



Rizzetta & Company

CFM Community Development District

**Board of Supervisors' Meeting
June 28, 2018**

**District Office:
9530 Marketplace Road, Suite 206
Fort Myers, Florida 33912
(239) 936-0913**

www.cfmccd.org

**CFM COMMUNITY
DEVELOPMENT DISTRICT AGENDA
June 28, 2018 at 11:30 a.m.**

www.cfmcdd.org

Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, FL 33912

District Board of Supervisors	Mike Dady Leah Popelka Adam Lerner Paul Mayotte Robert Bishop	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Belinda Blandon	Rizzetta & Company, Inc.
District Counsel	Mike Eckert	Hopping Green & Sams, P.A.
District Engineer	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 **11:30 a.m.** with the first section which is called **Public Comment**. The Public 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 711, 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.

June 20, 2018

Board of Supervisors
**CFM Community
Development District**

AGENDA

Dear Board Members:

The rescheduled meeting of the Board of Supervisors of the CFM Community Development District will be held on **Thursday, June 28, 2018 at 11:30 a.m.**, at the office of Rizzetta & Company, Inc., 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912. The following is the agenda for the meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT**
- 3. BUSINESS ADMINISTRATION**
 - A. Consideration of the Minutes of the Audit Committee Meeting held on May 17, 2018 Tab 1
 - B. Consideration of the Minutes of the Board of Supervisors' Meeting held on May 17, 2018..... Tab 2
 - C. Consideration of the Operations and Maintenance Expenditures for the Month of May 2018..... Tab 3
- 4. BUSINESS ITEMS**
 - A. Review and Acceptance of Arbitrage Rebate Calculations, Series 2004A and 2004B, for the Period Ending April 30, 2018, as Prepared by LLS Tax Solutions..... Tab 4
 - B. Consideration of Resolution 2018-03, Implementing Section 190.006(3), *Florida Statutes*, and Requesting that the Lee County Supervisor of Elections Begin Conducting the District's General Elections Tab 5
 - C. Ratification of Executed Golf Cart Path Easement..... Tab 6
- 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,
Belinda Blandon
Belinda Blandon
District Manager

cc: Mike Eckert, Hopping Green & Sams, P.A.

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 Audit Committee meeting of the CFM Community Development District was held on **Thursday, May 17, 2018 at 11:30 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	Committee Member
Bob Bishop	Committee Member (via speaker phone)
Adam Lerner	Committee Member
Paul Mayotte	Committee Member
Leah Popelka	Committee Member

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Mike Eckert	District Counsel, Hopping Green & Sams, P.A.
Michelle Rigoni	District Counsel, Hopping Green & Sams, P.A.
Mallory Clancy	District Engineer, Johnson Engineering, Inc.
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

**Review and Consideration of Proposal
Received in Response to the RFP for Audit
Services**

Ms. Blandon advised proposals were received for audit services for fiscal years ending September 2018, 2019, and 2020. She advised proposals were received from Carr, Riggs & Ingram, LLC, Grau & Associates, Inc., and McDirmitt Davis & Company, LLC. The Committee elected to complete one tally sheet collectively. Mr. Mayotte read aloud his recommended rankings; Carr, Riggs & Ingram received 90 points, Grau & Associates received 70 points, and McDirmitt Davis & Company received 85 points. He reviewed the reasons for the ranking of each firm. Discussion ensued. The Committee concurred with the rankings as proposed by Mr. Mayotte.

On a Motion by Ms. Popelka, seconded by Mr. Dady, with all in favor, the Committee Recommended to the Board of Supervisors to adopt the rankings of the Audit Committee: Carr, Riggs & Ingram, followed by McDirmit Davis & Company, and Grau & Associates and further recommended that the Board Enter into Contract Negotiations with Carr, Riggs & Ingram for Audit Services Based Upon the Proposal Received, for the Audit Committee of the CFM Community Development District.

THIRD ORDER OF BUSINESS

Adjournment

On a Motion by Ms. Popelka, seconded by Mr. Lerner, with all in favor, the Audit Committee Meeting was Adjourned at 11:41 a.m., for the Audit Committee of the CFM Community Development District.

Tab 2

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, May 17, 2018 at 11:42 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	Board Supervisor, Chairman
Leah Popelka	Board Supervisor, Vice Chair
Paul Mayotte	Board Supervisor, Assistant Secretary
Adam Lerner	Board Supervisor, Assistant Secretary
Bob Bishop	Board Supervisor, Assistant Secretary (via speaker phone)

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Mike Eckert	District Counsel, Hopping Green & Sams, P.A.
Michelle Rigoni	District Counsel, Hopping Green & Sams, P.A.
Mallory Clancy	District Engineer, Johnson Engineering
Audience	

FIRST ORDER OF BUSINESS

Call to Order

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

SECOND ORDER OF BUSINESS

Public Comment

Ms. Blandon opened the floor for public comment.

