<td>$ 1,902</td>
</tr>
<tr>
<td><strong>Expenditures</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital outlay</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total expenditures</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Excess/(deficiency) of revenues over/(under) expenditures</td>
<td>$ 486</td>
<td>$ 1,902</td>
</tr>
<tr>
<td>Fund balances - beginning</td>
<td>$ 295,445</td>
<td>$ 294,029</td>
</tr>
<tr>
<td>Fund balances - ending</td>
<td>$ 295,931</td>
<td>$ 295,931</td>
</tr>
</tbody>
</table>
FIDDLER’S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2

10A
The Board of Supervisors of the Fiddler’s Creek Community Development District #2 held a Regular Meeting on January 23, 2019 at 10:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114.

Present at the meeting were:

Elliot Miller, Chair
Victoria DiNardo, Vice Chair
Bill Klug, Assistant Secretary
Linda Viegas, Assistant Secretary
John Nuzzo, Assistant Secretary

Also present were:

Chuck Adams, District Manager
Cleo Adams, Assistant Regional Manager
Jason Olson, Assistant Regional Manager
Tony Pires, District Counsel
Terry Cole, District Engineer
Carrie Robinson (via telephone), Special Counsel
Tony DiNardo, Developer
Ron Albeit, The Foundation
Valerie Lord, Developer Counsel
Robert Dieckmann, Project Manager
Shane Willis, Fiddler’s Creek Security
Monique Irmen, Resident
John Campbell, Resident
Michael Buck, Resident
Ronald Holmes, Resident
Christine Brubaker, Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mrs. Adams called the meeting to order at 10:00 a.m. All Supervisors were present, in person.

SECOND ORDER OF BUSINESS

Public Comments: Non-Agenda Items

Mr. Miller asked if there were any public comment cards submitted. There were none.
This item was an addition to the agenda.

Mr. DiNardo stated that FC Dorado, LLC would like to install a sign on Sandpiper, at the entrance to Aviamar, promoting the new luxury coach homes being built in Dorado village. Ms. Viegas asked if the sign would be similar to the ones already on Dorado Lane. Mr. DiNardo stated it would have the same information but would be larger. He showed a picture of the sign placement and stated it would bring attention to the model, since the model is not built yet. In response to Mr. Klug’s question, Mr. DiNardo stated this is similar to signage in Marsh Cove; he estimated it would be up for two years. He stated that it behooves the District for the homes to be built and sold in the District.

Mr. Pires stated that, since the Board is being asked to take action and this item was an addition to the agenda, it should be opened for audience questions. He noted that a two-year license agreement and easement agreement will be needed.

There were no audience questions.

On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, FC Dorado, LLC’s request to install a sign at the Aviamar entrance and authorizing Staff to prepare a License Agreement and Easement Agreement, if necessary, were approved.

Ms. Lord was asked to send the required agreements to Mr. Pires.

This item was an addition to the agenda.

Mr. Miller recalled that the Board of County Commissioners (BOCC) recently declined changing Manatee Park into affordable housing, but many remain concerned that this proposal may come up again. He suggested to the BOCC and the Parks and Recreation Advisory Board (PARAB) to turn Manatee Park into gardens, to raise money for it voluntarily, and to have volunteers from the area man the park. A budget and design to do this would be necessary. When he was asked at one of the meetings how much it would cost, he estimated $2 million and was surprised when the County estimated $10 million. The PARAB directed its staff to develop proposals and Mr. Miller offered them his assistance.

Mr. Klug asked for confirmation that there would be no recreational component to the gardens and that it would just be walking paths. He asked if there would be a parking lot. Mr.
Miller replied affirmatively; there would be no recreational component and there would be a parking lot, as well as restrooms, which would increase the cost.

Ms. Monique Irmen, a resident, felt that the proposals would be costly and asked if the District should find an alternative group to provide a less costly proposal. Mr. Miller stated that could be done after reviewing the initial proposals. Ms. Irmen asked about involving Naples Botanical Gardens. Mr. Miller stated he raised that possibility but the PARAB believed they would not be helpful.

Ms. DiNardo asked if the gardens would be open to the public or if there would be a charge to enter. Mr. Miller replied that it would be open to the public, at no charge.

