

# **CFM COMMUNITY DEVELOPMENT DISTRICT**

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

**CFM  
COMMUNITY DEVELOPMENT DISTRICT  
BOARD OF SUPERVISORS' MEETING  
MARCH 20, 2014**

**CFM COMMUNITY  
DEVELOPMENT DISTRICT AGENDA  
March 20, 2014 at 11:00 a.m.**

At the office of Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912

<b>District Board of Supervisors</b>	Mike Dady Bob Bishop Brian Wasser Christina Southwick John Blakley	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Molly Syvret	Rizzetta & Company, Inc.
<b>District Counsel</b>	Chuck Bowen	Hopping Green & Sams, P.A.
<b>District Engineer</b>	David K. Robson	Johnson Engineering, Inc.

**All Cellular phones and pagers must be turned off while in the meeting room.**

**The District Agenda is comprised of five different sections:**

The meeting will begin promptly at **11:00 a.m.** with the first section which is called **Audience Comments**. The Audience Comment portion of the agenda is where individuals may comment on matters for which the Board may be taking action or that may otherwise concern the District. Each individual is limited to three **(3) minutes** for such comment. The Board of Supervisors or Staff is not obligated to provide a response until sufficient time for research or action is warranted. **IF THE COMMENT CONCERNS A MAINTENANCE RELATED ITEM, THE ITEM WILL NEED TO BE ADDRESSED BY THE DISTRICT MANAGER OUTSIDE THE CONTEXT OF THIS MEETING.** The second section is called **Business Administration**. The Business Administration section contains items that require the review and approval of the District Board of Supervisors as a normal course of business. The third section is called **Business Items**. The business items section contains items for approval by the District Board of Supervisors that may require discussion, motion and votes on an item-by-item basis. Occasionally, certain items for decision within this section are required by Florida Statute to be held as a Public Hearing. During the Public Hearing portion of the agenda item, each member of the public will be permitted to provide one comment on the issue, prior to the Board of Supervisors' discussion, motion and vote. The fourth section is called **Staff Reports**. This section allows the District Manager, Engineer, and Attorney to update the Board of Supervisors on any pending issues that are being researched for Board action. The final section is called **Supervisor Requests and Comments**. This is the section in which the Supervisors may request Staff to prepare certain items in an effort to meet residential needs. Agendas can be reviewed by contacting the Manager's office at (239) 936-0913 at least seven days in advance of the scheduled meeting. Requests to place items on the agenda must be submitted in writing with an explanation to the District Manager at least fourteen (14) days prior to the date of the meeting.

Public workshops sessions may be advertised and held in an effort to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (239) 936-0913, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1 (800) 955-8770, who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same 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 the appeal is to be based.

**CFM COMMUNITY DEVELOPMENT DISTRICT**  
**DISTRICT OFFICE • 9530 MARKETPLACE ROAD, SUITE 206, FORT MYERS, FL 33912**

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March 14, 2014

Board of Supervisors  
**CFM Community  
Development District**

**AGENDA**


Dear Board Members:

The regular meeting of the Board of Supervisors of the CFM Community Development District will be held on **Thursday, March 20, 2014 at 11:00 a.m.**, at the office of Rizzetta & Company, Inc. located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912. The following is the advance agenda for the meeting.

- 1. CALL TO ORDER/ROLL CALL**
- 2. AUDIENCE COMMENTS**
- 3. BUSINESS ADMINISTRATION**
  - A. Consideration of the Minutes of the Board of Supervisors Meeting held on February 20, 2014..... Tab 1
  - B. Consideration of Operation and Maintenance Expenditures for the Month of February 2014 ..... Tab 2
- 4. BUSINESS ITEMS**
  - A. Consideration of Professional Services Supplemental Agreement No. 011 between CFM CDD and Johnson Engineering Related to Water Use Monitoring ..... Tab 3
  - B. Consideration of DR Horton, Magnolia Landing Unit 2, Plat..... Tab 4
  - C. Consideration of Bid Documents to be Utilized in Solicitation of Proposals for Landscape Maintenance Services (Under Separate Cover)
- 5. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
- 6. SUPERVISOR REQUESTS AND COMMENTS**
- 7. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (239) 936-0913.

Very truly yours,

  
Molly A. Syvret  
District Manager

cc: Chuck Bowen, Hopping Green & Sams  
Jere Earlywine, Hopping Green & Sams

# Tab 1

## MINUTES OF MEETING

*Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that 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.*

### CFM COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the CFM Community Development District was held on **Thursday, February 20, 2014 at 11:10 a.m.** at the office of Rizzetta & Company, Inc., located at 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912.

Present and constituting a quorum:

Mike Dady	<b>Board Supervisor, Chairman</b>
Bob Bishop	<b>Board Supervisor, Vice Chairman</b>
John Blakley	<b>Board Supervisor, Assistant Secretary</b>
Brian Wasser	<b>Board Supervisor, Assistant Secretary</b>

Also present were:

Molly Syvret	<b>District Manager, Rizzetta &amp; Company, Inc.</b>
Chuck Bowen	<b>District Counsel, Hopping Green &amp; Sams, P.A. (via speaker phone)</b>
David Robson	<b>District Engineer, Johnson Engineering</b>

#### **FIRST ORDER OF BUSINESS**

#### **Call to Order**

Ms. Syvret called the meeting to order and read the roll call.

#### **SECOND ORDER OF BUSINESS**

#### **Audience Comments**

Ms. Syvret stated for the record that there was no audience present.

#### **THIRD ORDER OF BUSINESS**

#### **Consideration of the Minutes of the Board of Supervisors' Meeting held on October 17, 2013**

Ms. Syvret presented the minutes of the Board of Supervisors' meeting held on October 17, 2013. She asked if there were any questions related to the minutes. There were none

On a Motion by Mr. Dady, seconded by Mr. Bishop, with all in favor, the Board approved the Minutes of the Board of Supervisors' Meeting held on October 17, 2013, for CFM Community Development District.
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**FOURTH ORDER OF BUSINESS**

**Consideration of the Operation and Maintenance Expenditures for the Months of October, November, and December 2013 and January 2014**

Ms. Syvret provided an overview of the expenditures paid for the period of October 1-31, 2013 which totaled \$41,834.70, the period of November 1-30, 2013 which totaled \$3,456.69, the period of December 1-31, 2013 which totaled \$46,020.36, and the period of January 1-31, 2014 which totaled \$30,796.92. She asked if there were any questions related to any item of expenditure. Discussion ensued regarding various items of expenditure.

On a Motion by Mr. Dady, seconded by Mr. Blakley, with all in favor, the Board approved the Operation and Maintenance Expenditures for the Period of October 1-31, 2013, which totaled \$41,834.70, the period of November 1-30, 2013 which totaled \$3,456.69, the period of December 1-31, 2013 which totaled \$46,020.36, and the period of January 1-31, 2014 which totaled \$30,796.92, for CFM Community Development District.

**FIFTH ORDER OF BUSINESS**

**Consideration of Professional Services Supplemental Agreement No. 011 between CFM CDD and Johnson Engineering Related to Water Use Monitoring**

Ms. Johnson provided an overview of the Agreement. Discussion ensued regarding whether the golf course may consider paying at least half since most of the use is golf course irrigation. This item was tabled.

**SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-01, Resetting the Public Hearing Related to the Rules of Procedure**

Mr. Bowen provided an overview of the resolution, advising that previously the hearing was scheduled for November 21, 2013 but due to cancellation of that meeting, it would now be appropriate to reset the public hearing to today's date.

On a motion by Mr. Dady, seconded by Mr. Blakley, with all in favor, the Board adopted Resolution 2014-01, Resetting the Public Hearing Related to the Rules of Procedure, for CFM Community Development District.

**SEVENTH ORDER OF BUSINESS**

**Public Hearing Related to the Rules of Procedure**

On a motion by Mr. Bishop, seconded by Mr. Dady, with all in favor, the Board opened the Public Hearing Related to the Rules of Procedure, for CFM Community Development District.

Mr. Bowen provided an overview of the rules and stated for the record that there were no members of the public present.

On a motion by Mr. Blakley, seconded by Mr. Wasser, with all in favor, the Board closed the Public Hearing Related to the Rules of Procedure, for CFM Community Development District.

**EIGHTH ORDER OF BUSINESS**

**Consideration of Resolution 2014-02,  
Adopting Revised Rules of Procedure**

Mr. Bowen provided an overview of the resolution advising that adoption of the resolution would also adopt the rules of procedure as presented.

On a motion by Mr. Blakley, seconded by Mr. Bishop, with all in favor, the Board adopted Resolution 2014-02, Adopting Revised Rules of Procedure, for CFM Community Development District.

**NINTH ORDER OF BUSINESS**

**Consideration of Disclosure of Public  
Finance**

Mr. Bowen provided an overview of the disclosure of public financing.

On a motion by Mr. Dady, seconded by Mr. Bishop, with all in favor, the Board approved the Disclosure of Public Finance, for CFM Community Development District.

**TENTH ORDER OF BUSINESS**

**Staff Reports**

A. District Counsel

Ms. Syvret advised Windham Magnolia is delinquent in paying assessments, noting the December 1<sup>st</sup> and February 1<sup>st</sup> payments have not been paid. Mr. Bowen was asked about the ability of the District to accelerate assessments and/or proceed with foreclosure. Discussion ensued.

On a motion by Mr. Dady, seconded by Mr. Blakley, with all in favor, the Board authorized District Counsel to prepare a demand letter to Windham Magnolia putting them on notice of delinquency of assessments and demanding payment within five business days and if payment is not received within five days, District Staff is authorized to move forward with foreclosure and/or all such remedies available to the District by law, for CFM Community Development District.

B. District Engineer

Mr. Robson advised he had no report.

C. District Manager

Ms. Syvret stated that the next meeting of the Board of Supervisors is scheduled for March 20, 2014 at 11:00am.

**ELEVENTH ORDER OF BUSINESS**

**Supervisor Requests and Comments**

Ms. Syvret opened the floor for Supervisor requests and comments. There were none.

**TWELFTH ORDER OF BUSINESS**

**Adjournment**

On a Motion by Mr. Blakley, seconded by Mr. Bishop, with all in favor, the Board adjourned the meeting at 11:29 a.m. for CFM Community Development District.

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chairman/Vice Chairman



# Tab 2

# CFM COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 9530 MARKETPLACE ROAD · SUITE 206 · FT. MYERS, FLORIDA 33912

## Operation and Maintenance Expenditures February 2014 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from February 1, 2014 through February 28, 2014. This does not include expenditures previously approved by the Board.

The total items being presented: **\$14,931.13**

Approval of Expenditures:

\_\_\_\_\_

\_\_\_\_\_ Chairman

\_\_\_\_\_ Vice Chairman

\_\_\_\_\_ Assistant Secretary

# CFM Community Development District

## Paid Operation & Maintenance Expenses

February 1, 2014 Through February 28, 2014

10101 - Cash-Operating Account

Vendor Name	Check Number	Invoice Number	Invoice Description	Invoice Amount
Breeze Corporation	1701	94591	Acct # L03434 Legal Advertising 01/14	\$ 50.50
Breeze Corporation	1701	94671	Acct # L03434 Legal Advertising 01/14	\$ 111.50
Johnson Engineering Inc	1699	20044888-001 Inv 75	General Engineering Services 01/14	\$ 812.50
LCEC	1703	6571809552 01/14	Street Lights 3000 Magnolia Landing Ln 01/14	\$ 1,623.30
Magnolia Landing Golf, LLC	1702	302	Aerator Maintenance/Water Use 10/13	\$ 625.00
Magnolia Landing Golf, LLC	1702	303	Aerator/ Utility Cost 10/13	\$ 1,400.00
Magnolia Landing Golf, LLC	1704	337	Aerator/ Utility Cost 12/13	\$ 1,400.00
Magnolia Landing Golf, LLC	1704	338	Aerator Maintenance/Water Use 12/13	\$ 625.00
Prager & Co., LLC	1705	4956	Annual Dissemination Agent Fee FY 2013- 2014	\$ 5,000.00
Rizzetta & Company, Inc.	1700	16254	District Management Fees 02/14	\$ 3,283.33
<b>Report Total</b>				<b><u>\$ 14,931.13</u></b>

**Classified/Legal Advertising Invoice**

**The Breeze Legals**

2510 DEL PRADO BLVD.

CAPE CORAL, FL  
33904  
(239) 574-1110

**CFM**  
**9530 MARKETPLACE ROAD**  
**SUITE 206**  
**FORT MYERS, FL**

01/15/2014 9:13:47AM

**33912**

**No: 94591**

**Phone: 813 933-5571**

Ad No <b>94591</b>	Customer No: <b>L03434</b>	Start Date <b>01-15-2014</b>	Stop Date <b>01-15-2014</b>	Category: <b>Legals</b>		Classification: <b>MISCELLANEOUS</b>	
Order No	Rate: <b>LA</b>	Lines: <b>101</b>	Words: <b>297</b>	Inches: <b>9.82</b>	Cost <b>50.50</b>	Payments <b>.00</b>	Balance <b>50.50</b>
Publications ... Runs <b>Breeze Legals ... 1</b> <b>Online Legals ... 1</b>		Solicitor: <b>SM</b>	Origin: <b>17</b>	Sales Rep: <b>3</b>	Credit Card	Credit Card Number	Card Expire
		<table border="1"> <tr> <td align="center">Identifier</td> </tr> <tr> <td>                     NOTICE OF RULE DEVELOPMENT BY THE CFM COMMUNITY DEVELOPMENT DISTRICT                       In accord with Chapters 120 and 190, Florida Statutes, the                 </td> </tr> </table> <p align="right">                     Date Held Fizzetta &amp; Co., Inc. <u>JAN 27 2014</u>                      O/M approval <u>MRS</u> Date <u>2/5/14</u>                      Date entered <u>JAN 27 2014</u>                      Fund <u>001</u> GL <u>51300</u> 004801                      Check# _____                 </p>					
Identifier							
NOTICE OF RULE DEVELOPMENT BY THE CFM COMMUNITY DEVELOPMENT DISTRICT  In accord with Chapters 120 and 190, Florida Statutes, the							
*=Extend Expiration Date							

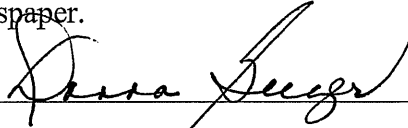
**CAPE CORAL BREEZE  
PUBLISHED CAPE CORAL, FLA**

**Affidavit of Publication**

State of Florida

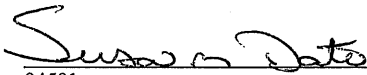
County of Lee

Before the undersigned authority personally appeared Donna Guyer, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Legal Notice, in the matter of Notice of Rule Development by The CFM Community Development District, as published in said newspaper in the issues, January 15, 2014. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.