Ms. Streeter advised of concerns regarding the location of the mailboxes in the new development area. Mr. Dady advised he will review the concern. Ms. Streeter advised of safety concerns regarding a lack of lighting in parking lot at night. Mr. Dady noted the concern and advised the parking lot is an Association area; he inquired regarding the ability of the CDD installing lights on CDD property and aiming them toward the parking lot. Mr. Eckert advised the CDD can install a light on CDD property and point it toward the parking lot. Mr. Dady asked Ms. Blandon to look into possibilities. Ms. Streeter inquired regarding locations of sign repairs. Ms. Blandon advised the repairs are hurricane related and further advised she would forward information to Ms. Streeter. Ms. Streeter inquired regarding work conducted on lake 170A. Ms. Blandon advised there was erosion on lake 170A which has been repaired. Mr. Dady asked Ms. Clancy to review the lake bank to ensure repairs are completed.

A resident inquired regarding the final lift of asphalt for the roadways. Mr. Dady advised the new developer is responsible for the final lift of asphalt and the work will not be completed until heavy equipment access is completed.

A resident inquired regarding the responsibility for landscaping along the roadways. Mr. Dady advised the aesthetic issues will be looked at.

A resident complimented the developer for maintaining a low speed of trucks traveling through and within the community.

Ms. Blandon advised that counsel has asked to add a resolution related to the general election to the agenda. Mr. Eckert advised the resolution declares seats available for the general election; he stated the resolution is not to be considered at this time, though he is looking for a motion to add the resolution to the agenda.

On a Motion by Ms. Popelka, seconded by Mr. Mayotte, with all in favor, the Board Amended the Agenda to Include the Consideration of the General Election Resolution, for the CFM Community Development District.

THIRD ORDER OF BUSINESS

Consideration of the Minutes of the Audit Committee Meeting held on February 15, 2018

Ms. Blandon presented the Minutes of the Audit Committee meeting held on February 15, 2018. She asked if there were any questions related to the minutes. There were none.

On a Motion by Mr. Mayotte, seconded by Mr. Lerner, with all in favor, the Board Accepted the Minutes of the Audit Committee Meeting held on February 15, 2018, for the CFM Community Development District.

FOURTH ORDER OF BUSINESS

Consideration of the Minutes of the Board of Supervisors' Meeting held on March 15, 2018

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on March 15, 2018. She asked if there were any additions, deletions, or corrections to the minutes. There were none.

On a Motion by Ms. Popelka, seconded by Mr. Dady, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on March 15, 2018, for the CFM Community Development District.

FIFTH ORDER OF BUSINESS

Consideration of the Operations and Maintenance Expenditures for the Months of March and April 2018

Ms. Blandon provided an overview of the expenditures paid for the period of March 1-31, 2018 which totaled \$35,236.15 and the period of April 1-30, 2018 which totaled \$15,969.08. She asked if there were any questions related to any item of expenditure. Discussion ensued regarding the Johnson Engineering invoice.

On a Motion by Mr. Dady, seconded by Mr. Mayotte, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the Month of March 2018, totaling \$35,236.15 and the Month of April 2018, totaling \$15,969.08, for the CFM Community Development District.

SIXTH ORDER OF BUSINESS

Review of March 2018 Financial Statement

Ms. Blandon provided an overview of the March 2018 financial statement. Discussion ensued regarding various items.

SEVENTH ORDER OF BUSINESS

Consideration of Audit Committee Recommendation

Ms. Blandon advised that the Audit Committee met prior to the onset of the Board of Supervisors meeting and has recommended to the Board of Supervisors to adopt the rankings of the Audit Committee: Carr, Riggs & Ingram, LLC followed by McDirmit Davis & Company, LLC and Grau & Associates and further recommended that the Board enter into contract negotiations with Carr, Riggs & Ingram for Audit services based upon the proposal received.

On a Motion by Mr. Dady, seconded by Mr. Mayotte, with all in favor, the Board Accepted and Approved the Recommendation of the Audit Committee and adopted the rankings of the Audit Committee: Carr, Riggs & Ingram, followed by McDirmit Davis & Company, and Grau & Associates and further Authorized Entering into Contract Negotiations with Carr, Riggs & Ingram for Audit Services Based Upon the Proposal Received, for the CFM Community Development District.

EIGHTH ORDER OF BUSINESS

Presentation of the Fiscal Year 2017 Audit as Prepared by Carr, Riggs & Ingram, LLC

Ms. Blandon provided an overview of the Audit for fiscal year end September 30, 2017 and asked if there were any questions. Discussion ensued.

On a Motion by Mr. Mayotte, seconded by Mr. Lerner, with all in favor, the Board Accepted the Audit for Fiscal Year End September 30, 2017, as Prepared by Carr, Riggs & Ingram, LLC, for the CFM Community Development District.

NINTH ORDER OF BUSINESS**Consideration of Special Easement
Related to Irrigation**

Mr. Eckert advised of a request received for an irrigation easement; there are parcels owned by the District where Magnolia Landing Golf is asking for an easement to run an irrigation line. He further advised easements like this are typical and he recommended approval of the easement. Discussion ensued regarding possible easement swaps in the future.