THIRD ORDER OF BUSINESS

Ms. Robinson stated that there was a hearing yesterday before the new judge at which the judge denied the District’s request to be excused from non-binding arbitration and go to mediation. She stated that the judge believes in the arbitration process so she denied the request. The case is now headed for arbitration for the consolidated cases with CDD #1. The parties have ten days to select an arbiter. Mr. Miller stated his understanding that the new judge is a smart, no nonsense judge. Ms. Robinson stated that the judge is very strong in her belief about the importance of arbitration. Mr. Miller stated his understanding that actual live witnesses will not have to attend the arbitration and that depositions and testimonies can be used. Ms. Robinson confirmed Mr. Miller’s understanding.

Ms. Robinson requested an Executive Session for tomorrow, at 9:30 a.m., to discuss ongoing litigation matters that are not appropriate for discussion during an open meeting. Today's meeting would be continued to Thursday, January 24.

Ms. Robinson left the meeting.

FOURTH ORDER OF BUSINESS

Mr. DiNardo provided the following update:

The Foundation’s Hurricane Irma work was 99% completed. They negotiated some extra work with Juniper, such as additional bougainvillea around the Veneta fountain, out of their funding. They are allocating extras to the Districts appropriately.
The Developer is behind on the construction of the wall on Sandpiper, which will match the US 41 wall; permits were pending.

The Developer is planning single-family home products in Oyster Harbor this year.

Mr. DiNardo asked if the Creative Lane trimming was completed. Mrs. Adams replied affirmatively. Mr. DiNardo stated the area was not cleared out by Juniper yet.

Mr. Miller asked when the linear park would be built. Mr. DiNardo stated they are working on that now, along with coming up with concepts for the gate houses. They are planning on spending about $500,000 from the capital acquisition fund and the capital reserve fund for new pickleball courts, paving around the pickleball courts, and bulkhead work. That work would occur before the linear park, which will be phased in and is estimated to cost $2.5 to $3 million.

Ms. Viegas asked about the street light at Amaranda and Aviamar that was knocked down and if Pulte agreed to pay for it yet, since Mr. Albeit had not responded to her November email showing Pulte agreed that they caused the damage and would replace it. Mr. Pires stated that he sent a letter to Ms. Lord asking for Pulte's deposit to be held and for the street light to be paid for out of those funds. Mr. DiNardo stated that Mr. Pires and Ms. Lord should coordinate to advise Pulte that funds will be taken out of their escrow account if they do not pay for the street light; although, he thought it might be necessary to sue Pulte before the funds can be taken. Mr. Miller recommended advising Pulte of the claim and the cost of the claim. Mr. Pires stated that he would contact Pulte and confirmed that he had a copy of Ms. Viegas’ Pulte email.

Ms. Viegas asked about the new gate arms, which do not appear to be working well and are in the up position often. Mr. DiNardo stated that the software and hardware were being updated and asked for patience; they are working on getting parts for the gates. He assured the Board that the camera system and the patrols are working and the drone is being implemented, which will be used during the day checking on construction sites and lakes that have gators. ISN is the software company for the gate access system and AV-Tech is doing the hardware.

FIFTH ORDER OF BUSINESS

Engineer’s Report: Hole Montes, Inc.

Mr. Miller asked if one of the previously discussed lake erosion issues was about the lake that backs up to Menaggio, as a resident approached him about the exposed geotubes and
asked if plantings would retard erosion as much as geotubes. Mr. Cole presented a map and outlined where erosion issues were previously noted. Mr. DiNardo stated that plantings were installed before but homeowners destroy them or complain because it ruins their view.

Regarding plantings, Mrs. Adams stated it is dry season so water levels are lower but, in rainy season, any new plantings will drown because they would be underwater. Mr. Cole stated that 7% of the lake areas must have littoral plantings. He identified areas with littoral plantings.

Ms. Irmen asked if plantings are trimmed in the dry season. Mrs. Adams and Mr. DiNardo replied no; it is all natural, as the plantings cannot be touched, per the County requirements.

