

**ORDINANCE 2022-3
ESTABLISHING THE PALM COAST 145
COMMUNITY DEVELOPMENT DISTRICT**

**AN ORDINANCE OF THE CITY OF PALM COAST,
FLORIDA, ESTABLISHING THE PALM COAST 145
COMMUNITY DEVELOPMENT DISTRICT PURSUANT
TO CHAPTER 190, FLORIDA STATUTES; PROVIDING
FOR FUNCTIONS AND POWERS OF THE DISTRICT;
DESIGNATING THE INITIAL BOARD OF SUPERVISORS
OF THE DISTRICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, Palm Coast 145 Manager, LLC (“**Petitioner**”) has petitioned the City Council for the City of Palm Coast, Florida (“**City**”) to adopt an ordinance establishing the boundaries of the Palm Coast 145 Community Development District (“**District**”) pursuant to Chapter 190, *Florida Statutes*, and granting certain special powers; and

WHEREAS, the City, in determining whether to establish the District boundaries, has considered and finds that all statements contained in the *Petition to Establish the Palm Coast 145 Community Development District* (“**Petition**”) are true and correct; and

WHEREAS, the City has considered and finds that the establishment of the District is not inconsistent with any applicable element or portion of the City of Palm Coast’s Comprehensive Plan; and

WHEREAS, the City has considered and finds that the area of land within the District is a sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as a functional interrelated community; and

WHEREAS, the City has considered and finds that the District is the best alternative for delivering the community development services and facilities to the area that will be served by the District; and

WHEREAS, the City has considered and finds that the community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

WHEREAS, the City has considered and finds that the area that will be served by the District is amenable to separate special-district government; and

WHEREAS, a duly noticed public hearing, pursuant to Chapter 190, Florida Statutes, to consider the Petition was held prior to the adoption of this Ordinance establishing the District.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1: LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals are hereby adopted as the legislative and administrative findings of the City of Palm Coast City Council (“City Council”).

SECTION 2: AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, *Florida Statutes* (2020).

SECTION 3: DISTRICT NAME. There is hereby created a community development district situated entirely within incorporated Palm Coast, Florida, which District shall be known as the “Palm Coast 145 Community Development District.”

SECTION 4: EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto.

SECTION 5: FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190, *Florida Statutes* (2020), as may be amended from time to time. The Charter of the District shall be as set forth in Chapter 190, *Florida Statutes*, as created by general law. The District’s Board of Supervisors may further exercise certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for (a) parks and facilities for indoor and outdoor recreational, cultural, and educational uses; and (b) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by applicable governmental agencies; except that the District may not exercise any police power, but may contract with the City for an increased level of such services within the proposed District boundaries, all as authorized and described by Section 190.012(2), *Florida Statutes*.

SECTION 6: BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District’s Board of Supervisors are: Michael Beebe, Robert Attack, Franklin J. Green, David Hansen and Clifton Fischer. All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

SECTION 7: ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS. The administrative correction of typographical and/or scrivener’s errors in this Ordinance which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION 8: SEVERABILITY. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance

are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 9: CONFLICTS. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 10: EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

Approved on first reading this 14th day of December 2021.

Adopted on second reading after due public notice and hearing this 4th day of January 2022.

ATTEST:



VIRGINIA A. SMITH, CITY CLERK

CITY OF PALM COAST



DAVID ALFIN, MAYOR

APPROVED FOR LEGALITY:

NEIL W. BARKERT, CITY ATTORNEY



EXHIBIT A

SKETCH OF DESCRIPTION
SHEET 1 OF 2

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1, WITHIN GOVERNMENT SECTION 25, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF SAID SECTION 25; RUN THENCE N01°49'04"W ALONG THE EAST LINE OF SAID SECTION 25 A DISTANCE OF 703.34 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE RUN N54°32'06"W ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 3282.18 FEET TO A POINT OF CURVATURE; THENCE RUN 761.56 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (CONCAVE NORTHEASTERLY) HAVING A CENTRAL ANGLE OF 24°00'00", A RADIUS OF 1818.08 FEET, A CHORD BEARING OF N42°32'06"W AND A CHORD DISTANCE OF 756.55 FEET TO A POINT OF TANGENCY; THENCE N30°31'02"W A DISTANCE OF 733.55 FEET; THENCE DEPARTING U.S. HIGHWAY NO. 1 N88°39'42"E ALONG THE BOUNDARY OF THE PLAT KANKAKEE RUN SECTION 65 PALM COAST, MAP BOOK 17, PAGES 56 THROUGH 67, INCLUSIVE, A DISTANCE OF 2832.30 FEET; THENCE CONTINUING ALONG SAID BOUNDARY N01°01'39"W A DISTANCE OF 646.45 FEET; THENCE N88°39'42"E A DISTANCE OF 660.52 FEET; THENCE S01°01'39"E A DISTANCE OF 3232.24 FEET; THENCE S01°49'04"E ALONG SAID BOUNDARY OF SECTION 65 A DISTANCE OF 590.22 FEET TO THE POINT OF BEGINNING.

LESS LOT 6, BLOCK 28, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT NORTHEAST CORNER OF SAID LOT 6; RUN THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 6 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 6 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

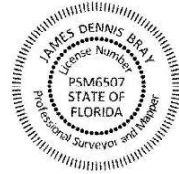
LESS LOT 7, BLOCK 28, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 7; RUN THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 7 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 7 A DISTANCE OF 50.00 FEET; THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 7 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

LESS LOT 8, BLOCK 20; BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 8; RUN THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 8; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 50.00 FEET; THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 8 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

LESS LOT 3, BLOCK 70, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 3; RUN THENCE S01°20'18"W ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

LESS LOT 11, BLOCK 70, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 11; RUN THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 11 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 11 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 11 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 6,338,129 SQUARE FEET OR 145.5034 ACRES MORE OR LESS.



JOB # 904554
CF # 0 US HWY 1-PALM COAST-SOD
DATE: 09/07/2021
SCALE: 1" = 500'
DRAWN BY: GLT

CERTIFIED TO:
M-R DEVELOPMENT & CONSTRUCTION, INC.

LEGEND

CBW	- CONCRETE BLOCK WALL
CLF	- CHAIN LINK FENCE
CM	- CONCRETE MONUMENT
CONC	- CONCRETE
COVD	- COVERED
CW	- CONCRETE WALKWAY
Δ	- CENTRAL ANGLE
(D)	- DESCRIBED
DB	- DEED BOOK
DE	- DRAINAGE EASEMENT
DW	- DRIVEWAY
EP	- EDGE OF PAVEMENT
ESM	- EASEMENT
FH	- FIRE HYDRANT
FFE	- FINISHED FLOOR ELEVATION
FND	- FOUND
INST	- INSTRUMENT NUMBER
IP	- IRON PIPE
IR	- IRON ROD
L	- ARC LENGTH
(M)	- MEASURED
MS	- METAL SHED
N&D	- NAIL AND DISK
ORB	- OFFICIAL RECORDS BOOK
OW	- OVERHEAD WIRE
(P)	- PLAT
PB	- PLAT BOOK
PG	- PAGE
POB	- POINT OF BEGINNING
POC	- POINT OF COMMENCEMENT
R/W	- RIGHT OF WAY
R	- RADIUS
TR	- TELEPHONE RISER
TYP	- TYPICAL
UE	- UTILITY EASEMENT
UP	- UTILITY POLE
#	- NUMBER

REVISIONS
9/8/2021 - Remove Block 2 - JB

GENERAL NOTES:

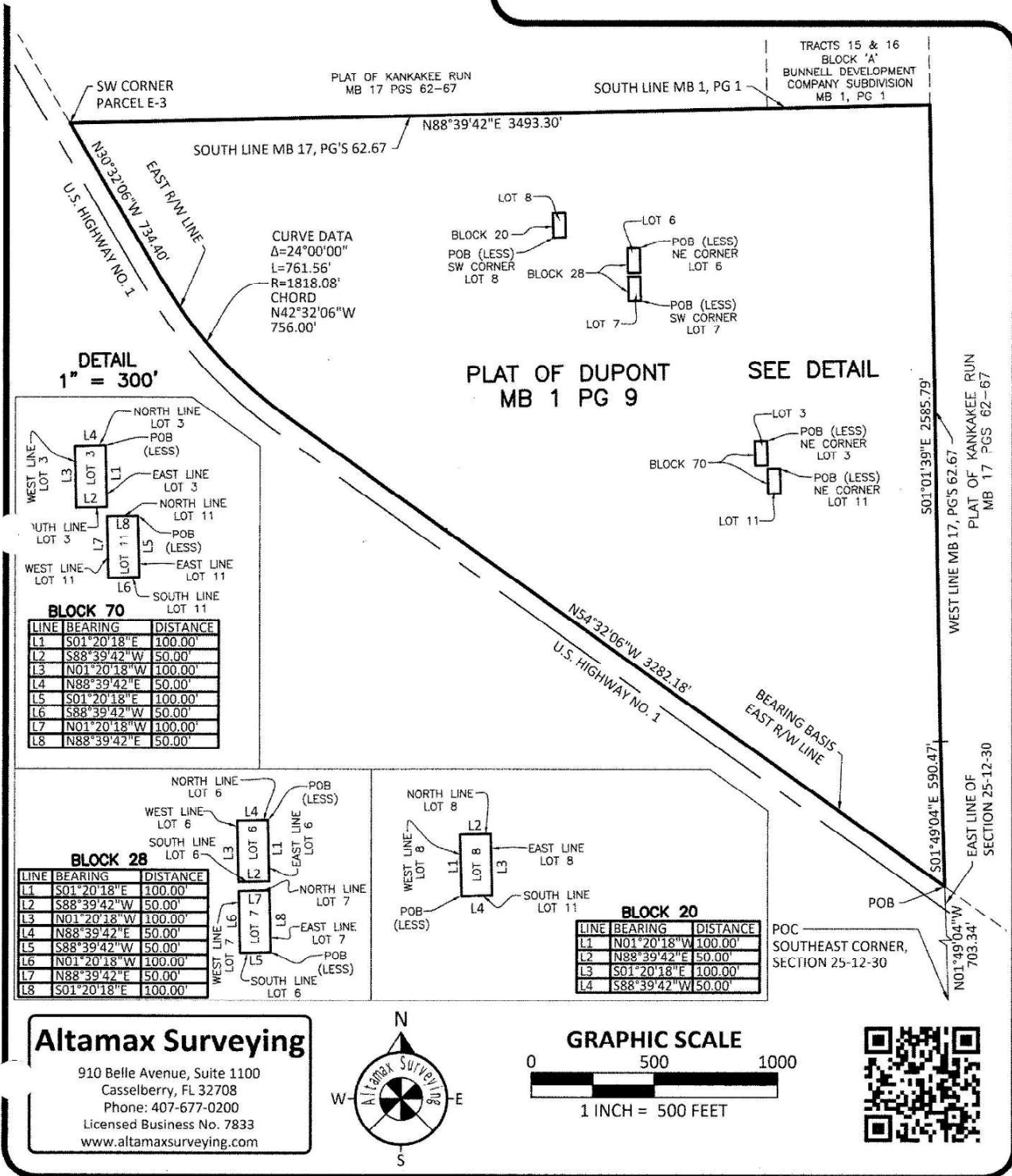
1. Bearing structure is assumed and based on the East line of Section 25-12-30, being: N01°49'04"W.
2. This surveyor has not made a search of the public records for any dedications, limitations, restrictions or easements other than shown hereon.
3. This Sketch of Description has been made for the exclusive use of the entities prepared for hereon and does not extend to any unnamed parties.
4. This Sketch of Description is not a Survey.
5. This Sketch is "Not Valid" without the original signature and seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: www.altamaxsurveying.com for instructions on signature validation). The seal appearing on this document was authorized by signing Professional Surveyor and Mapper on the Date of the electronic signature.

Altamax Surveying
910 Belle Avenue, Suite 1100
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com

James D. Bray PSM 6507

SKETCH OF DESCRIPTION

SHEET 2 OF 2



DETAIL 1" = 300'

NORTH LINE LOT 3

POB (LESS)

EAST LINE LOT 3

NORTH LINE LOT 11

POB (LESS)

EAST LINE LOT 11

WEST LINE LOT 3

WEST LINE LOT 11

SOUTH LINE LOT 11

BLOCK 70

LINE	BEARING	DISTANCE
L1	S01°20'18"E	100.00'
L2	S88°39'42"W	50.00'
L3	N01°20'18"W	100.00'
L4	N88°39'42"E	50.00'
L5	S01°20'18"E	100.00'
L6	S88°39'42"W	50.00'
L7	N01°20'18"W	100.00'
L8	N88°39'42"E	50.00'

NORTH LINE LOT 6

POB (LESS)

WEST LINE LOT 6

SOUTH LINE LOT 6

EAST LINE LOT 6

NORTH LINE LOT 7

POB (LESS)

EAST LINE LOT 7

WEST LINE LOT 6

WEST LINE LOT 7

SOUTH LINE LOT 6

BLOCK 28

LINE	BEARING	DISTANCE
L1	S01°20'18"E	100.00'
L2	S88°39'42"W	50.00'
L3	N01°20'18"W	100.00'
L4	N88°39'42"E	50.00'
L5	S88°39'42"W	50.00'
L6	N01°20'18"W	100.00'
L7	N88°39'42"E	50.00'
L8	S01°20'18"E	100.00'

NORTH LINE LOT 8

WEST LINE LOT 8

POB (LESS)

EAST LINE LOT 8

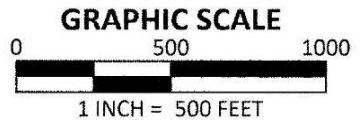
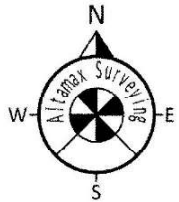
SOUTH LINE LOT 11

BLOCK 20

LINE	BEARING	DISTANCE
L1	N01°20'18"W	100.00'
L2	N88°39'42"E	50.00'
L3	S01°20'18"E	100.00'
L4	S88°39'42"W	50.00'

Altamax Surveying

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 Casselberry, FL 32708
 Phone: 407-677-0200
 Licensed Business No. 7833
www.altamaxsurveying.com



**BEFORE THE CITY COUNCIL OF THE
CITY OF PALM COAST, FLORIDA**

**PETITION TO ESTABLISH THE
PALM COAST 145 COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Palm Coast 145 Manager, LLC, (hereafter “Petitioner”), hereby petitions the City Council of Palm Coast, Florida, pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, Florida Statutes, to establish a Community Development District (hereafter “District”) with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within the City of Palm Coast, Florida. **Exhibit 1** depicts the general location of the project. The proposed District covers approximately 145.5034 acres of land. The site is generally located south of Belle Terre Boulevard, north and east of U.S. 1, and west of Karas Trail. The metes and bounds description of the proposed external boundaries of the District is set forth in **Exhibit 2**.

2. Excluded Parcels. There are five (5) outparcels located within the external boundaries of the proposed District which are to be excluded from the District. The name and address of the property owners, as well as the legal description, are provided in **Exhibit 3**. Establishment of the District will have no adverse impact on the excluded parcel.

3. Landowner Consent. Petitioner has obtained written consent to establish the District from the owners of one hundred percent (100%) of the real property located within the boundaries of the proposed District, in accordance with Section 190.005, *Florida Statutes*. Documentation of this consent is contained in **Exhibit 4**.

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

Name: Michael Beebe
Address: 27 Mahoe Drive N.
Palm Coast, Florida 32137

Name: Robert Atack
Address: 5764 John Anderson Hwy.
Flagler Beach, Florida 32136

Name: Franklin J. Green
Address: 4798 New Broad St. Suite 300
Orlando, Florida 32814

Name: David Hansen
Address: 205 Tamar Court
Saint Augustine, Florida 32095

Name: Clifton Fischer
Address: 2005 Jackson Street N.
Saint Petersburg Florida 33704

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

6. Name. The proposed name of the District is Palm Coast 145 Community Development District.

7. Future Land Uses. The land uses proposed for the District and Expansion Parcels, in accordance with the future land use plan element of the City's Future Land Use Plan, is identified in **Exhibit 5**.

8. Major Water and Wastewater Facilities. **Exhibit 6** shows the existing and proposed major trunk water mains, sewer mains, lift stations, outfalls, reuse facilities and drainage patterns serving the lands within and around the proposed District.