On a Motion by Mr. Dady, seconded by Mr. Mayotte, with all in favor, the Board Approved the Special Easement Related to Irrigation, for the CFM Community Development District.

TENTH ORDER OF BUSINESS**Presentation of the Proposed Budget for
Fiscal Year 2018/2019**

Ms. Blandon provided an overview of the proposed budget for Fiscal Year 2018/2019 highlighting the line items experiencing a change from the current year budget. Discussion ensued regarding various line items.

ELEVENTH ORDER OF BUSINESS**Consideration of Resolution 2018-02,
Approving a Proposed Budget for Fiscal
Year 2018/2019 and Setting a Public
Hearing Thereon**

Mr. Eckert provided an overview of the resolution advising the public hearing is currently set for August 16, 2017 at 11:30 a.m.

On a Motion by Ms. Popelka, seconded by Mr. Dady, with all in favor, the Board Adopted Resolution 2018-02, Approving a Proposed Budget for Fiscal Year 2018/2019 and Setting a Public Hearing Thereon for Thursday, August 16, 2017 at 11:30 a.m. to be held at the office of Rizzetta & Company, Inc. located at 9530 Marketplace Road, Suite 06, Fort Myers, Florida 33912, for the CFM Community Development District.

TWELFTH ORDER OF BUSINESS**Staff Reports**

- A. District Counsel
Mr. Eckert advised that he is working with the landowner and developer on transfers related to utilities. Discussion ensued.
- B. District Engineer
Ms. Clancy advised that the Ecologist has reviewed the wetland enhancements and those are moving along; the mechanical removal has been completed and only hand removal is remaining in areas K, N, & L. Mr. Dady inquired regarding how much

was in place removal versus what was taken off site. Ms. Clancy advised she does not have that information and she will look into it. Discussion ensued.

Ms. Clancy advised that regarding the NPDES; a report is not due until November. She further advised an Assessment Program was required this cycle and that was provided in April.

Ms. Clancy advised she is continuing to review the Golf Course ownership of lake easements.

C. District Manager

Ms. Blandon advised that per Florida Statutes the District is required, prior to June 1st of each year, to announce the number of registered voters residing within the District as of April 15 of that year. As of April 15, 2018, there are 403 qualified electors residing within the CFM Community Development District, as provided by the Lee County Supervisor of Elections.

Ms. Blandon advised that the qualifying period for persons interested in running in the general election for a Board seat is 12:00 p.m. on June 18, 2018 through 12:00 p.m. June 22, 2018.

Mr. Eckert advised he would like to defer the General Election resolution until the next meeting so that he can review the seat chart.

Ms. Blandon advised the next meeting of the Board of Supervisors is scheduled for Thursday, June 21, 2018 at 11:30 a.m.

THIRTEENTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Ms. Blandon opened the floor for Supervisor requests and comments.

Mr. Dady inquired regarding the last landowner election. Mr. Eckert advised the last election was a general election and there would be no more landowner elections. Mr. Dady inquired regarding who is currently in the landowner seat. Mr. Eckert advised he will review the seat chart.

Ms. Blandon opened the floor for Audience comments. There were none.

FOURTEENTH ORDER OF BUSINESS

Adjournment

<p>On a Motion by Mr. Dady, seconded by Mr. Lerner, with all in favor, the Board adjourned the meeting at 12:37 p.m., for the CFM Community Development District.</p>

Secretary/Assistant Secretary

Chairman/Vice Chairman

Tab 3

CFM COMMUNITY DEVELOPMENT DISTRICT

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

Operation and Maintenance Expenditures May 2018 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from May 1, 2018 through May 31, 2018. This does not include expenditures previously approved by the Board.

The total items being presented: **\$23,768.55**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

CFM Community Development District

Paid Operation & Maintenance Expenditures

May 1, 2018 Through May 31, 2018

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Hopping Green & Sams	002300	99774	General/Monthly Legal Services 03/18	\$ 6,538.50
Johnson Engineering Inc	002301	20044888-001 Inv 124	General Engineering Services 04/18	\$ 3,662.30
LCEC	002302	6571809552 04/18	Street Lights 3000 Magnolia Landing Ln 04/18	\$ 1,677.92
Magnolia Landing Golf, LLC	002304	986	Aerator Agreement & Water 05/18	\$ 500.00
Magnolia Landing Golf, LLC	002304	987	Aerator Agreement & Water 05/18	\$ 625.00
Magnolia Landing Master Association, Inc.	002303	339	Landscape Maintenance 03/18	\$ 3,494.58
Magnolia Landing Master Association, Inc.	002303	340	Landscape Maintenance 04/18	\$ 3,494.58
Rizzetta & Company, Inc.	002295	INV00000032001	District Management Fees 05/18	\$ 3,541.67
Rizzetta Technology Services, LLC	002296	INV0000003330	Website Hosting & Email Services 05/18	\$ 175.00
The Daily Breeze	002305	110249 L03434 05/09	Legal Advertising 05/18	\$ 59.00
Report Total				<u>\$ 23,768.55</u>