Mr. Cole presented Requisition #148 for the Series 2005 Bonds, for approximately $17,000. $12,500 was to close up the Veneta construction entrance and add landscape plantings, etc.; GradyMinor construction inspections and some soft costs accounted for the rest of the requisition.

Mr. Cole distributed an update on Hurricane Irma and noted the following:

- Everything within CDD #2 was basically completed.
- Some warranty issues related to trees and plants were raised.
- Mrs. Adams stated that some trees are being replaced and some are being monitored.
- The paver blocks for the Lake 88 bench were completed.

Mr. Klug asked if there would be another year warranty on new trees that are planted to replace trees that were under warranty. Mr. DiNardo replied affirmatively.

Ms. Viegas asked how often items would be reviewed, as she sent a number of photos of dead or dying trees that started this review. Mrs. Adams stated it would be part of the ongoing review by GulfScapes and LandCare as they performed their regular maintenance. Mrs. Adams asked Ms. Viegas to send more photos, whenever she saw anything. Ms. DiNardo noted that there were ant hills all around. Mrs. Adams would notify the landscape providers of these issues.

Mrs. Adams recalled the discussion at the last meeting about benches and stated that Mr. Dieckmann ordered the bench for Lake 88 and suggested that it be placed at the Veneta fountain, since it has a back, until they determine if benches with no backs will be used at the lakes. Mr. Miller preferred benches with backs. Mr. Klug stated that he raised the idea to look at back and backless benches but, since the cost difference is low, he felt that it was okay to purchase the benches with backs.
Proposals are being obtained for the Amaranda street lights that are not working, brick pavers around the Veneta fountain, sidewalk and road repairs, etc. There was difficulty getting bidders and proposals; some contractors are very busy, which makes it tough to get projects completed.

Ms. Viegas recalled it being noted a while ago that a transformer was taken out by Pulte, due to replatting, which caused the street lights on Amaranda to not work, and the District should not pay anything to get them back on. Ms. Viegas suggested Mr. Cole follow up with Pulte for the status on the transformer that had been removed.

Ms. Viegas asked Mr. Cole if he followed up on the signage request made by Mr. Leroy Smith at the last meeting. Mr. Cole replied no and stated that he would follow up.

Mr. Miller stated there was a discussion at the CDD #1 meeting where Mr. Willis stated that cameras could be added at traffic circles to catch people who go around the roundabouts the wrong way. Ms. Viegas asked Mr. Willis if cameras were being installed at the roundabouts. Mr. Willis replied no. Mr. DiNardo stated that the issue with installing cameras in that location is that there is no internet access. Ms. Viegas stated that it would be very expensive based on a previous review at Veneta. Mr. DiNardo discussed other instances where cameras were installed. The tapes of those locations are periodically reviewed but are not very effective; therefore, The Foundation would not pay to install a camera in that location. Mr. Miller stated that the Aviamar fountain should also be monitored because people go around the circle the wrong way. Mr. Willis stated he was referring to Traffic Hawk in the CDD #1 meeting. Ms. Viegas asked for clarification, since she believed Traffic Hawk would catch speeders but most drivers slow down around traffic circles. Mr. DiNardo stated that Traffic Hawk would capture all vehicles, but someone must watch the film and find the vehicles going the wrong way.

Mr. Michael Buck, a resident, noted that GPS says to take a left turn at Veneta because it does not recognize the fountain/traffic circle. It was stated that the CDD cannot do anything about the GPS directions.

SIXTH ORDER OF BUSINESS
Presentation/Discussion: Drainage Easements and Encroachments at 3126 and 3130 Aviamar Circle (Overhead Exhibits to be Provided by Mr. Cole at Meeting)
Mr. Cole presented an aerial photo of Millbrook Lots 1 and 2, at 3126 and 3130 Aviamar Circle and stated that he was notified of a generator and pad in the drainage easement, between Lots 1 and 2. Mr. Pires sent a notice to the Lot 2 property owners instructing them to remove the generator. Mr. Cole stated that it was discovered that there is no drainage pipe between Lots 1 and 2, even though it is a drainage easement. The pipe is on the south side of Lot 1, near the Millbrook monument sign and is actually located in Tract E. Currently there is no pipe in Lot 1 but a drainage easement on the south side of the lot is needed to cover future maintenance of the pipe in Tract E. Mr. Pires stated that this discussion is about Lot 1 but Lot 2 is what started this; the pipe is in Tract E. CDD #2 has a maintenance easement over Tract E but it is still owned by the Developer; it is one of many areas that have not been turned over to the District.