9. District Facilities and Services. **Exhibit 7** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or install, as well as the anticipated entity responsible for ownership and maintenance. The

estimated costs of constructing the infrastructure serving land within the proposed District are identified in **Exhibit 8**. At present, these improvements are estimated to be made, acquired, constructed and/or installed from January 2022 through December 2022. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

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

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

Jonathan T. Johnson (jonathanj@hgslaw.com)
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300 (32301)
P.O. Box 6526
Tallahassee, Florida 32314

12. This petition to establish the Palm Coast 145 Community Development District should be granted for the following reasons:

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

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

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

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

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

WHEREFORE, Petitioner respectfully requests the City Council of Palm Coast, Florida to:

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

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

c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses, as authorized and described by Section 190.012(2)(a), Florida Statutes.

d. grant such other relief as appropriate.

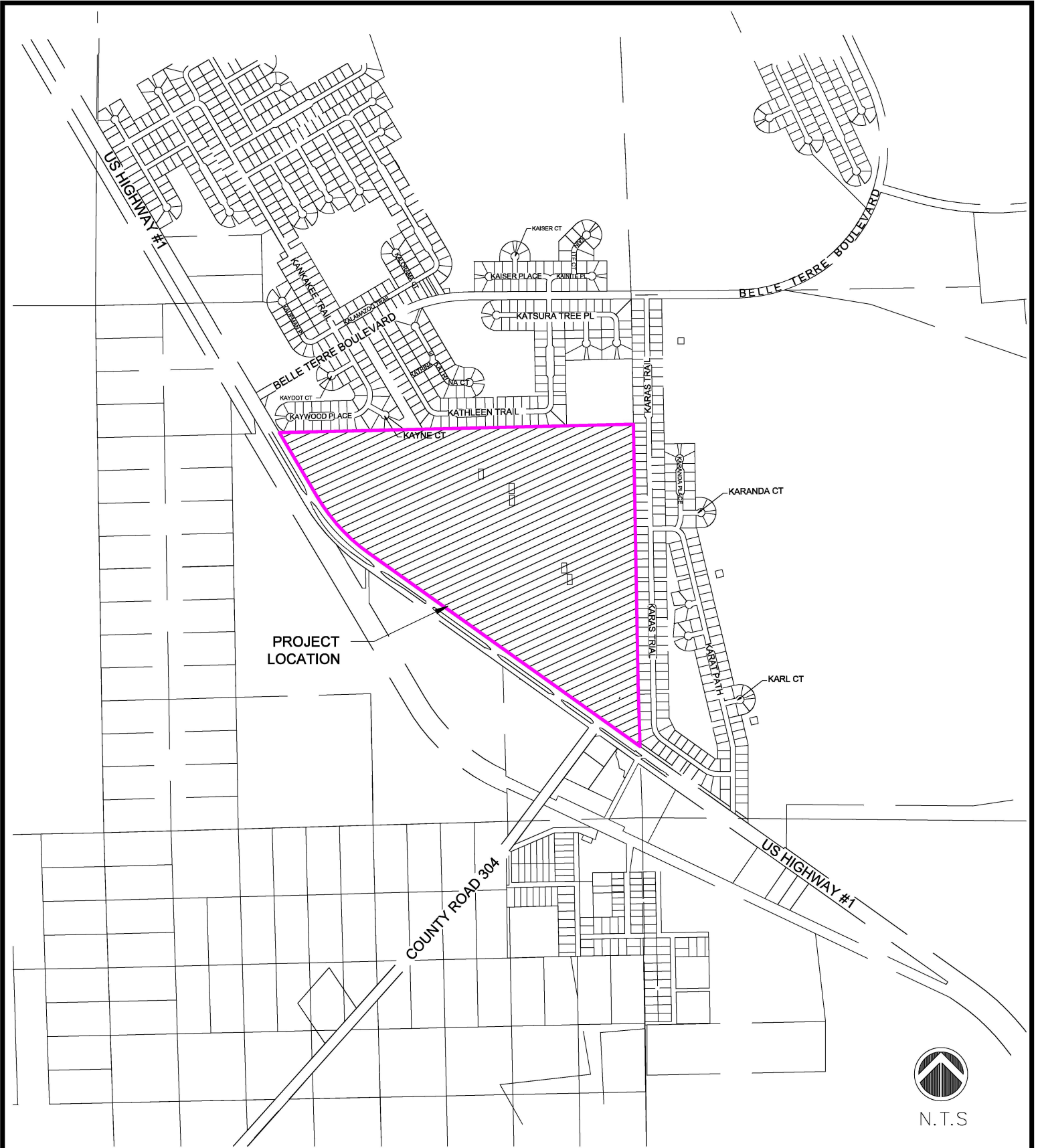
RESPECTFULLY SUBMITTED, this 14th day of October, 2021.

HOPPING GREEN & SAMS, P.A.

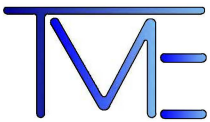


Jonathan T. Johnson
jonathanj@hgslaw.com
Florida Bar No. 986460
119 South Monroe Street, Suite 300
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)
Attorney for Petitioner

EXHIBIT 1



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TERRA-MAX ENGINEERING, INC.
 1507 S. HIAWASSEE ROAD, SUITE 211
 ORLANDO FLORIDA 32835
 TEL: (407) 578-2763 FAX: (407) 578-2953

LOCATION MAP

PALM COAST 145 COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST
FLORIDA



N.T.S.

DRAWN	RMK
CHECKED	MMB
DATE	08/21/21
SCALE	AS SHOWN
JOB NO.	BSK-01-003
CONTROL NO.	-
SHEET	-
EXHIBIT 1	

EXHIBIT 2

SKETCH OF DESCRIPTION

SHEET 1 OF 2

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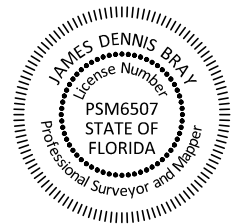
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LESS LOT 8, BLOCK 20; BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 8; RUN THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 8; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 50.00 FEET; THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 8 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

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LESS LOT 11, BLOCK 70, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 11; RUN THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 11 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 11 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 11 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 6,338,129 SQUARE FEET OR 145.5034 ACRES MORE OR LESS.



JOB # 904554
CF # 0 US HWY 1-PALM COAST-SOD
DATE: 09/07/2021
SCALE: 1" = 500'
DRAWN BY: GLT

CERTIFIED TO:
M-R DEVELOPMENT & CONSTRUCTION, INC.

LEGEND	
Ⓒ	- CENTERLINE
CBW	- CONCRETE BLOCK WALL
CLF	- CHAIN LINK FENCE
CM	- CONCRETE MONUMENT
CONC	- CONCRETE
COVD	- COVERED
CW	- CONCRETE WALKWAY
Δ	- CENTRAL ANGLE
(D)	- DESCRIBED
DB	- DEED BOOK
DE	- DRAINAGE EASEMENT
DW	- DRIVEWAY
EP	- EDGE OF PAVEMENT
ESMT	- EASEMENT
FH	- FIRE HYDRANT
FEE	- FINISHED FLOOR ELEVATION
FND	- FOUND
INST	- INSTRUMENT NUMBER
IP	- IRON PIPE
IR	- IRON ROD
L	- ARC LENGTH
(M)	- MEASURED
MS	- METAL SHED
N&D	- NAIL AND DISK
ORB	- OFFICIAL RECORDS BOOK
OW	- OVERHEAD WIRE
(P)	- PLAT
PB	- PLAT BOOK
PG	- PAGE
POB	- POINT OF BEGINNING
POC	- POINT OF COMMENCEMENT
R/W	- RIGHT OF WAY
R	- RADIUS
TR	- TELEPHONE RISER
TYP	- TYPICAL
UE	- UTILITY EASEMENT
UP	- UTILITY POLE
#	- NUMBER

REVISIONS
9/8/2021 - Remove Block 2 - JB

GENERAL NOTES:

- Bearing structure is assumed and based on the East line of Section 25-12-30, being: N01°49'04"W.
- This surveyor has not made a search of the public records for any dedications, limitations, restrictions or easements other than shown hereon.
- This Sketch of Description has been made for the exclusive use of the entities prepared for hereon and does not extend to any unnamed parties.
- This Sketch of Description is not a Survey.
- This Sketch is "Not Valid" without the original signature and seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: www.altamaxsurveying.com for instructions on signature validation). The seal appearing on this document was authorized by signing Professional Surveyor and Mapper on the Date of the electronic signature.