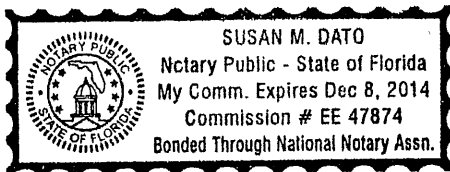


SWORN TO AND SUBSCRIBED before me this  
January 15, 2014

Notary Public



94591



**NOTICE OF RULE DEVELOPMENT BY  
THE CFM COMMUNITY DEVELOPMENT DISTRICT**

In accord with Chapters 120 and 190, Florida Statutes, the CFM Community Development District ("District") hereby gives notice of its intention to repeal its existing Rules of Procedure in total and to develop new Rules of Procedure to govern the operations of the District.

The Rules of Procedure address such areas as the Board of Supervisors, officers and voting; district offices, public information and inspection of records; policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations. The purpose and effect of the repeal of the District's current Rules of Procedure is to, among other things, repeal rules rendered obsolete by statutory changes. Specific legal authority for the repeal of the existing Rules of Procedure and the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2012). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.4221, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.931, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 287.017, 287.055, and 287.084, Florida Statutes (2012), and Ch. 2013-227, Laws of Florida.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, or by calling (239) 936-0913.

Molly Syvret  
District Manager  
Run Date: 01/15/2014  
94591

**Classified/Legal Advertising Invoice**

**The Breeze Legals**

2510 DEL PRADO BLVD.

CAPE CORAL, FL  
33904  
(239) 574-1110

**CFM**  
**9530 MARKETPLACE ROAD**  
**SUITE 206**  
**FORT MYERS, FL**

01/21/2014 2:44:23PM

**33912**

**No: 94671**

**Phone: 813 933-5571**

Ad No <b>94671</b>	Customer No: <b>L03434</b>	Start Date <b>01-22-2014</b>	Stop Date <b>01-22-2014</b>	Category: <b>Legals</b>		Classification: <b>MISCELLANEOUS</b>			
Order No	Rate: <b>LA</b>	Lines: <b>223</b>	Words: <b>720</b>	Inches: <b>21.68</b>		Cost <b>111.50</b>	Payments <b>.00</b>	Balance <b>111.50</b>	
Publications ... Runs <b>Breeze Legals ... 1</b> <b>Online Legals ... 1</b>		Solicitor: <b>SM</b>	Origin: <b>17</b>	Sales Rep: <b>3</b>	Credit Card	Credit Card Number	Card Expire		
		<table border="1"> <tr> <td align="center">Identifier</td> </tr> <tr> <td>                     NOTICE OF RULEMAKING                      REGARDING THE RULES OF                      PROCEDURE OF THE                      CFM COMMUNITY                      DEVELOPMENT DISTRICT                       A public hearing is scheduled                 </td> </tr> </table> <p align="right">                     Date Rec'd Pizzocci &amp; Co., Inc. <u>JAN 27 2014</u>                      D/M approval <u>MAS</u> Date <u>2/5/14</u>                      Date entered <u>JAN 27 2014</u>                      Fund <u>001</u> GL <u>51300</u> OC <u>4801</u>                      Check# _____                 </p>							
Identifier									
NOTICE OF RULEMAKING REGARDING THE RULES OF PROCEDURE OF THE CFM COMMUNITY DEVELOPMENT DISTRICT  A public hearing is scheduled									
*-Extend Expiration Date									

**CAPE CORAL BREEZE  
PUBLISHED CAPE CORAL, FLA**

**Affidavit of Publication**

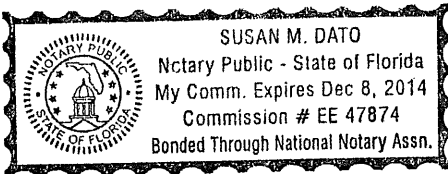
State of Florida  
County of Lee

Before the undersigned authority personally appeared Donna Guyer, who on oath says that he/she is the ADVERTISING REPRESENTATIVE of the Cape Coral Breeze newspaper, published at Cape Coral, Lee County, Florida that the attached copy of advertisement, being a Legal Notice, in the matter of Notice of Rulemaking Regarding the Rules of Procedure of the CFM Community Development District, as published in said newspaper in the issues, January 22, 2014. Affiant further says that the Cape Coral Breeze is a newspaper published at Cape Coral, said Lee County, Florida and that the said newspaper has heretofore been continuously published in said Lee County, Florida, and has been entered as a second class periodicals matter at the post office in Fort Myers in said Lee County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said Newspaper.

*Donna Guyer*

SWORN TO AND SUBSCRIBED before me this  
January 22, 2014  
Notary Public

*Susan M. Dato*  
94671



**NOTICE OF RULEMAKING  
REGARDING THE RULES OF  
PROCEDURE OF THE  
CFM COMMUNITY DEVELOP-  
MENT DISTRICT**

A public hearing is scheduled and may be conducted by the Board of Supervisors of the CFM Community Development District on Thursday, February 20, 2014 at 11:00 a.m. at the office of the District Manager, located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912.

In accord with Chapters 120 and 190, Florida Statutes, the CFM Community Development District ("the District") hereby gives the public notice of its intent to repeal its existing Rules of Procedure in total and to adopt its proposed Rules of Procedure.

The purpose and effect of the proposed Rules of Procedure is to provide for efficient and effective District operations. Prior notice of rule development was published in The Breeze Newspaper on January 15, 2014. The purpose and effect of the repeal of the District's current Rules of Procedure is to, among other things, repeal rules rendered obsolete by statutory changes.

The Rules of Procedure may address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase, including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

Specific legal authority for the repeal of the existing Rules of Procedure and the adoption of the proposed Rules of Procedure includes Sections 190.011(5), 190.011(15) and 190.035, Florida Statutes (2012). The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 119.07, 189.4221, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.931, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 287.017, 287.055 and 287.084, Florida Statutes (2012), and Ch. 2013-227, Laws of Florida.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), Florida Statutes, must

do so in writing within twenty-one (21) days after publication of this notice.

IF REQUESTED WITHIN TWENTY-ONE (21) DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW. (IF NOT REQUESTED, THIS HEARING MAY NOT BE HELD):

TIME AND DATE: 11:00 a.m.  
February 20, 2014

PLACE: 9530 Marketplace Rd., Ste. 206  
Fort Myers, Florida 33912

A request for a public hearing on the District's intent to repeal its existing Rules of Procedure and adopt its proposed Rules of Procedure must be made in writing to the District Manager at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, and received within twenty-one (21) days after the date of this Notice.