Mr. DiNardo stated that the Developer will turn over Tract E to the District so, once the District has Tract E, it would not need to enter onto anyone’s property to repair the pipe. Mr. Cole stated that the District would need an easement into Lot 1 because the pipe is right on the property line, in case the pipe ever needs to be repaired. Discussion ensued and the following points were made:

- Even though there is no piping between Lots 1 and 2, there is an easement and there is pool equipment and A/C equipment on the easement from both 3126 and 3130 Aviamar; both property owners are currently encroaching on the District’s drainage easement.
- If the District does not have a need for the easement between Lots 1 and 2, the District could vacate the easement and get a 5’ easement on the south side of Lot 1, if the property owners are willing to give it to the District.

Mr. DiNardo asked if Lennar knew about the easements when they built the homes because, if they did, they should not have put the A/C units or pool equipment there and should have requested an encroachment agreement, as they did in other parts of Millbrook.

Since there is no pipe between Lots 1 and 2, Mr. Pires stated that, even though the District has a drainage easement, it could vacate the easement. If the pipe is in Tract E and work may require encroaching onto Lot 1, the District would need an easement from the Lot 1 property owners but the District must first acquire Tract E from the Developer.

Mr. Miller surmised that the options were for the District to install a pipe in the easement between Lots 1 and 2, or to obtain an easement on Lot 1 for the pipe in Tract E.
If the District opted for Tract E, Mr. Klug asked why the District would not simply vacate the easement between Lots 1 and 2. Mr. Miller stated that is one alternative. Mr. Pires stated the only issue about asking for an easement over the southern portion of Lot 1 is the potential issues if the pipe needs to be replaced and repaired. Mr. Klug asked if there are currently encroachments on the southern portion of Lot 1, where the District would be seeking an easement. Mr. Cole replied that there is pool equipment there but it is not encroaching on a CDD easement because there is currently not an easement there. If the District proceeded with an easement, the District could recognize it and require the equipment to be moved, at the District’s cost.

Mr. Ronald Holmes, 3130 Aviamar Circle, stated it would cost thousands of dollars to move the pool equipment. Mr. Miller stated that the cost should not be Mr. Holmes’.

Discussion ensued regarding whether a new pipe could be installed, rather than repairing the existing pipe, if it breaks. Mr. Cole confirmed that was an option. Ms. Viegas asked for the potential cost of a repair versus installing a whole new pipe. Mr. Cole estimated $25,000 to $40,000 to install a new pipe. Multiple options were discussed. Ms. Viegas asked, if the homeowners would give the District an easement, would the District let the homeowners keep their pool equipment where it is, similar to how the District allowed the homeowner in Oyster Harbor to keep their generator, that encroached on the District’s easement, via an encroachment agreement that indemnified the District.

Mr. DiNardo suggested that the homeowners write to Lennar telling them they put their equipment on a CDD easement. Mr. Miller asked how this happened. Mr. DiNardo stated mistakes are made and Lennar is the one at fault here.

Ms. Christine Brubaker, 3130 Aviamar Circle, stated Lennar knew because 3126 and 3130 are both Maria models and they had 3’ cut off from the sides because of the District’s drainage easements.

In response to a discussion, Mr. Holmes, stated that they were not willing to give the District an easement.

Ms. Irmen stated that there are generator requests in her village and asked who is responsible for making sure they are not being placed on an easement. Mr. Pires stated it is the contractor’s responsibility, while obtaining the permits. The problem with the situation under discussion is the contractor never obtained permits. Mr. Pires recapped what an encroachment agreement entails, conditions of how encroachments would be addressed in the agreement,
etc. Mr. Pires stated that, if the District does not vacate the easement and the encroachments remain, when the owners of Lots 1 and 2 sell or refinance, it will appear as an encroachment and the owners will not be able to consummate the sale or refinancing transaction unless they have a vacation of the easement, or a non disturbance and encroachment agreement.