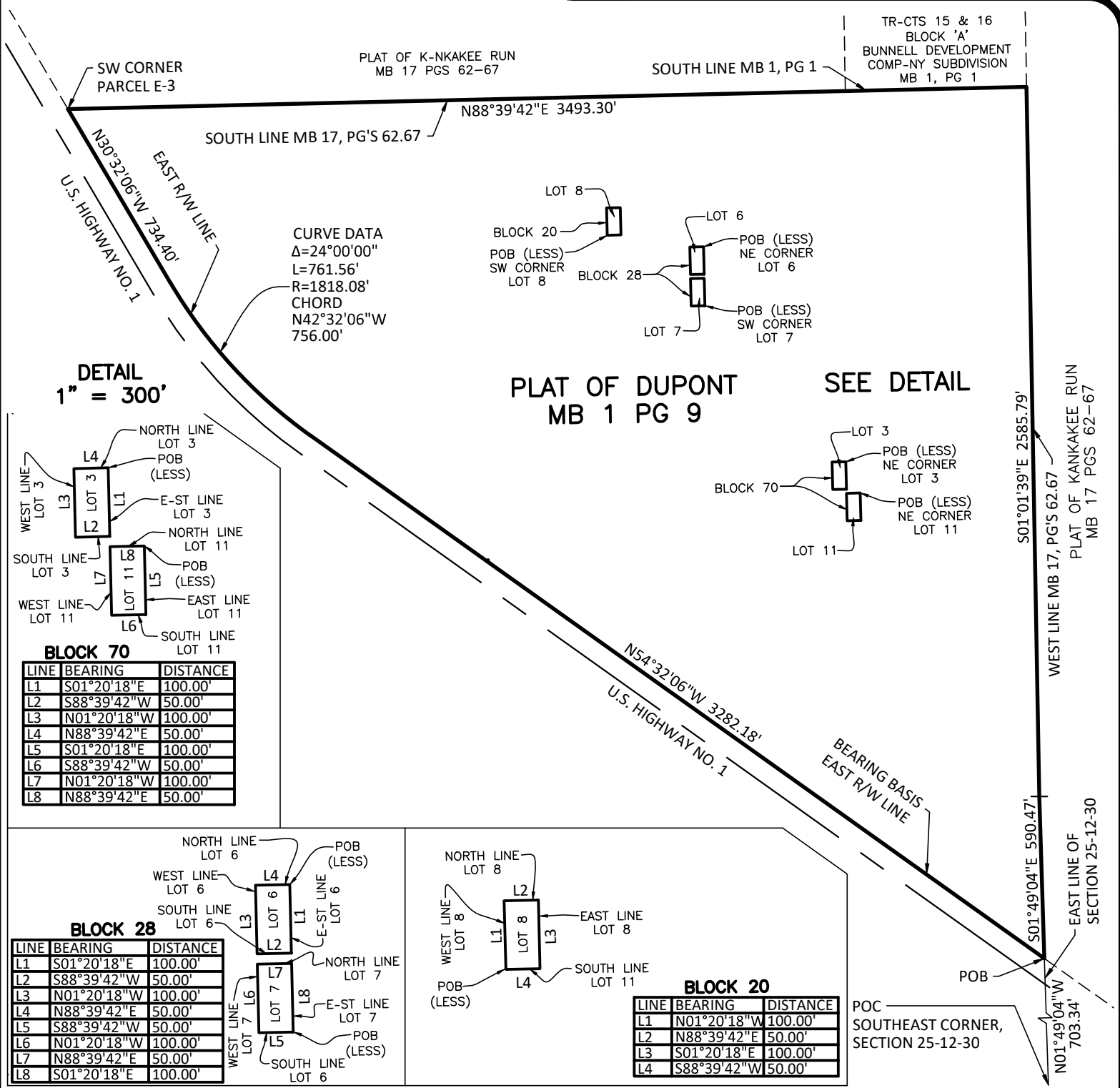
Altamax Surveying

910 Belle Avenue, Suite 1100
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com

James D. Bray PSM 6507

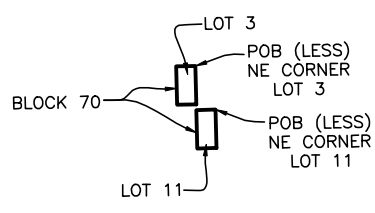
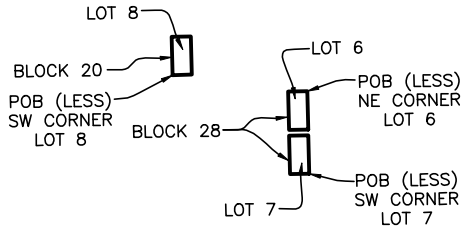
SKETCH OF DESCRIPTION

SHEET 2 OF 2

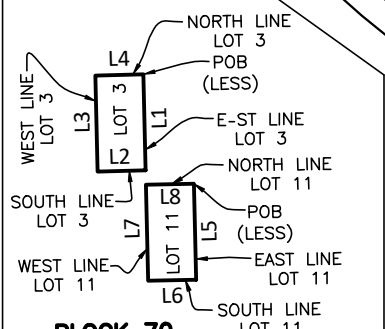


TR-CTS 15 & 16
BLOCK 'A'
BUNNELL DEVELOPMENT
COMP-NY SUBDIVISION
MB 1, PG 1

CURVE DATA
Δ=24°00'00"
L=761.56'
R=1818.08'
CHORD
N42°32'06"W
756.00'

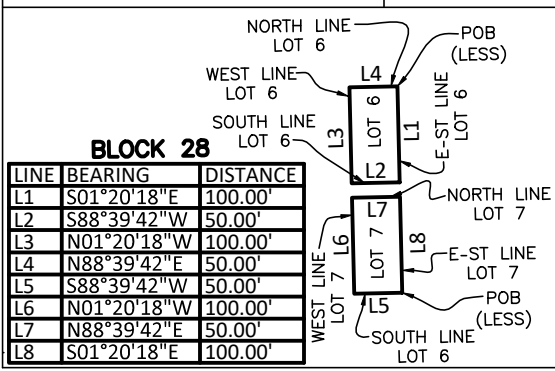


DETAIL
1" = 300'



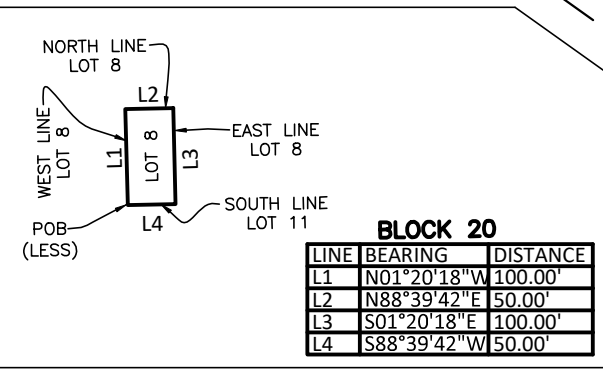
BLOCK 70

LINE	BEARING	DISTANCE
L1	S01°20'18"E	100.00'
L2	S88°39'42"W	50.00'
L3	N01°20'18"W	100.00'
L4	N88°39'42"E	50.00'
L5	S01°20'18"E	100.00'
L6	S88°39'42"W	50.00'
L7	N01°20'18"W	100.00'
L8	N88°39'42"E	50.00'



BLOCK 28

LINE	BEARING	DISTANCE
L1	S01°20'18"E	100.00'
L2	S88°39'42"W	50.00'
L3	N01°20'18"W	100.00'
L4	N88°39'42"E	50.00'
L5	S88°39'42"W	50.00'
L6	N01°20'18"W	100.00'
L7	N88°39'42"E	50.00'
L8	S01°20'18"E	100.00'



BLOCK 20

LINE	BEARING	DISTANCE
L1	N01°20'18"W	100.00'
L2	N88°39'42"E	50.00'
L3	S01°20'18"E	100.00'
L4	S88°39'42"W	50.00'

Altamax Surveying
910 Belle Avenue, Suite 1100
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com

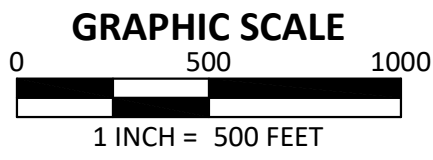
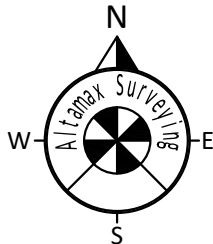