Hopping Green & Sams

Attorneys and Counselors

119 S. Monroe Street, Ste. 300
P.O. Box 6526
Tallahassee, FL 32314
850.222.7500

===== STATEMENT =====

April 20, 2018

CFM Community Development District
c/o Rizzetta & Company
9530 Marketplace Road Suite # 206
Ft. Myers, FL 33912

Bill Number 99774
Billed through 03/31/2018

General Counsel/Monthly Meeting

CFMCDD 00001 MCE

FOR PROFESSIONAL SERVICES RENDERED

03/02/18	JEM	Review title search materials.	0.10 hrs
03/05/18	MCE	Confer with Dady.	0.10 hrs
03/05/18	JEM	Review title search reports.	1.30 hrs
03/06/18	MCE	Review draft minutes and provide comments; prepare for board meeting.	0.30 hrs
03/06/18	JEM	Prepare Windham/Magnolia conveyance documentation; prepare correspondence to Carena.	1.50 hrs
03/07/18	JEM	Prepare agreement regarding acquisition of golf course strips.	1.10 hrs
03/08/18	MCE	Prepare acquisition agreement.	0.20 hrs
03/08/18	JEM	Revise agreement between district and special-purpose entity regarding acquisition of golf course strips.	0.50 hrs
03/09/18	JEM	Review updated title search reports; prepare correspondence to Dady; prepare temporary access easement agreement.	1.90 hrs
03/12/18	MCE	Prepare for board meeting.	0.20 hrs
03/12/18	JEM	Review correspondence from Dady.	0.10 hrs
03/13/18	MCE	Confer with Dady.	0.10 hrs
03/13/18	JEM	Prepare correspondence to Dady.	0.20 hrs
03/13/18	MNK	Prepare for board meeting.	0.60 hrs
03/14/18	MCE	Prepare for and travel to board meeting.	1.60 hrs
03/14/18	MNK	Confer with district manager regarding board meeting.	0.10 hrs
03/15/18	MCE	Prepare for and travel to board meeting; attend board meeting; return travel.	2.90 hrs
03/15/18	JEM	Review correspondence from Dady; finalize correspondence to Lawson.	0.40 hrs

03/16/18	MCE	Follow-up from meeting; return travel.	1.50 hrs
03/17/18	MCE	Review audit engagement letter issues and required components.	0.10 hrs
03/19/18	MNK	Review plats regarding guardhouse.	0.30 hrs
03/19/18	APA	Review election status; update chart regarding same.	0.40 hrs
03/20/18	MNK	Review property appraiser's website regarding guardhouse ownership; review landscape agreement with homeowners' association regarding maintenance responsibility; review agreement with Maxcy regarding same; confer with Blandon regarding same; review draft minutes and provide comments.	1.30 hrs
03/21/18	MNK	Review February financial statements.	0.20 hrs
03/22/18	APA	Update 2018 elections chart and fiscal year 2018-2019 budget chart.	0.30 hrs
03/23/18	APA	Review status of maintenance agreements for district; prepare status chart.	0.40 hrs
03/28/18	MCE	Review audit; provide comments.	0.80 hrs
03/28/18	JLE	Review auditor request letter and draft response to same; follow-up regarding same.	0.20 hrs
03/28/18	JEM	Review correspondence from Dady.	0.20 hrs
03/28/18	LAK	Prepare response to auditor letter request.	1.20 hrs
03/28/18	AHJ	Prepare correspondence to district manager regarding notice of qualifying period.	0.20 hrs
03/29/18	MCE	Review request for easement, plats and supporting documents.	0.30 hrs
03/29/18	JEM	Confer with Dady regarding acquisition of golf course strips.	0.20 hrs
03/30/18	RVW	Prepare letter to district manager regarding qualifying period; prepare notice regarding same.	0.10 hrs
03/30/18	MNK	Review easement from Maggiano and provide comments; confer with Dady and Maggiano regarding same.	0.80 hrs
Total fees for this matter			\$6,162.50

DISBURSEMENTS

Document Reproduction	3.00
Travel	324.09
Travel - Meals	21.82
United Parcel Service	27.09
Total disbursements for this matter	\$376.00

MATTER SUMMARY

Jaskolski, Amy H. - Paralegal	0.20 hrs	125 /hr	\$25.00
Papp, Annie M. - Paralegal	1.10 hrs	125 /hr	\$137.50
Merritt, Jason E.	7.50 hrs	330 /hr	\$2,475.00
Earlywine, Jere L.	0.20 hrs	285 /hr	\$57.00
Kuehlke, Lou Ann - Legal Asst	1.20 hrs	100 /hr	\$120.00
Eckert, Michael C.	8.10 hrs	310 /hr	\$2,511.00
Kim, Michelle N.	3.30 hrs	245 /hr	\$808.50
Van Wyk, Roy	0.10 hrs	285 /hr	\$28.50