If a public hearing is requested, this public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at a public hearing held in response to a request for such a public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors may participate in the public hearing by telephone. At the above location, if a public hearing is requested, there will be present a speaker telephone so that any interested party can physically attend the public hearing at the above location and be fully informed of the discussions taking place either in person or by speaker telephone device.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (239) 936-0913 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, or by calling (239) 936-0913.

Molly Syvret  
District Manager  
Run Date: 01/22/2014  
94671

Johnson Engineering, Inc.

Remit To:

P.O. Box 2112

Fort Myers, FL 33902

Ph: 239.334.0046 Fax: 239.334.3661

Project Manager David Robson

# Invoice

January 23, 2014

Project No: 20044888-001

Invoice No: 75

FEID #59-1173834

Accounts Payable  
CFM CDD  
9530 Marketplace Road  
Suite 206  
Fort Myers, FL 33912

Project 20044888-001 CFM CDD General Engineering

**Professional Services through January 12, 2014**

---

Phase 01 General Engineering

**Professional Personnel**

			Hours	Rate	Amount
Designer III					
Tiseo, Michael	12/5/2013		5.50	115.00	632.50
Sketch & Descriptions for Conservation Easements 9, 10 & 11					
Environmental Scientist V					
Denison, Timothy	12/12/2013		1.50	120.00	180.00
Record monthly pumpage & collect chloride samples for WUP compliance					
Totals			7.00		812.50
<b>Total Labor</b>					<b>812.50</b>

**Total this Phase \$812.50**

**Total this Invoice \$812.50**

**Outstanding Invoices**

Number	Date	Balance
74	12/26/2013	391.25
<b>Total</b>		<b>391.25</b>

JAN 27 2014

Date Rec'd Rizzetta & Co., Inc. \_\_\_\_\_  
D/M approval MAS Date 2/5/14  
Date entered JAN 27 2014  
Fund 001 GL 51300 00 3103  
Check# \_\_\_\_\_





LCEC offers an array of payment options. Paying by checking or savings is FREE. To learn more about the LCEC payment options, please visit www.lcec.net.

Explanation of charges on reverse side. Page 1 of 1

01/28/14-00:49:16

Customer Name: CFM COMMUNITY DEVELOPMENT DISTRICT

Account Number: 6571809552

Due Date: 02/17/2014

Account Summary as of January 27, 2014

Previous Balance	1627.25
Payment Received - 01/11/2014	-1627.25
Corrections	0.00
<b>Past Due Balance</b>	<b>\$0.00</b>
Current Charges - ELECTRIC	1623.30
Adjustments & Other Charges	0.00
<b>Total Amount Due</b>	<b>\$1,623.30</b>

Service Address: 3000 MAGNOLIA LANDING LN CASE ID#6806754959-T69628 NORTH FORT MYERS, FL 33917

SA ID# 6571809975 Security Lt-Comm

Service From 12/27/2013 to 01/27/2014

46 13' Decorative Pole at \$12.75 each	586.50
46 units 150 Decorative Lights at \$20.91 each	961.86
Power Cost Adj. (2,943.9995 kWh at \$0.01665)	49.02
<b>Summary Of Light Related Charges</b>	<b>1010.88</b>
<b>Summary Of Pole Related Charges</b>	<b>586.50</b>
Gross Receipts Tax	25.92
<b>Current Charge Subtotal</b>	<b>\$1,623.30</b>

Rate Rec'd Rizzetta & Co., Inc. FEB 03 2014  
 VM approval mas Date 2/12/14  
 Rate entered FEB 06 2014  
 Fund 001 GL 53100 OC 4307  
 Thank!!

tear here

tear here

Pay your electric bill with your MasterCard, VISA, Discover or American Express card by calling 239-656-2300 or at www.lcec.net. Payments made before 4 pm post to your LCEC account within 6 hours; after 4 pm post the next day.

Page 1 of 1

Please check box if address is incorrect and indicate change(s) on back



Past Due/Prev Balance	Current Charges	Total Amount Due	Current Charges Due	Amount Paid
\$0.00	\$1,623.30	\$1,623.30	02/17/2014	1623.30

Please detach and return with your payment. Make checks payable to LCEC. Checks must be in U.S. funds and drawn on a U.S. bank.

ACCOUNT NUMBER: 6571809552

ADDRESSEE

4916 1 AT 0.403 24-19



CFM COMMUNITY DEVELOPMENT DISTRICT  
 C/O RIZZETTA & COMPANY  
 9530 MARKETPLACE RD STE 206  
 FORT MYERS, FL 33912-0393

REMIT TO



LCEC  
 P.O. BOX 31477  
 TAMPA, FL 33631-3477



Magnolia Landing Golf, LLC.  
 3501 Avenida Del Vera Blvd  
 North Fort Myers, FL 33917  
 Phone: 239-543-4146  
 Fax: 239-652-6676

# Invoice

DATE	INVOICE #
10/31/2013	302

BILL TO
CFM CDD 9530 Marketplace Rd Suite 206 Fort Myers, FL 33912

Billing Period	DUE DATE
October 2013	11/1/2013

Item	DESCRIPTION	QTY	RATE	AMOUNT
Aerator Maintenance	Aerator Agreement & Water Use <div style="text-align: center;">10/13</div>           <div style="text-align: center;">FEB 03 2014</div> <div style="text-align: center;"> <small>MM approval</small> <u>mas</u> <small>Date</small> <u>2/2/14</u>  <small>Date entered</small> <u>FEB 06 2014</u>  <small>Fund</small> <u>001 of 53800 of 4614</u>  <small>Character</small> _____           </div>	1	625.00	625.00
			Subtotal	625.00
			6% Tax	
			<b>Total</b>	<b>625.00</b>

Magnolia Landing Golf, LLC.  
 3501 Avenida Del Vera Blvd  
 North Fort Myers, FL 33917  
 Phone: 239-543-4146  
 Fax: 239-652-6676

# Invoice

DATE	INVOICE #
10/31/2013	303

BILL TO
CFM CDD 9530 Marketplace Rd Suite 206 Fort Myers, FL 33912

Billing Period	DUE DATE
October 2013	11/1/2013

Item	DESCRIPTION	QTY	RATE	AMOUNT
Aerator Maintenance	Utility Cost 10/13	1	1,400.00	1,400.00
			Subtotal	1,400.00
			6% Tax	
			<b>Total</b>	<b>1,400.00</b>

FEB 03 2014  
 Joe Rossi Fizzella & Co., Inc.  
 VM approval mas Date 2/12/14  
 Date entered FEB 06 2014  
 Fund 001 of 53100 ac 4304

Magnolia Landing Golf, LLC.  
 3501 Avenida Del Vera Blvd  
 North Fort Myers, FL 33917  
 Phone: 239-543-4146  
 Fax: 239-652-6676