EXHIBIT 3

EXHIBIT 3
EXCLUDED PARCEL INFORMATION

Property Owner Name and Address:

1. Parcel ID 25-12-30-1500-00280-0060
Sara McDaniel
11275 US Highway 98, Suite 6
Miramar Beach, Florida 32550
See Exhibit 2 - Lot 6, Block 28

2. Parcel ID 25-12-30-1500-00280-0070
Rob Ilves
P.O. Box 23972
Santa Fe, New Mexico 87502
See Exhibit 2 - Lot 7, Block 28

3. Parcel ID 25-12-30-1500-00200-0080
Stacie Hope Eatman
10 Sea Board Court
Palm Coast, Florida 32164
See Exhibit 2 - Lot 8, Block 20

4. Parcel ID 25-12-30-1500-00700-0030
Pamela D. Fellows Chavious
986 E. Mowry Wash Ln.
Sahuarita, Arizona 865629
See Exhibit 2 - Lot 3, Block 70

5. Parcel ID 25-12-30-1500-00700-0110
Richard D. and Debra S. Wingo
720 S. Dobson Rd. #34
Mesa, Arizona 85202
See Exhibit 2 - Lot 11, Block 70

EXHIBIT 4

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

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

The undersigned understands and acknowledges that **Palm Coast 145 Manager, LLC** ("Petitioner") intends to submit an application to establish a community development district in accordance with the provisions of Chapter 190 of the Florida Statutes.

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

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

The undersigned acknowledges that the consent will remain in full force and effect until the community development district is established or a written revocation is issued, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, a consent to establishment of the community development district in substantially this form.

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

[signatures on following page]


(Signature page to the CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT)

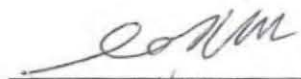
Executed this 10 day of September, 2021.

WITNESSES:

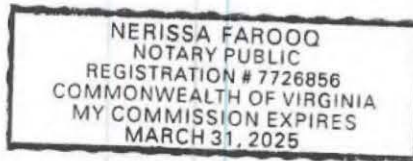
PALM COAST 145 ACQUISITION, LLC,
a Florida limited liability company


Name: Khanh Huynh

By: 
Name: Bradford Kline
Title: manager



Name: HUNG TRAN

Virginia
STATE OF ~~FLORIDA~~
COUNTY OF Fairfax



I hereby certify that on this day, before me, by means of physical presence or online notarization, an officer duly authorized to take acknowledgments, personally appeared Bradford Kline, as manager of Palm Coast 145 Acquisition, LLC, who executed the foregoing instrument, acknowledged before me that s/he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 10th day of September, 2021.


Notary Public

Personally known: Nerissa Farooq
Produced Identification: T65961536
Type of Identification: VA DL

Exhibit A

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1, WITHIN GOVERNMENT SECTION 25, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF SAID SECTION 25; RUN THENCE N01°49'04"W ALONG THE EAST LINE OF SAID SECTION 25 A DISTANCE OF 703.34 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE RUN N54°32'06"W ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 3282.18 FEET TO A POINT OF CURVATURE; THENCE RUN 761.56 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (CONCAVE NORTHEASTERLY) HAVING A CENTRAL ANGLE OF 24°00'00", A RADIUS OF 1818.08 FEET, A CHORD BEARING OF N42°32'06"W AND A CHORD DISTANCE OF 756.55 FEET TO A POINT OF TANGENCY; THENCE N30°31'02"W A DISTANCE OF 733.55 FEET; THENCE DEPARTING U.S. HIGHWAY NO. 1 N88°39'42"E ALONG THE BOUNDARY OF THE PLAT KANKAKEE RUN SECTION 65 PALM COAST, MAP BOOK 17, PAGES 56 THROUGH 67, INCLUSIVE, A DISTANCE OF 2832.30 FEET; THENCE CONTINUING ALONG SAID BOUNDARY N01°01'39"W A DISTANCE OF 646.45 FEET; THENCE N88°39'42"E A DISTANCE OF 660.52 FEET; THENCE S01°01'39"E A DISTANCE OF 3232.24 FEET; THENCE S01°49'04"E ALONG SAID BOUNDARY OF SECTION 65 A DISTANCE OF 590.22 FEET TO THE POINT OF BEGINNING.

LESS LOT 6, BLOCK 28, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT NORTHEAST CORNER OF SAID LOT 6; RUN THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 6 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 6 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

LESS LOT 7, BLOCK 28, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 7; RUN THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 7 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 7 A DISTANCE OF 50.00 FEET; THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 7 A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

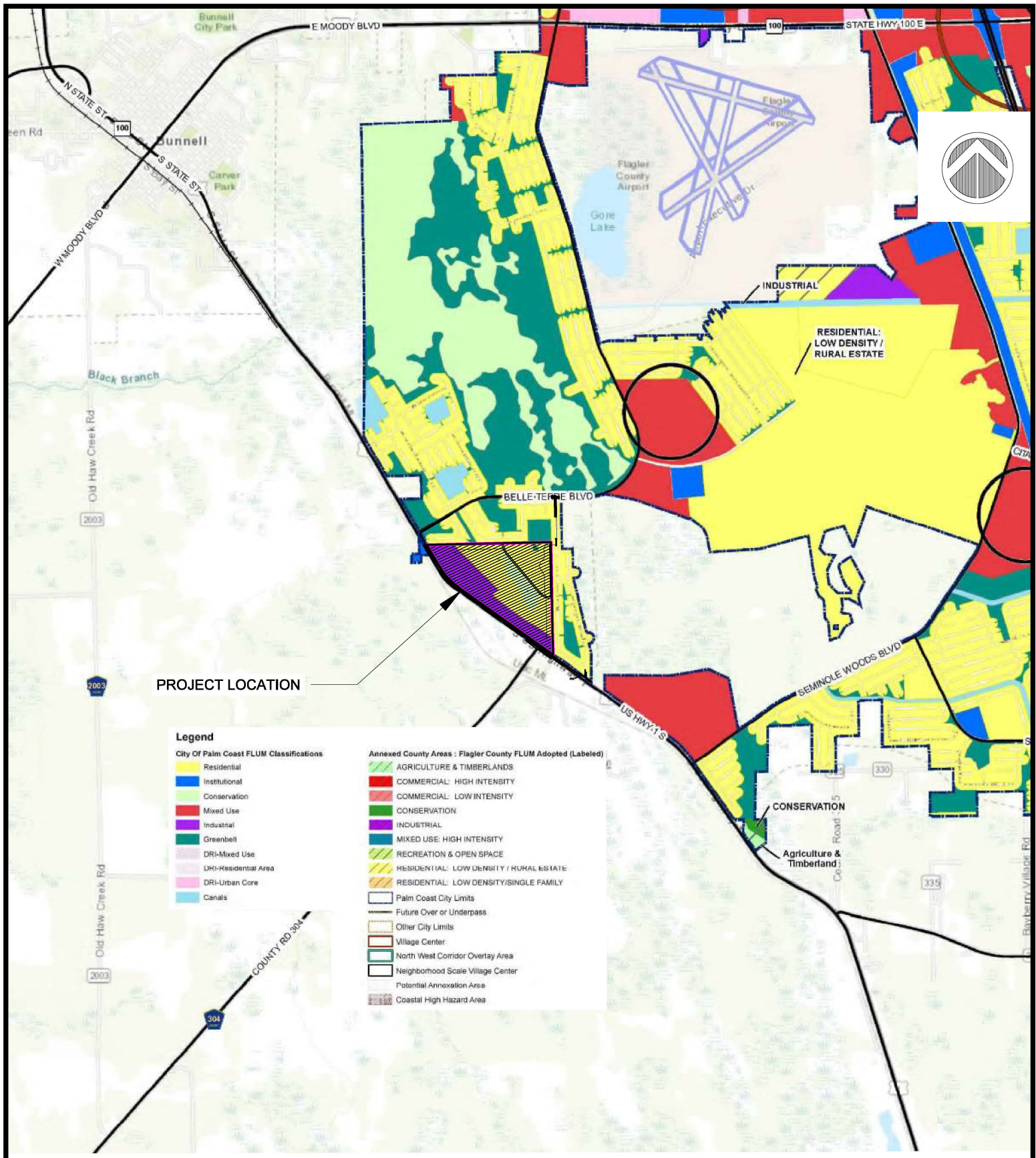
LESS LOT 8, BLOCK 20; BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 8; RUN THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 8; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 50.00 FEET; THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 8 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

LESS LOT 3, BLOCK 70, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 3; RUN THENCE S01°20'18"W ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 3 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

LESS LOT 11, BLOCK 70, PLAT OF DUPONT, AS RECORDED IN PLAT BOOK 1, PAGE 9, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 11; RUN THENCE S01°20'18"E ALONG THE EAST LINE OF SAID LOT 11 A DISTANCE OF 100.00 FEET; THENCE S88°39'42"W ALONG THE SOUTH LINE OF SAID LOT 11 A DISTANCE OF 50.00 FEET; THENCE N01°20'18"W ALONG THE WEST LINE OF SAID LOT 11 A DISTANCE OF 100.00 FEET; THENCE N88°39'42"E ALONG THE NORTH LINE OF SAID LOT 11 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 6,338,129 SQUARE FEET OR 145.5034 ACRES MORE OR LESS.