TOTAL FEES \$6,162.50
TOTAL DISBURSEMENTS \$376.00

TOTAL CHARGES FOR THIS MATTER \$6,538.50

BILLING SUMMARY

Jaskolski, Amy H. - Paralegal	0.20 hrs	125 /hr	\$25.00
Papp, Annie M. - Paralegal	1.10 hrs	125 /hr	\$137.50
Merritt, Jason E.	7.50 hrs	330 /hr	\$2,475.00
Earlywine, Jere L.	0.20 hrs	285 /hr	\$57.00
Kuehlke, Lou Ann - Legal Asst	1.20 hrs	100 /hr	\$120.00
Eckert, Michael C.	8.10 hrs	310 /hr	\$2,511.00
Kim, Michelle N.	3.30 hrs	245 /hr	\$808.50
Van Wyk, Roy	0.10 hrs	285 /hr	\$28.50

TOTAL FEES \$6,162.50
TOTAL DISBURSEMENTS \$376.00

TOTAL CHARGES FOR THIS BILL \$6,538.50

Please include the bill number on your check.

Date Rec'd Rizzetta & Co., Inc. MAY 01 2018
Date approval Belinda Blandon Date 5/7/2018
Date entered MAY 01 2018
Fund 001 GL 51400.00 3107
Check # _____

Johnson Engineering, Inc.
 Remit To:
 P.O. Box 2112
 Fort Myers, FL 33902
 Ph: 239.334.0046 Fax: 239.334.3661

Invoice

Project Manager David Robson

April 30, 2018
 Project No: 20044888-001
 Invoice No: 124

FEID #59-1173834

Accounts Payable
 CFM CDD
 c/o Rizzetta & Company, Inc.
 9530 Marketplace Road, Suite 206
 Fort Myers, FL 33912

Project 20044888-001 CFM CDD General Engineering

Professional Services through April 15, 2018

Phase 01 General Engineering

Professional Personnel

			Hours	Rate	Amount
Principal GIS Consultant					
Lohr, Michael	3/12/2018		2.00	170.00	340.00
NPDES Inspection Prep					
Lohr, Michael	3/14/2018		.50	170.00	85.00
Review NPDES inspections w/ B Burford					
Lohr, Michael	3/20/2018		.50	170.00	85.00
NPDES: Updating GIS files for new data; w/ P Lohr					
Lohr, Michael	3/26/2018		.50	170.00	85.00
Review field inspections and photos					
GIS Consultant III					
Lohr, Paul	3/20/2018		1.08	135.00	145.80
CFM CDD / Magnolia Landing NPDES. Working on report template. Requested by Mike Lohr.					
Lohr, Paul	3/21/2018		1.40	135.00	189.00
CFM CDD / Magnolia Landing NPDES. Working on report template. Requested by Mike Lohr.					
Technician II					
Keen, Cynthia	3/28/2018		2.00	65.00	130.00
Magnolia Landing Unit 1, Tract Y, public records research on ownership/maintenance responsibility per Work Order Request and B Blandon. Maintenance responsibility is with CFM CDD (Instruction #2015000031624, Lee County Public Records)					
Keen, Cynthia	3/29/2018		1.00	65.00	65.00
DR Horton - Magnolia Landing - CFM CDD Easement document review per M Clancy, per M Dady					
Engineer Intern III					
Burford, Brent	3/12/2018		4.00	115.00	460.00
NPDES inspections.					
Burford, Brent	3/13/2018		3.00	115.00	345.00
NPDES inspections.					
Burford, Brent	3/14/2018		3.50	115.00	402.50
NPDES inspections.					
Burford, Brent	3/27/2018		2.00	115.00	230.00
Revise picture names and locations. Update picture information on Field Sheets.					

Project	20044888-001	CFM CDD General Engineering	Invoice	124
Engineer IV				
Clancy, Mallory	3/12/2018	2.00	125.00	250.00
Ownership Allocation of GC and CDD Calculation of lake linear footage abutting GC tracts				
Clancy, Mallory	3/15/2018	1.50	125.00	187.50
CFM - Ownership allocation. Research of Assessment Methodology. .5 hours for attendance of NPDES co-permittee meeting				
Clancy, Mallory	3/28/2018	.50	125.00	62.50
Work Order research and coordination with Cindy Keen for document search				
Clancy, Mallory	3/29/2018	1.00	125.00	125.00
Research on Irrigation Easement				
Engineer IX				
Tilton, Andrew	3/15/2018	2.50	190.00	475.00
NPDES meeting				
Totals		28.98		3,662.30
Total Labor				3,662.30
Total this Phase				\$3,662.30
Total this Invoice				\$3,662.30

Date Rec'd Rizzetta & Co., Inc. MAY 02 2018
 O/M approval Belinda Blandon Date 5/8/2018
 Date entered MAY 03 2018
 Fund 001 GL 51300 OC 3103
 Check # _____

Customer Name: **CFM COMMUNITY DEVELOPMENT DISTRICT**
Account Number: **6571809552**