# Invoice

DATE	INVOICE #
12/31/2013	337

BILL TO
CFM CDD 9530 Marketplace Rd Suite 206 Fort Myers, FL 33912

Billing Period	DUE DATE
December 2013	1/1/2014

Item	DESCRIPTION	QTY	RATE	AMOUNT
Aerator Maintenance	Utility Cost	1	1,400.00	1,400.00
Date Rec'd <u>FEB 03 2014</u> Date Rec'd By <u>Rizzetta &amp; Co., Inc.</u> D/M approval <u>MRS</u> Date <u>2/12/14</u> Date entered <u>FEB 06 2014</u> Fund <u>001</u> GL <u>53100.004304</u> Check# _____				
			Subtotal	1,400.00
			6% Tax	
			<b>Total</b>	<b>1,400.00</b>

Magnolia Landing Golf, LLC.  
 3501 Avenida Del Vera Blvd  
 North Fort Myers, FL 33917  
 Phone: 239-543-4146  
 Fax: 239-652-6676

# Invoice

DATE	INVOICE #
12/31/2013	338

BILL TO
CFM CDD 9530 Marketplace Rd Suite 206 Fort Myers, FL 33912

Billing Period	DUE DATE
December 2013	1/1/2014

Item	DESCRIPTION	QTY	RATE	AMOUNT
Aerator Maintenance	Aerator Agreement & Water Use	1	625.00	625.00
FEB 03 2014 Date received by [unclear] & Co., Inc. D/M approval <u>mmj</u> Date <u>2/12/14</u> Date entered <u>FEB 06 2014</u> Fund <u>001</u> # <u>53800004614</u> Check# _____				

Subtotal			625.00
6% Tax			
<b>Total</b>			<b>625.00</b>

Prager & Co., LLC

Attn: Mary Danielsen  
c/o Disclosure Services, LLC  
152 Lincoln Avenue  
Winter Park, FL 32789

Phone # 407-622-0296

Fax # 407-622-0135

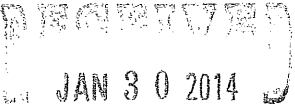
E-mail mdanielsen@disclosureservices.info

# Invoice

Date	Invoice #
1/13/2014	4956

Bill To
CFM Community Development District c/o Rizzetta & Company

Terms	Due Date
Net 30	2/12/2014

Description	Amount
Capital Improvement Revenue Bonds, Series 2004A&B	5,000.00
 Date Rec'd Rizzetta & Co., Inc. _____ D/M approval <u>mas</u> Date <u>2/12/14</u> Date entered <u>FEB 06 2014</u> Fund <u>001 GL 51300 003104</u> Check# _____	
Annual Dissemination Agent Fees 2013-2014	
<b>Total</b>	<b>\$5,000.00</b>
<b>Payments/Credits</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$5,000.00</b>

Invoices unpaid for more than 30 days are subject to a late payment charge of 1.5% per month on the unpaid balance.

**RIZZETTA & COMPANY, INC.**

5020 W Linebaugh Avenue

Suite 200

Tampa, FL 33624

DATE	INVOICE NO.
2/1/2014	16254

BILL TO
CFM COMMUNITY DEVELOPMENT DISTRICT 3434 Colwell Avenue, Suite 200 Tampa, Florida 33614

TERMS	PROJECT
Due Upon Rec't	545 - CDD

ITEM	DESCRIPTION	QTY	RATE	AMOUNT
	<b>PROFESSIONAL FEES:</b>			
DM	District Management Services		1,500.00	1,500.00
ADMIN	Administrative Services		500.00	500.00
ACTG	Accounting Services		1,200.00	1,200.00
FC	Financial Consulting Services		83.33	83.33
	<b>Services for the period February 1, 2014 through February 28, 2014</b>			
	RECEIVED JAN 24 2014			
	Date Rec'd Rizzetta & Co., inc. _____			
	DM approval <u>MAS</u> Date <u>2/5/14</u>			
	Date entered _____			
	Fund <u>001</u> GL <u>5300</u> OC <u>3101</u>			
	Check # _____ <u>3100</u>			
	_____ <u>3201</u>			
	_____ <u>3111</u>			

<b>Total</b>	<b>\$3,283.33</b>
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# Tab 3



PROFESSIONAL SERVICES SUPPLEMENTAL AGREEMENT NO. 011

**THIS IS A SUPPLEMENTAL AGREEMENT** made as of December 5, 2013, between **CFM COMMUNITY DEVELOPMENT DISTRICT**, ("OWNER") and **JOHNSON ENGINEERING, INC.**, ("CONSULTANT").

For CFM CDD Water Use Monitoring 2013-2014, (the "Project").

Lat 26.758121, Long. -81.923357

This Professional Services Supplemental Agreement ("Supplemental Agreement") is made and entered into on the date first written above between OWNER and CONSULTANT, and is made pursuant to and shall be attached to and made a part of the Professional Services Agreement ("Original Agreement"), for the Project known as Professional Engineering Services, Section 04, Township 43 South, Range 24 East, Lee County, which Original Agreement was made and entered into on the 17th day of May, 2007.

Execution of this Supplemental Agreement by CONSULTANT and OWNER constitutes OWNER's written authorization to CONSULTANT to proceed on the date first above written with the Services or amended Services described in Exhibit A, ("Scope of Services") and in other exhibits listed below. This Supplemental Agreement will become effective on the date first above written. All of the covenants, terms, conditions, provisions, and contents of the Original Agreement, referred to hereinabove, and any Amendments executed thereto, shall be and are applicable to this Supplemental Agreement, as if the same were set forth and contained herein.

A determination has been made by the OWNER and the CONSULTANT that pursuant to and under the purview of the Original Agreement, the OWNER and CONSULTANT desire to supplement the service(s) of said CONSULTANT.

The OWNER hereby authorizes the CONSULTANT, and the CONSULTANT hereby agrees, to provide and perform the particular services and/or work as set forth hereinafter as a supplement to the services and/or work previously authorized and agreed to.

**SECTION 1.00        SCOPE OF PROFESSIONAL SERVICES**

CONSULTANT hereby agrees to provide and perform the professional services, tasks, and work required and necessary to complete the services and work as set forth in Exhibit A entitled "Scope of Services", which is attached hereto and made a part of this Supplemental Agreement.

**SECTION 2.00        COMPENSATION**

The OWNER shall pay the CONSULTANT for all requested and authorized services, tasks, or work completed under this Supplemental Agreement by the CONSULTANT, in accordance with the provisions for compensation and payment of said services, tasks, or work as set forth and described in Exhibit B, entitled "Compensation", which is attached hereto and made a part of this Supplemental Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Supplemental Agreement to be effective as of the date first above written.

**OWNER:**  
CFM COMMUNITY DEVELOPMENT  
DISTRICT

**CONSULTANT:**  
JOHNSON ENGINEERING, INC.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

By: Molly A. Syvret  
\_\_\_\_\_  
Name Typed or Printed

By: Andrew D. Tilton  
\_\_\_\_\_  
Name Typed or Printed

Title: District Manager  
\_\_\_\_\_  
Title

Title: Vice President  
\_\_\_\_\_  
Title

Address for giving notices:  
CFM CDD  
c/o Rizzetta & Company Inc.

Address for giving notices:  
Johnson Engineering, Inc.