EXHIBIT 5



PROJECT LOCATION

Legend

- City Of Palm Coast FLUM Classifications**
- Residential
 - Institutional
 - Conservation
 - Mixed Use
 - Industrial
 - Greenbelt
 - DRI-Mixed Use
 - DRI-Residential Area
 - DRI-Urban Core
 - Canals

- Annexed County Areas : Flagler County FLUM Adopted (Labeled)**
- AGRICULTURE & TIMBERLANDS
 - COMMERCIAL: HIGH INTENSITY
 - COMMERCIAL: LOW INTENSITY
 - CONSERVATION
 - INDUSTRIAL
 - MIXED USE: HIGH INTENSITY
 - RECREATION & OPEN SPACE
 - RESIDENTIAL: LOW DENSITY / RURAL ESTATE
 - RESIDENTIAL: LOW DENSITY/SINGLE FAMILY
- Other Symbols:**
- Palm Coast City Limits
 - Future Over or Underpass
 - Other City Limits
 - Village Center
 - North West Corridor Overlay Area
 - Neighborhood Scale Village Center
 - Potential Annexation Area
 - Coastal High Hazard Area

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FUTURE LAND USE MAP

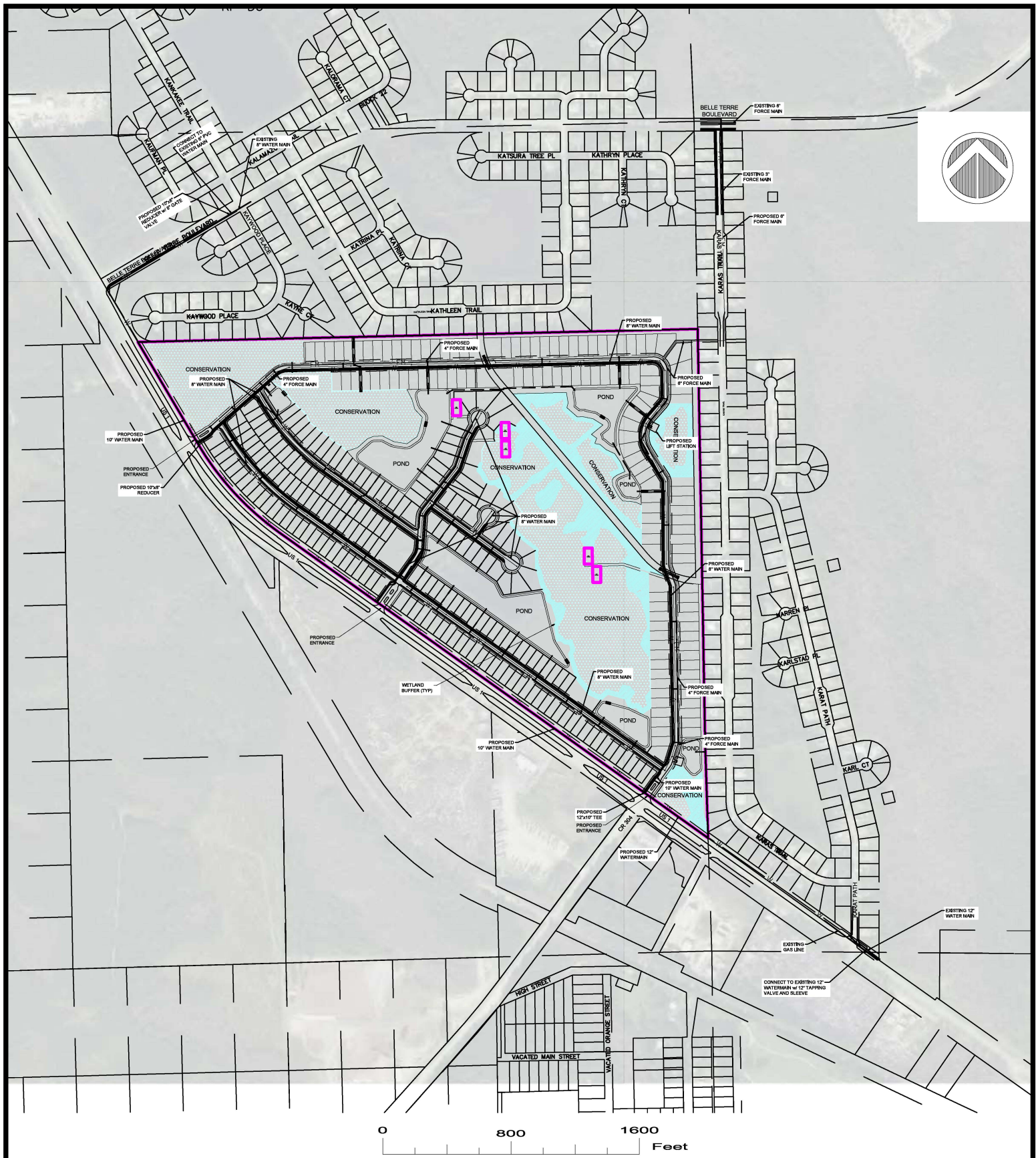
TERRA-MAX ENGINEERING, INC.
 1507 S. HIAWASSEE ROAD, SUITE 211
 ORLANDO FLORIDA 32835
 TEL: (407) 578-2763 FAX: (407) 578-2953

PALM COAST 145 COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST
 FLORIDA