Due Date: **5/17/2018**

Account Summary as of April 26, 2018

Previous Balance	1,674.82
Payment Received - 04/17/2018	-1,674.82
Corrections	0.00
Past Due Balance	\$0.00
Current Charges - ELECTRIC	1,677.92
Adjustments, Credits, & Other Charges	0.00
Total Amount Due	\$1,677.92

Service Address: **3000 MAGNOLIA LANDING LN CASE ID#6806754959-T69628 NORTH FORT MYERS, FL 33917**
SA ID# 6571809975 Security Lt-Comm

Service From 03/29/2018 to 04/26/2018

46 13' Decorative Pole at \$12.75 each	586.50
46 units 150 Decorative Lights Energy Charge at \$6.74 each	310.04
46 units 150 Decorative Lights Fixture Charge at \$14.17 each	651.82
2 units 100 LED Light Energy Charge at \$1.92 each	3.84
2 units 100 LED Light Fixture Charge at \$9.13 each	18.26
295 ft of Underground Conductor at \$0.01 per ft	2.95
Power Cost Adj. (2,983.9996 kWh at \$0.0063)	18.80

Summary Of Light Related Charges	332.68
Summary Of Non Electric Fixtures	670.08
Summary Of Pole Related Charges	586.50
Gross Receipts Tax	10.37
Franchise Fee-Unincorporated Lee Co. Government	75.34
Current Charge Subtotal	\$1,677.92

Date Rec'd Rizzetta & Co., Inc. MAY 01 2018
Date approval Belinda Blandon Date 5/8/2018
Date entered MAY 01 2018
Fund 001 GLS3100 OC4307
Check # _____

tear here ----- tear here

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	\$1,677.92	\$1,677.92	05/17/2018	

ACCOUNT NUMBER: **6571809552**

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.

ADDRESSEE

1355 1 AB 0.405 14-8



CFM COMMUNITY DEVELOPMENT DISTRICT
CFM COMMUNITY DEVELOPMENT DISTRICT
9530 MARKETPLACE RD STE 206
FORT MYERS, FL 33912-0393

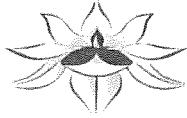
REMIT TO



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



INVOICE



Magnolia Landing Golf, LLC.
 3501 Avenida Del Vera
 North Fort Myers, FL 33917
 239.543.4146

Date	Invoice #
May 1, 2018	986

Bill to
 CFM CDD
 9530 Marketplace Rd
 Suite 206
 Fort Myers, FL 33912

Due Date	Billing Period
5/31/18	May 2018

Quantity	Description	Rate	Tax	Amount
1	Aerator Utility Cost	500.00	0.00	500.00
Date received: RIZZETTA & Co., Inc. APR 27 2018 W/M approval: Belinda Blandon Date 4/28/18 Date entered: APR 27 2018 Job # 001 GL 53800 OC 4614 Check # _____				
			Total	500.00

INVOICE



Magnolia Landing Golf, LLC.
 3501 Avenida Del Vera
 North Fort Myers, FL 33917
 239.543.4146

Date	Invoice #
May 1, 2018	987

Bill to

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

Due Date	Billing Period
5/31/18	May 2018

Quantity	Description	Rate	Tax	Amount
1	Aerator Agreement & Water	625.00	0.00	625.00
			Total	625.00

date received Belinda Blandon *APR 27 2018*
with approval Belinda Blandon *Date 4/28/18*
date entered APR 27 2018
under GL 53500 OC 4614
check # _____

Rizzetta & Company, Inc.
 3434 Colwell Avenue
 Suite 200
 Tampa FL 33614

Invoice

Date	Invoice #
5/1/2018	INV0000032001

Bill To:

CFM CDD
 3434 Colwell Avenue, Suite 200
 Tampa FL 33614

Services for the month of	Terms	Client Number
May	Upon Receipt	00545

Description	Qty	Rate	Amount
District Management Services -3101	1.00	\$1,416.67	\$1,416.67
Administrative Services --3100 *	1.00	\$450.00	\$450.00
Accounting Services 3201	1.00	\$1,258.33	\$1,258.33
Financial & Revenue Collections -3111	1.00	\$416.67	\$416.67

date rec'd Rizzetta & Co., Inc. ~~APR 27~~ 2018
 approval Belinda Blandon Date 4/28/18
 date entered APR 27 2018
 und. bill GL 51300 OC VARIOUS *

Subtotal	\$3,541.67
Total	\$3,541.67

Rizzetta Technology Services

3434 Colwell Avenue

Suite 200

Tampa FL 33614

Invoice

Date	Invoice #
5/1/2018	INV0000003330

Bill To:

CFM CDD
 3434 Colwell Avenue, Suite 200
 Tampa FL 33614

Services for the month of	Terms	Client Number
May		00545

Description	Qty	Rate	Amount
EEmail Hosting	5	\$15.00	\$75.00
Website Hosting Services	1	\$100.00	\$100.00
<p>Date Rec'd Rizzetta & Co., Inc. APR 27 2018 D/M approval <u>Belinda Blandon</u> Date <u>4/28/18</u> Date entered <u>APR 27 2018</u> Fund <u>001</u> GL <u>51300</u> OC <u>5103</u> Check # _____</p>			