9530 Marketplace Rd., Suite 206

251 W. Hickpochee Avenue

Fort Myers, Florida 33912

LaBelle, Florida 33935

Phone: (239) 936-0913

Phone: (863) 612-0594

Fax: (239) 936-1815

Fax: (863) 612-0341

Email: Msyvret@rizzetta.com

Email: tdenison@johnsoneng.com

ATTEST:

\_\_\_\_\_  
Secretary

(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 ONE (1) page referred to in the Professional Services Supplemental Agreement between OWNER and CONSULTANT for professional services dated December 5, 2013.

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:  
OWNER \_\_\_\_\_  
CONSULTANT \_\_\_\_\_

SCOPE OF SERVICES

PROFESSIONAL SERVICES OF THE CONSULTANT:

**Task 1: Water Use Monitoring 2013-2014**

CONSULTANT will perform surface and groundwater field sampling, testing, analysis and irrigation pumpage reporting on a monthly basis, with quarterly submittal to SFWMD, as required by Limiting Conditions 18 and 20 in SFWMD Irrigation Water Use Permit 36-05392-W, for the time period of October 1, 2013 thru September 30<sup>th</sup>, 2014.

**Task 2: Flowmeter Calibration – Flow Verification**

CONSULTANT will perform verification of water use accounting method (flow meters) for one surface water pump (SW1) and two wells (PW6 & PW8), as required by SFWMD water use permit number 36-05392-W. OWNER will be responsible for providing access to a straight run section of pipe as close to the flow meter as possible. The pipe must be flowing full during the verification period. CONSULTANT will coordinate with CLIENT's staff for starting and monitoring pumps necessary for enabling flow. CONSULTANT will provide flow meter verification certificates to CLIENT and SFWMD.

SUB-CONSULTANT SERVICES:

N/A

## Exhibit B

Exhibit B consisting of TWO (2) pages referred to in the Professional Services Supplemental Agreement between OWNER and CONSULTANT for professional services dated December 5, 2013.

Initial:  
OWNER \_\_\_\_\_  
CONSULTANT \_\_\_\_\_

### COMPENSATION

---

#### Definitions:

**Lump Sum (LS):** Includes all direct and indirect labor costs, personnel related costs, overhead and administrative costs, which may pertain to the services performed, provided and/or furnished by the CONSULTANT as may be required to complete the services in Exhibit A. The total amount of compensation to be paid the CONSULTANT shall not exceed the amount of the total Lump Sum compensation established and agreed to. The portion of the amount billed for CONSULTANT'S services which is on account of the Lump Sum will be based upon CONSULTANT'S estimate of the proportion of the total services actually completed at the time of billing.

**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 standard billing rate schedule in effect at the time the services are rendered. The current standard billing rate schedule is attached to this Exhibit B as Attachment No. 1. For the services of CONSULTANT'S Sub-Consultants engaged to perform or furnish services in Exhibit A, the amount billed to CONSULTANT therefore times a factor of 1.10. The amount payable for Reimbursable Expenses will be the charge actually incurred by or imputed cost allocated by CONSULTANT, therefore times a factor of 1.10.

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 OWNER shall compensate the CONSULTANT as follows:

<b>TASK</b>	<b>ITEM</b>	<b>AMOUNT (Estimated if T&amp;M)</b>	<b>FEE TYPE (LS;T&amp;M; NTE)</b>
1	Water Use Monitoring	2,500	LS
2	Flowmeter Calibration – Flow Verification	900	LS
	<b>TOTAL COMPENSATION FOR CONSULTANT'S SERVICES:</b>	<b>\$3,400.00</b>	<b>LS</b>

For reimbursable expenses of CONSULTANT, the OWNER shall compensate the CONSULTANT as follows:

<b>REIMBURSABLE EXPENSES</b>	<b>AMOUNT (Estimate d if T&amp;M)</b>	<b>FEE TYPE (LS;T&amp;M; NTE)</b>
Courier and express delivery charges, reproduction of plans and reports, photography, field supplies and costs of other materials and/or equipment specifically used for and solely applicable to this project.	\$100.00	T&M
<b>TOTAL COMPENSATION FOR REIMBURSABLE EXPENSES:</b>	<b>\$100.00</b>	<b>T&amp;M</b>

<b>TOTAL COMPENSATION INCLUDING REIMBURSABLE EXPENSES:</b>	<b>\$3,500.00</b>	<b>LS; T&amp;M</b>
--	-------------------	--------------------

# PROFESSIONAL SERVICES HOURLY RATE SCHEDULE

Effective August 21, 2013

Engineer IX	\$ 190.00	Principal Ecologist	\$ 170.00
Engineer VIII	\$ 170.00	Ecologist IV	\$ 150.00
Engineer VII	\$ 160.00	Ecologist III	\$ 130.00
Engineer VI	\$ 150.00	Ecologist II	\$ 115.00
Engineer V	\$ 135.00	Ecologist I	\$ 100.00
Engineer IV	\$ 125.00		
Engineer Intern III	\$ 115.00	Expert Witness	\$ 250.00
Engineer Intern II	\$ 105.00		
Engineer Intern I	\$ 95.00	Surveyor and Mapper VI	\$ 190.00
		Surveyor and Mapper V	\$ 170.00
Development Project Coordinator	\$ 115.00	Surveyor and Mapper IV	\$ 150.00
		Surveyor and Mapper III	\$ 125.00
Project Director	\$ 145.00	Surveyor and Mapper II	\$ 115.00
Designer IV	\$ 135.00	Surveyor and Mapper I	\$ 100.00
Designer III	\$ 115.00		
Designer II	\$ 90.00	StarVAC w/Water Truck Four-Man Party	\$ 330.00
Designer I	\$ 80.00	StarVAC w/Water Truck Three-Man Party	\$ 280.00
		StarVAC w/Four-Man Party	\$ 290.00
Technician IV	\$ 100.00	StarVAC w/Three-Man Party	\$ 265.00
Technician III	\$ 75.00		
Technician II	\$ 65.00	Two-Man Field Party	\$ 135.00
Technician I	\$ 55.00	Three-Man Field Party	\$ 160.00
		Four-Man Field Party	\$ 170.00
Hydrogeologist V	\$ 150.00	Hydrographic Field Party	\$ 225.00
Hydrogeologist IV	\$ 135.00	GPS Mapping Grade: One-Man Party	\$ 90.00
Hydrogeologist III	\$ 125.00	GPS Mapping Grade: Two-Man Party	\$ 130.00
Hydrogeologist II	\$ 100.00	GPS Mapping Grade: Three-Man Party	\$ 170.00
Hydrogeologist I	\$ 90.00	GPS Surveying Grade: One or Two-Man Party	\$ 170.00
		GPS Surveying Grade: Three-Man Party	\$ 180.00
Environmental Scientist V	\$ 120.00		
Environmental Scientist IV	\$ 100.00	Principal GIS Consultant	\$ 170.00
Environmental Scientist III	\$ 85.00	GIS Consultant IV	\$ 170.00
Environmental Scientist II	\$ 65.00	GIS Consultant III	\$ 135.00
Environmental Scientist I	\$ 55.00	GIS Consultant II	\$ 110.00
		GIS Consultant I	\$ 90.00
Principal Planner II	\$ 170.00	GIS Technician III	\$ 80.00
Principal Planner I	\$ 150.00	GIS Technician II	\$ 70.00
Senior Planner	\$ 135.00	GIS Technician I	\$ 60.00
Planner IV	\$ 125.00		
Planner III	\$ 110.00	<b>CONSTRUCTION OBSERVATION SERVICES</b>	
Planner II	\$ 95.00	Senior Project Engineer	\$ 170.00
Planner I	\$ 85.00	Construction Observation Services Manager	\$ 150.00
Planning Technician III	\$ 80.00	Project Administrator	\$ 125.00
Planning Technician II	\$ 70.00	Contract Support Specialist	\$ 110.00
Planning Technician I	\$ 60.00	Senior Construction Observer II	\$ 100.00
Grant Proposal Manager	\$ 95.00	Senior Construction Observer I	\$ 90.00
Grant Administrator	\$ 90.00	Construction Observer III	\$ 75.00
Grant Writer	\$ 75.00	Construction Observer II	\$ 65.00
		Construction Observer I	\$ 55.00
Principal Landscape Architect	\$ 170.00	Resident Compliance Officer (RSO)	\$ 65.00
Managing Landscape Architect	\$ 140.00		
Senior Landscape Architect	\$ 130.00	<b>REIMBURSABLE EXPENSES</b>	
Landscape Architect	\$ 120.00	Materials	Cost + 10%
Senior Landscape Designer	\$ 105.00	Sub-Consultant Services	Cost + 10%
Project Landscape Designer	\$ 85.00		
Landscape Designer II	\$ 78.00		
Landscape Designer I	\$ 72.00		