DRAWN	RMK
CHECKED	MMB
DATE	08/21/21
SCALE	AS SHOWN
JOB NO.	BSK-01-003
CONTROL NO.	-
SHEET	-
EXHIBIT 10	

EXHIBIT 6



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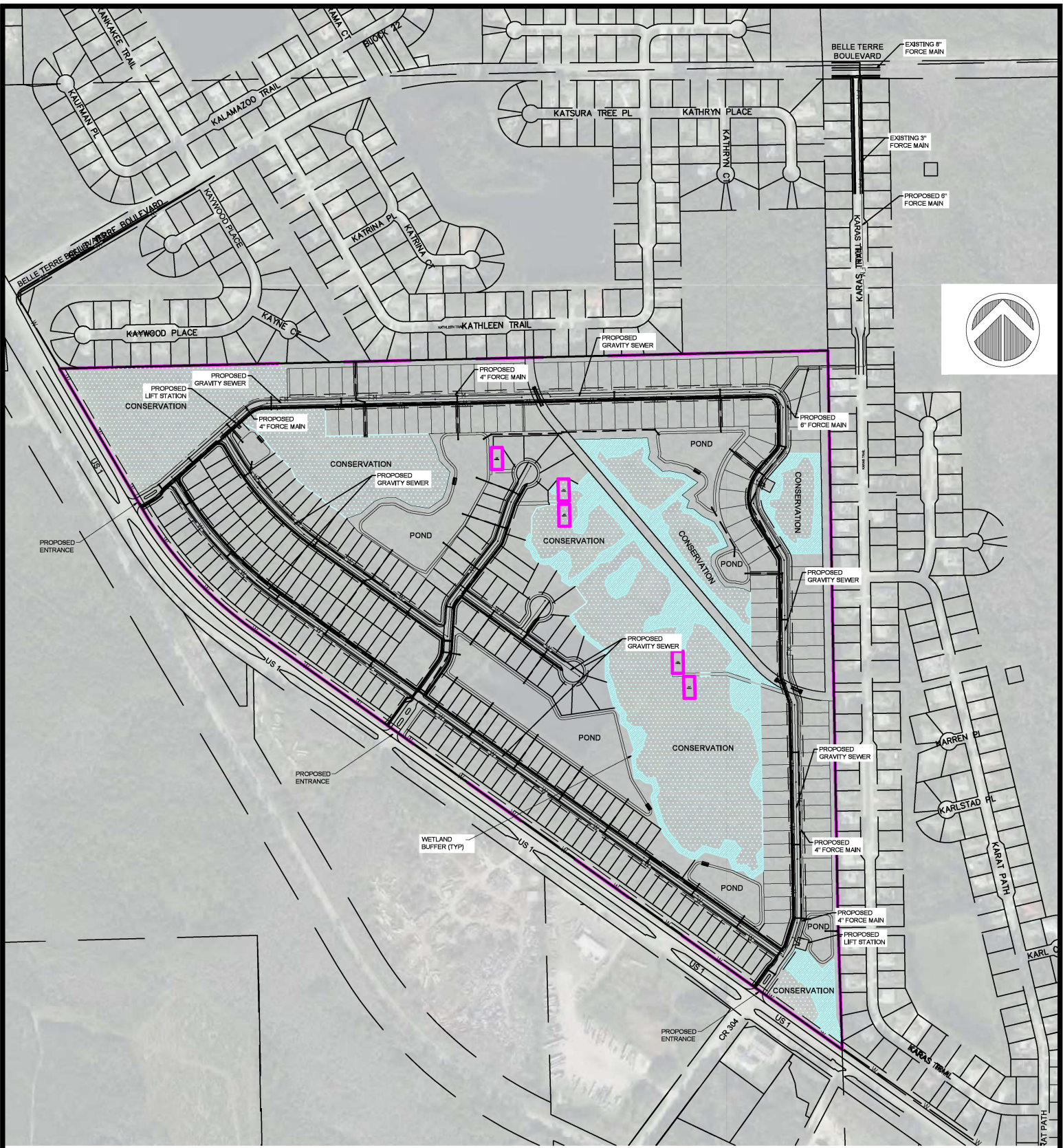
WATER DISTRIBUTION SYSTEM

PALM COAST 145 COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST FLORIDA

TERRA-MAX ENGINEERING, INC.
 1507 S. HIAWASSEE ROAD, SUITE 211
 ORLANDO FLORIDA 32835
 TEL: (407) 578-2763 FAX: (407) 578-2953

DRAWN	RMK
CHECKED	MMB
DATE	08/21/21
SCALE	AS SHOWN
JOB NO.	BSK-01-003
CONTROL NO.	-
SHEET	-
EXHIBIT 4	



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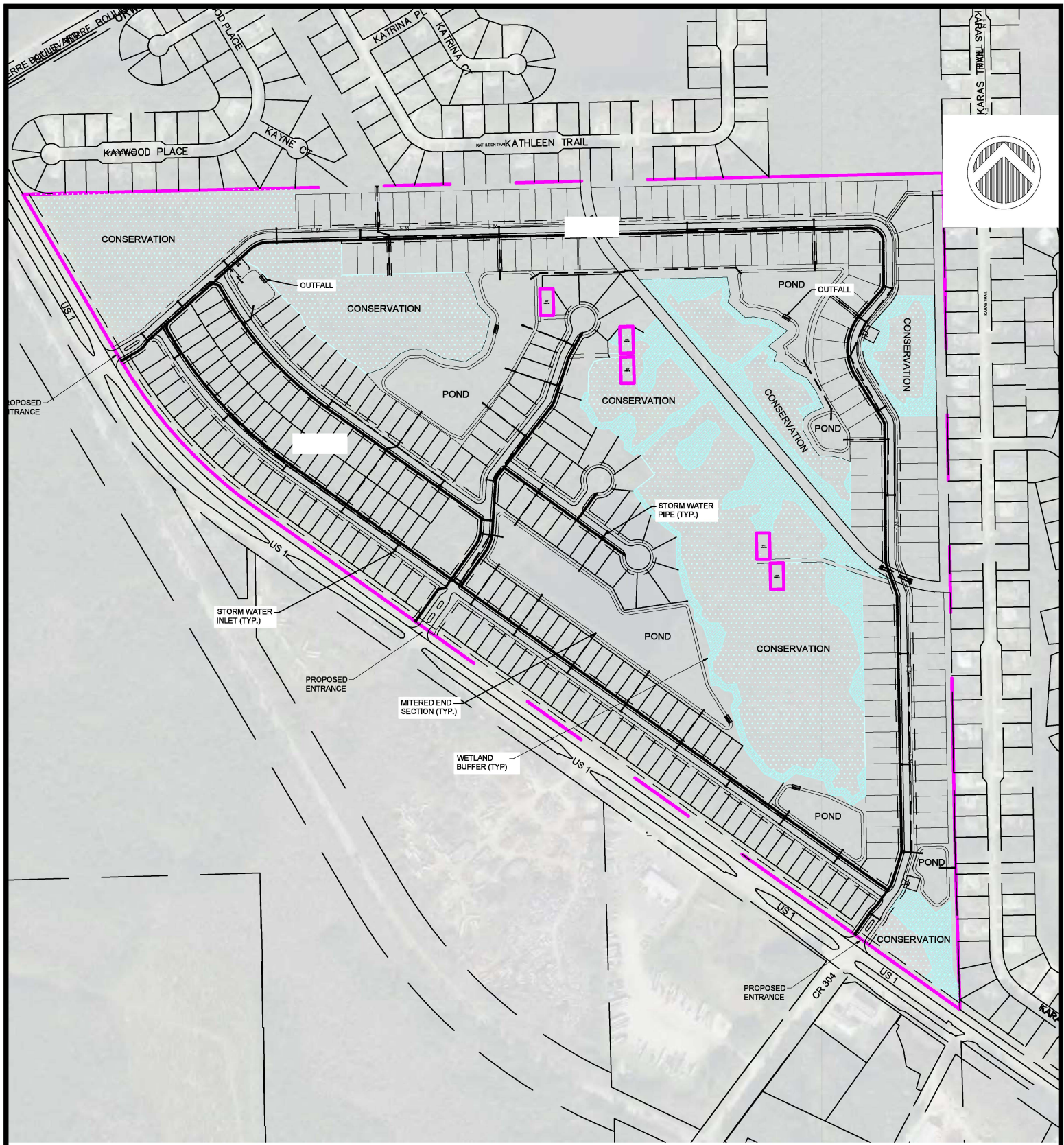
TERRA-MAX ENGINEERING, INC.
 1507 S. HIAWASSEE ROAD, SUITE 211
 ORLANDO FLORIDA 32835
 TEL: (407) 578-2763 FAX: (407) 578-2953

SANITARY SEWER SYSTEM

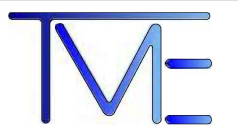
**PALM COAST 145
 COMMUNITY DEVELOPMENT
 DISTRICT**

CITY OF PALM COAST
 FLORIDA

DRAWN	RMK
CHECKED	MMB
DATE	08/21/21
SCALE	AS SHOWN
JOB NO.	BSK-01-003
CONTROL NO.	-
SHEET	-
EXHIBIT 6	



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STORM WATER PLAN

PALM COAST 145 COMMUNITY DEVELOPMENT DISTRICT

CITY OF PALM COAST
FLORIDA

DRAWN	RMK
CHECKED	MMB
DATE	08/21/21
SCALE	AS SHOWN
JOB NO.	BSK-01-003
CONTROL NO.	-
SHEET	-

EXHIBIT 8

TERRA-MAX ENGINEERING, INC.
1507 S. HIAWASSEE ROAD, SUITE 211
ORLANDO FLORIDA 32835
TEL: (407) 578-2763 FAX: (407) 578-2953

EXHIBIT 7

Palm Coast 145 Community Development District

Proposed Facilities and Services

Facility	Financed By	Ownership	Operation and Maintenance
Earthwork	CDD	CDD	CDD
Stormwater Management	CDD	CPC	CPC
Sanitary Sewer Utilities	CDD	CPC	CPC
Water Utilities	CDD	CPC	CPC
Roadway Improvements	CDD	CDD	CDD
Landscape and Irrigation	CDD	CDD	CDD