Subtotal	\$175.00
Total	\$175.00

Classified/Legal Advertising Invoice

The Breeze Legals

2510 DEL PRADO BLVD.

CAPE CORAL, FL

33904

(239) 574-1110

CFM/CDD
12750 CITRUS PARK LANE
SUITE 115
TAMPA, FL

05/08/2018 12:32:38PM

33625

No: 110249

Phone: 239 936-0913

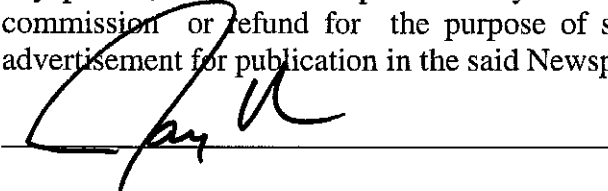
Ad No 110249	Customer No: L03434	Start Date 05-09-2018	Stop Date 05-09-2018	Category: Legals		Classification: MISCELLANEOUS	
Order No	Rate: LA	Lines: 118	Words: 393	Inches: 11.47	Cost 59.00	Payments .00	Balance 59.00
Publications ... Runs Breeze Legals ... 1 Online Legals ... 1		Solicitor: SM	Origin: 17	Sales Rep: 3	Credit Card	Credit Card Number	Card Expire
		<table border="1"> <tr> <td align="center">Identifier</td> </tr> <tr> <td> NOTICE OF AUDIT COMMITTEE MEETING AND REGULAR BOARD OF SUPERVISORS' MEETING CFM COMMUNITY DEVELOPMENT DISTRICT </td> </tr> </table>					Identifier
Identifier							
NOTICE OF AUDIT COMMITTEE MEETING AND REGULAR BOARD OF SUPERVISORS' MEETING CFM COMMUNITY DEVELOPMENT DISTRICT							
*=Extend Expiration Date							

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

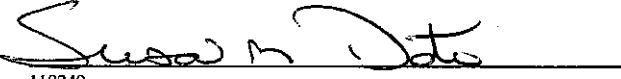
Affidavit of Publication

State of Florida
County of Lee

Before the undersigned authority personally appeared Jay Hill, 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 Audit Committee Meeting and Regular Board of Supervisors' Meeting CFM Community Development District, as published in said newspaper in the issues of May 9, 2018, s 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
May 9, 2018
Notary Public



110249



NOTICE OF AUDIT COMMITTEE MEETING AND REGULAR BOARD OF SUPERVISORS' MEETING CFM COMMUNITY DEVELOPMENT DISTRICT

The Audit Committee of the CFM Community Development District will hold an audit committee meeting on May 17, 2017, at 11:30 a.m. at the office of Rizzetta & Company, Inc. located at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912. The Audit Committee will review, discuss and evaluate the proposals submitted in response to the RFP for Audit Services. At the conclusion of the Audit Committee meeting, the District's Board of Supervisors will hold its regular meeting. A copy of the agenda for the meetings can be obtained from the District Office at 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912, or by phone at (239) 938-0913. Additionally, a copy of the agenda, along with any meeting materials available in an electronic format, may be obtained at www.cfmcd.org. Items on the agenda may include, but are not limited to, District operations and maintenance activities, financial matters, capital improvements, and general administration activities.

The meetings are open to the public and will be conducted in accordance with the provisions of Florida law. There may be occasions when one or more Board Supervisors or staff members will participate by telephone. A speaker telephone will be present at the above location so that any Board Supervisor or staff member can attend the meetings by telephone and be fully informed of the discussions taking place either in person or by telephone communication. The meetings may be continued in progress without additional notice to a time, date, and location stated on the record.

Any person requiring special accommodations to participate in these meetings is asked to advise the District Office at (239) 938-0913, at least 48 hours before the meetings. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice) for aid in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meetings is advised that the 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 based.

Belinda Blandon
District Manager
Run Date: 05/09/2018
110249

Tab 4

Memo

To: Belinda Blandon

From: Shandra Torres

CC:

Date: 5/31/2018

Re: **CFM CDD –Arbitrage Rebate Calculation Series 2004A and 2004B -Period ending
4/30/2018**

Attached are copies of the Arbitrage Rebate **CFM West CDD – Arbitrage Rebate Calculation Series 2004A and 2004B**. There is no arbitrage liability at this time. The arbitrage calculations are required by the Internal Revenue Service, as well as bond indenture to ensure compliance with the IRS requirements.

This report has been scanned to I:\CFMBonds\Arbitrage Rebate Calculations

Shandra



LLS Tax Solutions
2172 W. Nine Mile Rd.
#352
Pensacola, FL 32534
Telephone: 850-754-0311
Email: liscott@llstax.com

May 30, 2018

Ms. Shandra Torres
CFM Community Development District
c/o Rizzetta & Company, Inc.
12750 Citrus Park Lane, Suite 115
Tampa, Florida 33625

\$42,940,000
CFM Community Development District
Capital Improvement Revenue Bonds
Series 2004A and 2004B

Dear Ms. Torres:

Attached you will find our arbitrage rebate report for the above-referenced issue for the annual period ended April 30, 2018. This report indicates that there is no rebate liability as of April 30, 2018.