Discussion ensued regarding the easements needed by the District, whether the District needs an easement, encroachment agreements, the potential future sale issues to the homeowners if there is no encroachment agreement or the District does not vacate the current easement, the issue being between the homeowners and Lennar, etc. Mr. Miller stated that the benefit of an encroachment agreement is that the homeowners can take that agreement to Lennar to get an indemnification. Discussion continued.

Ms. Viegas asked if the District would ever install a pipe between Lots 1 and 2 for any foreseeable reason. Mr. Cole replied no.

Mr. Klug asked what type of warranty deed is on the lots. Mr. Pires stated that he was trying to find that information; depending on the warranty deed, homeowners could put Lennar on notice.

Mr. Pires stated if the District vacated the easement, it would provide an opportunity for Lot 2 to place equipment on that south side of Lot 2, such as a generator, but that is not an issue for the CDD; it would be an issue for the Millbrook Association.

Regarding what happens if the District vacates the easement, Mr. Pires stated that it might need to go to the County; he needs to research it further. He discussed the process, if the easement must be vacated on the plat if it involved the County. The District could consent in advance to vacate for the home owners to get the easement vacation of the plat on record.

On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, directing District Counsel to research the procedures for vacation of the easement between Lots 1 and 2, contingent upon and to take effect after the grant to the District of Tract E by the Developer, was approved.

Ms. Viegas asked for clarification, as it sounded like, if the District consents to vacate, it is up to the home owner to pursue it but they have stated they do not want to pursue it and do not want the District to vacate the easement. Mr. Miller speculated that, if the District vacates, it becomes a County, or Village Association issue.
Mr. DiNardo stated that the District owes Oyster Harbor $13,137, as the District accepted the Oyster Harbor fountain in May, 2015 but the Oyster Harbor Association kept paying the water and electric bills. Mr. Albeit stated that he already sent the bills and backup to Mrs. Adams. Mrs. Adams stated that she has not finished reviewing them, but some bills are not the District's responsibility, such as the lift station bills.

On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, reimbursement of water and electric bills for the Oyster Harbor fountain, subject to staff review, was approved.


Mr. Adams requested to defer this item to the next month.

Mr. Miller and Ms. Viegas both stated they had concerns about the Agreement. Mr. Adams agreed and said the only thing in the Agreement that was relevant to the Board was the Scope of Services.

Mr. Klug asked what GIS stands for. Mr. Adams explained that it means Geographic Information Systems, which is a mapping system that shows tracts, plats, easements, etc.; it is digital and cloud-based. CDD #1 has been using the system and was about 90% complete.

This item was tabled to the next meeting.

EIGHTH ORDER OF BUSINESS  Acceptance of Unaudited Financial Statements as of December 31, 2018

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2018. Mr. Miller asked what the field management services were for. Mr. Adams stated it was the work performed by Mrs. Adam in controlling and overseeing the vendors that service the District. Mr. Miller asked about the supply system charge, under irrigation, and if it would be part of the workshop. Mrs. Adams stated it would be; they are compiling a lot of information in preparation for the workshop. She briefly described what would be discussed at the workshop, who would be attending, etc.

Mr. John Campbell, a resident, asked if the public is invited and when the workshop was being held. Mr. Adams stated the workshop will be February 27, 2019 at 1:30 p.m., after the
CDD meetings; just as with every CDD meeting, the public is also welcome to attend the workshop. Mr. Miller asked if the landscape companies would be involved. Mr. Adams stated not at this time.

Ms. Irmen asked if the workshop will only deal with the main CDD lines. Mr. Adams stated no; village information will also be covered by the Aqua-Matics representative gathering the information.

**NINTH ORDER OF BUSINESS**

**Consideration of Minutes**

**A. November 14, 2018 Regular Meeting**

Mrs. Adams presented the November 14, 2018 Regular Meeting Minutes.

The following changes were made:

- Lines 53 and 70: Change “Hart” to “Hardt”
- Line 181: Change “Certificate” to “Grant” and "COE" to "GOE"
- Line 239: Change “was” to “were”
- Line 374: Change “FOURTEENTH” to “NINTH”
- Line 378: Change “FIFTEENTH” to “TENTH”

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, the November 14, 2018 Regular Meeting Minutes, as amended, were approved.