CPC – City of Palm Coast

EXHIBIT 8

Palm Coast 145 Community Development District

Estimated Costs and Timeline

Improvement Category	Estimated Cost
Earthwork	\$6,050,000.00
Stormwater Management	\$1,350,000.00
Sanitary Sewer Utilities	\$1,980,000.00
Water Utilities	\$2,160,000.00
Roadway Improvements	\$2,770,000.00
Landscape and Irrigation	\$375,000.00
Soft Costs	\$750,000.00
Contingency	\$800,000.00
Total Estimated Costs	\$16,235,000.00

Improvements are assumed to be made, acquired, constructed and/or installed from January 2022 through December 2022

EXHIBIT 9

PALM COAST 145 COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

October 12, 2021



Provided by

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.vhhassociates.com

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Palm Coast 145 Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 145.5 +/- acres of land located within the City of Palm Coast, Florida (the "City") and is projected to contain approximately 334 residential dwelling units, which will make up the Palm Coast 145 development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) as follows:

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

1.2 Overview of the Palm Coast 145 Community Development District

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 334 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Palm Coast 145.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

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

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment,

or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;

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

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

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

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

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

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Palm Coast, according to Census 2020, has a population of 89,258; therefore, it is not defined as a small City for the purposes of this requirement.)

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

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

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

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

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

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

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

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

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 145.5 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 334 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

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

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

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

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

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

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

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

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

a. The State of Florida

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

b. City of Palm Coast

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

c. Current Property Owners

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

d. Future Property Owners

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

The proposed District will serve land that comprises an approximately 145.5+/- acre master planned residential development currently anticipated to contain a total of approximately 334 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 1,169 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

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

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

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of the City. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

City of Palm Coast, Florida

The proposed land for the District is located within City of Palm Coast, Florida and consists of less than 2,500 acres. The City and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the City will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the City already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the City, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City, or any monitoring expenses the City may incur if it establishes a monitoring program for this District.

4.2 Impact on State and Local Revenues

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

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government. By Florida law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$16,235,000. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1

**PALM COAST 145 COMMUNITY DEVELOPMENT
DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Earthwork	CDD	CDD	CDD
Stormwater Management	CDD	CPC	CPC
Sanitary Sewer Utilities	CDD	CPC	CPC
Water Utilities	CDD	CPC	CPC
Roadway Improvements	CDD	CDD	CDD
Landscape and Irrigation	CDD	CDD	CDD

Table 2

**PALM COAST 145 COMMUNITY DEVELOPMENT
DISTRICT
Estimated Costs of Construction**

CATEGORY	COST
Earthwork	\$6,050,000.00
Stormwater Management	\$1,350,000.00
Sanitary Sewer Utilities	\$1,980,000.00
Water Utilities	\$2,160,000.00
Roadway Improvements	\$2,770,000.00
Landscape and Irrigation	\$375,000.00
Soft Costs	\$750,000.00
Contingency	\$800,000.00
Total Estimated Costs	\$16,235,000.00

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, City or its dependent districts, or City management but financing with municipal service benefit units and municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as cities, are also capable of providing services, however, their costs in

connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

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

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

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

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

City of Palm Coast has a population of 89,258 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" City according to Section 120.52, F.S.

7.0 Any additional useful information.

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

In relation to the question of whether the proposed Palm Coast 145 Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the City could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Palm Coast 145 development. First, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Palm Coast 145 development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, then the residents and landowners of the Palm Coast 145 development would take their grievances and desires to the City Commission meetings.

Third, any debt of an independent CDD is strictly that District's responsibility. While it may be technically true that the debt of a City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low cost funds from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Palm Coast 145 Community Development District.

**APPENDIX A
LIST OF REPORTING REQUIREMENTS**

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

EXHIBIT 10

AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jonathan T. Johnson of Hopping Green & Sams, P.A., whose address is P.O. Box 6526, Tallahassee, Florida 32314, to act as agent for Palm Coast 145 Manager, LLC with regard to any and all matters pertaining to the Petition to the City Counsel of the City of Palm Coast, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

PALM COAST 145 MANAGER, LLC
a Florida limited liability company

[Signature]

Print Name: MONTALBARO

[Signature]
By: BRADFORD S. KLINE
Its: MANAGER

[Signature]

Print Name: JOHN AMM

STATE OF FLORIDA
COUNTY OF Broward

I hereby certify that on this day, before me, by means of physical presence or online notarization, an officer duly authorized to take acknowledgments, personally appeared Bradford Kline as Manager of Palm Coast 145 Manager LLC who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 21st day of September, 2021.

[Signature]
Notary Public

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



**BEFORE THE CITY COUNCIL OF THE
CITY OF PALM COAST, FLORIDA**

**IN RE: PETITION TO ESTABLISH THE)
 PALM COAST 145 COMMUNITY)
 DEVELOPMENT DISTRICT)**

AFFIDAVIT OF ENGINEER

I, Momtaz Barq, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Momtaz Barq, and I am a Principal Engineer at Terra-Max Engineering, Inc ("TME") and a Civil Engineer. I have a BS in Engineering from the University of Central Florida and became a registered professional engineer in 1995 (Civil).
3. I have significant real estate and development experience, and have worked on community development district projects since 2007.
4. TME was hired by Palm Coast Manager, LLC ("Petitioner") to assist with the preparation of some of the exhibits filed with the *Petition to Establish the Palm Coast 145 Community Development District* ("Petition").
5. I have reviewed the Petition and supporting materials including plans for the development.
6. I have reviewed the applicable portions of the State Comprehensive Plan, which "provides long-range policy guidance for the orderly social, economic, and physical growth of the state," as it relates to community development districts ("CDDs").
7. Based on my training and experience as an engineer, it is my professional opinion that the proposed Palm Coast 145 Community Development District ("District") is not inconsistent with the applicable provisions of the State Comprehensive Plan. The basis for my opinion is as follows:
 - a) Three subjects are particularly relevant, from a planning perspective to the establishment of CDDs: No. 15 - Land Use, No. 17 - Public Facilities, and No. 25 - Plan Implementation. Several of the policies and goals are particularly supportive of the establishment of the proposed District.
 - b) From a land use perspective, as outlined in No. 15 of the State Comprehensive Plan, this goal recognizes the importance of enhancing the quality of life in the State of Florida and attempts to do so by ensuring that development is located in areas that have fiscal abilities and service capacity to accommodate growth. CDDs are designed to provide services and facilities in a fiscally responsible manner to areas which can accommodate development. The proposed District is consistent with this goal because it will continue to

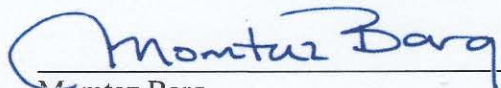
have the fiscal capability to provide a range of services and facilities to a population in a designated growth area.

c) Subject 17 addresses public facilities. The goal is to finance new facilities in a timely, orderly and efficient manner. In particular, Policy 3 states that the cost of new public facilities should be allocated to existing and future residents on the basis of the benefits received. Policy 6 also encourages the identification and implementation of innovated but fiscally sound and cost-effective techniques for financing public facilities. Establishment of the proposed District will further this goal and related policies.

d) Subject 25 addresses Plan Implementation. This goal requires that systemic planning capabilities be integrated into all levels of government throughout the state, with particular emphasis on improving inter-governmental coordination and maximizing citizen involvement. The proposed District will operate through a separate and distinct Board of Supervisors who will systematically plan the construction, operation and maintenance of public improvements and community facilities authorized under Chapter 190, *Florida Statutes*, subject to and not inconsistent with the local government comprehensive plan and land development regulations. Further, meetings held by the Board of Supervisors are publicly advertised and open to the public.

WHEREFORE, the undersigned authorized representative of M-R Development & Construction, Inc. executes this Affidavit of Engineer.

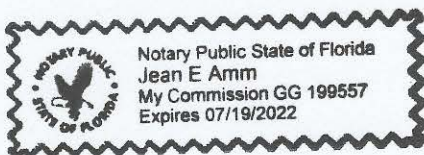
TERRA-MAX ENGINEERING, INC




Momtaz Barq
Florida Registration No. 49024

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3RD day of December, 2021, by Momtaz Barq of Terra-Max Engineering, Inc. He is personally known to me or produced _____ as identification.





Print Name: JEAN AMM
Notary Public, State of Florida