# Tab 4



PREPARED BY:  
**JOHNSON**  
 ENGINEERING  
 3122 JOHNSON STREET  
 FORT MYERS, FLORIDA 33901  
 239-334-0046

PROJECT  
 LOCATION



LOCATION MAP  
 SCALE: 1" = ONE MILE

**LEGAL DESCRIPTION**

A TRACT OR PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 24, BLOCK 20 SECTION NO.1 UNIT NO.2 LAKEVILLE AS RECORDED IN DEED BOOK 206, PAGES 303-309 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE SOUTH 00°11'57" EAST, A DISTANCE OF 43.37 FEET TO A POINT OF BEGINNING; A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,030.18 FEET, A CENTRAL ANGLE OF 17°47'05" AND A CHORD DISTANCE OF 204.6 FEET WHICH BEARS SOUTH 81°07'57" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 228.89 FEET; THENCE SOUTH 75°02'07" EAST, A DISTANCE OF 253.66 FEET; TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF 48°17'01" AND A CHORD DISTANCE OF 344.62 FEET WHICH BEARS NORTH 00°44'31" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 265.50 FEET; THENCE SOUTH 32°27'02" EAST, A DISTANCE OF 7.50 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 223.50 FEET, A CENTRAL ANGLE OF 32°27'01" AND A CHORD DISTANCE OF 136.41 FEET WHICH BEARS NORTH 14°21'23" EAST; THENCE EASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 126.62 FEET; THENCE SOUTH 87°32'31" EAST, A DISTANCE OF 136.81 FEET; THENCE NORTH 15°12'02" WEST, A DISTANCE OF 20.25 FEET; THENCE NORTH 07°41'01" EAST, A DISTANCE OF 13.43 FEET TO A POINT OF BEGINNING; THENCE NORTH 07°41'01" EAST, A DISTANCE OF 87.83 FEET; THENCE NORTH 22°12'34" EAST, A DISTANCE OF 105.55 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 299.89 FEET, A CENTRAL ANGLE OF 37°24'01" AND A CHORD DISTANCE OF 193.38 FEET WHICH BEARS NORTH 00°42'03" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 198.00 FEET; THENCE NORTH 07°22'34" WEST, A DISTANCE OF 35.53 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 498.38 FEET, A CENTRAL ANGLE OF 14°32'04" AND A CHORD DISTANCE OF 126.54 FEET WHICH BEARS NORTH 00°32'32" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 126.88 FEET; THENCE NORTH 02°02'29" EAST, A DISTANCE OF 314.92 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 128.35 FEET, A CENTRAL ANGLE OF 114°52'34" AND A CHORD DISTANCE OF 217.04 FEET WHICH BEARS NORTH 58°16'09" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 257.50 FEET; THENCE SOUTH 87°47'47" EAST, A DISTANCE OF 112.30 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 42°24'47" AND A CHORD DISTANCE OF 103.57 FEET WHICH BEARS SOUTH 27°30'28" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 158.87 FEET; THENCE SOUTH 07°25'02" EAST, A DISTANCE OF 126.31 FEET; THENCE SOUTH 32°42'02" EAST, A DISTANCE OF 48.85 FEET; THENCE SOUTH 02°02'49" EAST, A DISTANCE OF 20.93 FEET; THENCE SOUTH 58°05'48" EAST, A DISTANCE OF 86.29 FEET; THENCE SOUTH 82°07'02" WEST, A DISTANCE OF 24.00 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 348.50 FEET, A CENTRAL ANGLE OF 145°52'32" AND A CHORD DISTANCE OF 47.80 FEET WHICH BEARS SOUTH 02°15'42" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 63.85 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 652.00 FEET, A CENTRAL ANGLE OF 04°07'22" AND A CHORD DISTANCE OF 47.12 FEET WHICH BEARS SOUTH 11°10'07" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 47.13 FEET; THENCE SOUTH 12°21'46" WEST, A DISTANCE OF 276.48 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 26.00 FEET, A CENTRAL ANGLE OF 80°34'51" AND A CHORD DISTANCE OF 30.98 FEET WHICH BEARS SOUTH 15°32'03" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 31.72 FEET; THENCE SOUTH 42°48'58" WEST, A DISTANCE OF 20.25 FEET; THENCE NORTH 87°21'31" WEST, A DISTANCE OF 12.84 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 11°17'14" AND A CHORD DISTANCE OF 7.87 FEET WHICH BEARS NORTH 02°31'19" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 7.88 FEET; THENCE NORTH 07°07'29" EAST, A DISTANCE OF 35.67 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 11°40'49" AND A CHORD DISTANCE OF 53.86 FEET WHICH BEARS NORTH 07°44'39" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 53.84 FEET; THENCE NORTH 13°21'49" EAST, A DISTANCE OF 24.54 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 625.00 FEET, A CENTRAL ANGLE OF 11°59'54" AND A CHORD DISTANCE OF 104.74 FEET WHICH BEARS NORTH 07°07'29" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 19.98 FEET; THENCE NORTH 01°21'55" EAST, A DISTANCE OF 315.71 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 20°32'44" AND A CHORD DISTANCE OF 37.28 FEET WHICH BEARS NORTH 10°45'07" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.23 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 211°39'50" AND A CHORD DISTANCE OF 105.83 FEET WHICH BEARS SOUTH 11°33'02" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 203.19 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 58°52'42" AND A CHORD DISTANCE OF 83.80 FEET WHICH BEARS SOUTH 20°24'26" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 83.80 FEET; THENCE SOUTH 01°21'55" WEST, A DISTANCE OF 205.30 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 11°59'54" AND A CHORD DISTANCE OF 92.29 FEET WHICH BEARS SOUTH 02°31'19" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 92.27 FEET; THENCE SOUTH 12°21'46" WEST, A DISTANCE OF 244.54 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 11°14'20" AND A CHORD DISTANCE OF 63.85 FEET WHICH BEARS SOUTH 07°44'39" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 63.85 FEET; THENCE SOUTH 02°07'07" WEST, A DISTANCE OF 34.67 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 11°17'09" AND A CHORD DISTANCE OF 7.87 FEET WHICH BEARS SOUTH 07°41'19" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 7.88 FEET; THENCE NORTH 87°25'21" WEST, A DISTANCE OF 81.73 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.61 ACRES (681,350 SQUARE FEET) MORE OR LESS.