**B. December 12, 2018 Regular Meeting**

Mrs. Adams presented the December 12, 2018 Regular Meeting Minutes.

The following changes were made:

- Line 306: Change “principle” to “principal”

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, the December 12, 2018 Regular Meeting Minutes, as amended, were approved.

**C. December 14, 2018 Continued Meeting**

Mrs. Adams presented the December 14, 2018 Continued Meeting Minutes.
The following change was made:

Line 51: Change “Reyes and Ms. Robinson” to “Reyes, Ms. Robinson, and the Court Reporter”

On MOTION by Ms. DiNardo and seconded by Mr. Miller, with all in favor, the December 14, 2018 Continued Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

A. District Counsel: Woodward, Pires and Lombardo, P.A.

Mr. Pires reported the following:

➢ The storm water utility fee was discussed at the Productivity Committee meeting. Other funding sources and the need for the fee were the two main discussion points. The meeting was much better attended.

Mr. Miller asked about the other committee that was supposed to be formed. Mr. Pires stated it was never established because the Productivity Committee was tasked with looking at the fee program.

Mr. Pires reviewed the discussions and the history of the fee, previous funding sources, other funding options, lease versus buying equipment, etc.

Mr. Miller asked if Mr. Pires supplied his documentation to the Committee. Mr. Pires stated he had but it was not time to discuss it yet. Mr. Miller asked when it would be time. Mr. Pires stated that the next meeting is supposed to be in February, but he projected it would not be until March. Mr. Miller asked Mr. Pires to attend the BOCC meeting when it is discussed. Ms. DiNardo asked when that meeting would be. Mr. Pires estimated April or May and stated that he will attend.

Mr. Miller asked if any of the 1% sales tax increase was allocated to the storm water fee. Mr. Pires stated not that he recalled but it could be a source because it is infrastructure.

B. District Manager: Wrathell, Hunt and Associates, LLC

i. NEXT MEETING DATE: February 26, 2019 at 10:00 A.M.

It was clarified that the next meeting will be held on February 27, 2019 at 10:00 a.m.; the irrigation workshop would also be held on that day.

C. Operations Manager: Wrathell, Hunt and Associates, LLC

Mrs. Adams distributed her report.
Ms. Viegas asked if the owner of the company that knocked over the street light at the corner of Aviamar Circle and Serena Lane agreed to reimburse the District for a new street light. 

Mrs. Adams replied affirmatively. 

Mr. Miller asked if the pipe in Lagomar that Ms. Irmen reported as having a leak was the same one that had a leak before. Mrs. Adams did not recall. Ms. Irmen stated the pipe she reported is closer to Amador not Lagomar.

ELEVENTH ORDER OF BUSINESS Supervisors’ Requests

There being no Supervisors’ requests, the next item followed.

TWELFTH ORDER OF BUSINESS Adjournment

The meeting recessed at approximately 12:09 p.m., and was continued to Thursday, January 24, 2019 at 9:30 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]
Secretary/Assistant Secretary

Chair/Vice Chair
The Board of Supervisors of the Fiddler’s Creek Community Development District #2 held a Continued Meeting on January 24, 2019 at 9:30 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, in the Osprey Room, Naples, Florida 34114.

Present at the meeting were:

- Elliot Miller, Chair
- Victoria DiNardo, Vice Chair
- Linda Viegas, Assistant Secretary
- Bill Klug, Assistant Secretary

Also present were:

- Chuck Adams, District Manager
- Carrie Robinson, Special Counsel
- Court Reporter

FIRST ORDER OF BUSINESS Call to Order

Mr. Adams called the meeting to order at 9:31 a.m.

SECOND ORDER OF BUSINESS Roll Call

Supervisors Miller, DiNardo, Viegas and Klug were present, in person. Supervisor Nuzzo was not present. In addition, Mr. Adams, Ms. Robinson and the Court Reporter were present.

THIRD ORDER OF BUSINESS Announce Executive Session/Continued Meeting Recess

The primary purpose for today’s Continued Meeting was to hold an Executive Session, as requested by Special Counsel, at the last meeting.
Mr. Adams recessed the Public Session at 9:32 a.m., and turned over the transcription to the Court Reporter.

FOURTH ORDER OF BUSINESS
Close Executive Session/Reconvene Continued Meeting

The Executive Session closed and the Continued Meeting reconvened at approximately 10:19 a.m.

FIFTH ORDER OF BUSINESS
Consideration of Any Actions Resulting from Executive Session

Mr. Adams asked for a motion to proceed with the actions discussed at the Executive Session.

On MOTION by Mr. Klug and seconded by Ms. DiNardo, with all in favor, proceeding with the actions discussed at the Executive Session, was approved.

SIXTH ORDER OF BUSINESS
Other Business

There being no other business, the next item followed.

SEVENTH ORDER OF BUSINESS
Adjournment

There being nothing additional to discuss, the meeting adjourned.

On MOTION by Ms. DiNardo and seconded by Mr. Klug, with all in favor, the meeting adjourned at 10:20 a.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]
Secretary/Assistant Secretary

Chair/Vice Chair
FIDDLER’S CREEK
COMMUNITY DEVELOPMENT DISTRICT #2

11B
FIDDLER’S CREEK COMMUNITY DEVELOPMENT DISTRICT #2
NOTICE OF FISCAL YEAR 2019 MEETINGS

The Board of Supervisors ("Board") of the Fiddler’s Creek Community Development District #2 ("District") will hold Regular Meetings for Fiscal Year 2019 on the fourth Wednesday of each month (unless otherwise indicated) at 10:00 a.m., at the Fiddler’s Creek Club and Spa, 3470 Club Center Boulevard, Naples, Florida 34114, on the following dates:

- October 24, 2018
- November 14, 2018
- December 12, 2018
- January 23, 2019
- February 27, 2019
- March 27, 2019
- April 24, 2019
- May 22, 2019
- June 26, 2019
- July 24, 2019
- August 28, 2019
- September 25, 2019

The purpose of these meetings is for the Board to consider any business which may properly come before it. The meetings are open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for these meetings may be obtained from Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or by calling (561) 571-0010.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

A person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

District Manager
Fiddler’s Creek Community Development District #2
TO: Fiddlers Creek CDD #2 Board of Supervisors

FROM: Cleo Adams – Assistant Regional Manager

DATE: February 27, 2019

SUBJECT: Monthly Status Report – Field Operations

**Veneta Entry Monuments:** Work-order executed on November 15th to have the name plates on the monuments cleaned/repaired, as several of them have streaks. No updates at this time.

**Lake Erosion Repairs:** As previously discussed, the residents have indicated they are working with DR Horton to make necessary repairs. Terry Cole conducted a follow-up and observed some additional required repairs by the Residents. Once those repairs have been completed the District will make their necessary repairs to the lake bank.

Lake 85 – Littoral Shelf: As approved at the December meeting, Staff will be replacing the dead Wax Myrtles with 15 gallon of the same. This project will be scheduled with the summer rains.

**Landscape:** Staff continues to tour(review the property to ensure project completions as well as day to day activities are being met. Last tour was completed on Wednesday, January 23rd. Landscape review scheduled immediately following the District 2 Board meeting.

**Landscape Beds:** As approved at the November meeting, Board approved the R/R Split Leaf Philodendron project for a cost not to exceed $34,340.00 – all information has been provided to Juniper and GulfScapes for bidding purposes. Project executed with GulfScapes for $31K. Commencement date not yet received.

**Irrigation:** The workshop meeting has been rescheduled to Wednesday, March 27th at 1:30 between both District’s, the Foundation as well as Village Rep’s to discuss the control system and options moving forward. Additionally, Staff has met with our District Engineer Terry Cole and Mike Sidlovsky of Aqua-matic Irrigation Systems to discuss our current concerns. Staff has authorized Aqua-matic to review the system, map out/identify all existing irrigation controllers, power locations and existing filtration. Information packet will be provided to the Board prior to the meeting.

**Park Benches:** As approved at last month’s meeting, benches have been ordered. Status update to be provided by Jason Olson.