# MAGNOLIA LANDING UNIT TWO

A SUBDIVISION IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST  
 LEE COUNTY, FLORIDA

FEBRUARY 2014

**NOTICE:**

LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE LOT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.

"\*Would Tract LM be better as a drainage and access easement similar to how it is done in the rest of the plat?"

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT D.R. HORTON INC. A DELAWARE CORPORATION, THE OWNERS OF THE HEREIN DESCRIBED LANDS HAS CAUSED THIS PLAT OF MAGNOLIA LANDING UNIT TWO, A SUBDIVISION IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA:

1. DEDICATE TO THE CFM COMMUNITY DEVELOPMENT DISTRICT (C.D.D.):
  - A. ALL OF TRACT "LM".
  - B. ALL DRAINAGE EASEMENTS (DE) FOR ingress/egress, construction, repair and maintenance of the stormwater system.
2. DEDICATE TO NORTH FORT MYERS UTILITIES, A NON-EXCLUSIVE EASEMENT OVER ALL PUBLIC UTILITY EASEMENTS (PUE) FOR INGRESS/EGRESS, CONSTRUCTION, REPAIR AND MAINTENANCE OF THE SEWER/WASTEWATER SYSTEM.
3. DEDICATE TO LEE COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (LEE COUNTY) FOR USE IN THE PERFORMING AND DISCHARGING ITS OFFICIAL DUTIES AND OBLIGATIONS TO PROVIDE UTILITY AND OTHER GOVERNMENTAL SERVICES:
  - A. AN NON-EXCLUSIVE PERPETUAL LEE COUNTY UTILITY EASEMENT (LCUE) OVER AND ACROSS ALL LEE COUNTY UTILITY EASEMENTS SHOWN HEREIN.
4. DEDICATE TO FEDERAL, STATE AND LOCAL GOVERNMENTAL AGENCIES AND DEPARTMENTS AND TO ALL PUBLIC UTILITIES AS DEFINED BY FLORIDA LAW, AS MAY BE AMENDED FROM TIME TO TIME, WHETHER PRIVATELY OR GOVERNMENTALLY OWNED, FOR USE IN THE PERFORMING AND DISCHARGING OF THEIR RESPECTIVE OFFICIAL DUTIES AND OBLIGATIONS TO PROVIDE UTILITY AND OTHER GOVERNMENTAL SERVICES:
  - A. ALL PUBLIC UTILITY EASEMENTS (PUE) SHOWN HEREIN.
  - B. THE PUBLIC UTILITY EASEMENTS DESCRIBED IN A.4. ABOVE MAY ALSO BE USED FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED HOWEVER, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION:
    - (1) SHALL NOT INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITIES AND
    - (2) SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
    - (3) IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES.

**NOTES**

THIS PLAT IS SUBJECT TO CERTAIN EASEMENTS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR MAGNOLIA LANDING WHICH ARE BLANKET IN NATURE AND NOT PLOTTABLE HEREIN.

**CFM COMMUNITY DEVELOPMENT DISTRICT**

IN WITNESS WHEREOF,

THE CFM COMMUNITY DEVELOPMENT DISTRICT HEREBY ACCEPTS THE DEDICATION AND ACKNOWLEDGES RESPONSIBILITY FOR MAINTENANCE OF THE INFRASTRUCTURE ASSOCIATED WITH THE DEDICATION.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

PRINT NAME: \_\_\_\_\_ BY: \_\_\_\_\_  
 SECRETARY \_\_\_\_\_ CHAIRMAN / VICE CHAIRMAN

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THIS DEDICATION TO BE MADE AND EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

**D.R. HORTON, INC.**  
 A DELAWARE CORPORATION

JONATHAN M. PENTECOST  
 VICE PRESIDENT

WITNESSES:  
 PRINT NAME: \_\_\_\_\_

WITNESSES:  
 PRINT NAME: \_\_\_\_\_

**ACKNOWLEDGMENT**  
 STATE OF FLORIDA  
 COUNTY OF LEE  
 THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, BY  
 OF D.R. HORTON INC. WHO IS PERSONALLY KNOWN TO ME.

ROTARY PUBLIC - STATE OF FLORIDA  
 PRINT NAME: \_\_\_\_\_  
 COMMISSION # \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY'S SEAL

**ACKNOWLEDGMENT**  
 STATE OF FLORIDA  
 COUNTY OF LEE  
 THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, BY  
 CFM COMMUNITY DEVELOPMENT DISTRICT, WHO IS PERSONALLY KNOWN TO ME.

ROTARY PUBLIC - STATE OF FLORIDA  
 PRINT NAME: \_\_\_\_\_  
 COMMISSION # \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY'S SEAL

REVIEW BY THE DESIGNATED COUNTY PSM DETERMINED THAT THIS PLAT CONFORMS TO THE REQUIREMENTS OF F.S. CH. 177, PART 1

MICHAEL L. HARRISON, PSM  
 LEE COUNTY DESIGNATED PSM

**APPROVALS**

THIS PLAT IS ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS, LEE COUNTY, FLORIDA THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

PRINT NAME: \_\_\_\_\_ LINDA DODGETT  
 CHAIRMAN OF THE BOARD CLERK OF COURT

NETSA BORNERT ASSISTANT COUNTY ATTORNEY BENJAMIN H. DICKSON, DIRECTOR DIVISION OF DEVELOPMENT SERVICES

MARY GIBBS, DIRECTOR DEPARTMENT OF COMMUNITY DEVELOPMENT

**CLERK'S CERTIFICATION**

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF MAGNOLIA LANDING UNIT TWO, A SUBDIVISION IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THE PLAT.

DONE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

LINDA DODGETT  
 LEE COUNTY CLERK OF COURT

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF MAGNOLIA LANDING UNIT TWO, A SUBDIVISION IN SECTION 4, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, WAS PREPARED UNDER MY DIRECTION AND SUPERVISION AND COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS (PRM'S) HAVE BEEN PLACED AT THE LOCATIONS SHOWN ON THE PLAT.

DONE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

KEVIN M. RISCASSI (FOR THE FIRM-LB#642)  
 PROFESSIONAL SURVEYOR AND MAPPER  
 FLORIDA CERTIFICATE NO. 8432  
 JOHNSON ENGINEERING, INC.  
 2122 JOHNSON STREET  
 FORT MYERS, FLORIDA 33901



LEED0013-00474 / PLT 2013-00024