The next Computation Date is April 30, 2019. If you have any questions or comments, please do not hesitate to contact me at (850) 754-0311 or by email at liscott@llstax.com.

Sincerely,

Linda L. Scott
Linda L. Scott, CPA

cc: Mr. Keith Marshall, US Bank, Los Angeles, CA

CFM Community Development District

*\$42,940,000 CFM Community Development District
Capital Improvement Revenue Bonds, Series 2004A and
Series 2004B*

For the period ended April 30, 2018



LLS Tax Solutions
2172 W. Nine Mile Rd.
#352
Pensacola, FL 32534
Telephone: 850-754-0311
Email: liscott@llstax.com

May 30, 2018

CFM Community Development District
c/o Rizzetta & Company, Inc.
12750 Citrus Park Lane, Suite 115
Tampa, Florida 33625

Re: \$42,940,000 CFM Community Development District Capital Improvement Revenue Bonds, Series 2004A and Series 2004B ("Bonds")

CFM Community Development District ("Client") has requested that we prepare certain computations related to the above-described Bonds for the period ended April 30, 2018 ("Computation Period"). The scope of our engagement consisted of the preparation of computations to determine the Rebate Amount for the Bonds for the Computation Period as described in Section 148(f) of the Internal Revenue Code of 1986, as amended ("Code"), and this report is not to be used for any other purpose.

In order to prepare these computations, we were provided by the Client with and have relied upon certain closing documents for the Bonds and investment earnings information on the proceeds of the Bonds during the Computation Period. The attached schedule is based upon the aforementioned information provided to us. The assumptions and computational methods we used in the preparation of the schedule are described in the Summary of Notes, Assumptions, Definitions and Source Information. A brief description of the schedule is also attached.

The results of our computations indicate a negative Cumulative Rebate Amount of \$(6,698,728.88) at April 30, 2018. As such, no amount must be on deposit in the Rebate Fund.

As specified in the Federal Tax Certificate, the calculations have been performed based upon a Bond Yield of 6.18775%. Accordingly, we have not recomputed the Bond Yield.

The scope of our engagement was limited to the preparation of a mathematically accurate Rebate Amount for the Bonds for the Computation Period based on the information provided to us. The Rebate Amount has been determined as described in the Code, and regulations promulgated thereunder ("Regulations"). We have no obligation to update this report because of events occurring, or information coming to our attention, subsequent to the date of this report.

LLS Tax Solutions Inc.

SUMMARY OF NOTES, ASSUMPTIONS, DEFINITIONS, SOURCE INFORMATION, AND DESCRIPTION OF SCHEDULE

CFM Community Development District

May 30, 2018

\$42,940,000 Capital Improvement Revenue Bonds, Series 2004A and Series 2004B

For the period ended April 30, 2018

NOTES AND ASSUMPTIONS

1. The issue date of the Bonds is May 24, 2004.
2. The end of the first Bond Year for the Bonds is April 30, 2005.
3. Computations of yield are based upon a 30-day month, a 360-day year and semiannual compounding.
4. We have assumed that the only funds and accounts relating to the Bonds that are subject to rebate under Section 148(f) of the Code are shown in the attached schedule.
5. For investment cash flow purposes, all payments and receipts are assumed to be paid or received, respectively, as shown in the attached schedule. In determining the Rebate Amount for the Bonds, we have relied on information provided by you without independent verification, and we can therefore express no opinion as to the completeness or suitability of such information for such purposes. In addition, we have undertaken no responsibility to review the tax exempt status of interest on the Bonds.
6. We have assumed that the purchase and sale prices of all investments as represented to us are at fair market value, exclusive of brokerage commissions, administrative expenses, or similar expenses, and representative of arms' length transactions that did not artificially reduce the Rebate Amount for the Bonds, and that no "prohibited payments" occurred and no "imputed receipts" are required with respect to the Bonds.
7. Ninety percent (90%) of the Rebate Amount as of the next "computation date" ("Next Computation Date") is due to the United States Treasury not later than 60 days thereafter ("Next Payment Date"). (An issuer may select any date as a computation date, as long as the first computation date is not later than five years after the issue date, and each subsequent computation date is no more than five years after the previous computation date.) No other payment of rebate is required prior to the Next Payment Date. The Rebate Amount as of the Next Computation Date will not be the Rebate Amount reflected herein, but will be based on future computations that will include the period ending on the Next Computation Date. If all of the Bonds are retired prior to what would have been the Next Computation Date, one hundred percent (100%) of the unpaid Rebate Amount computed as of the date of retirement will be due to the United States Treasury not later than 60 days thereafter.
8. For purposes of determining what constitutes an "issue" under Section 148(f) of the Code, we have assumed that the Bonds constitute a single issue and are not required to be aggregated with any other bonds.

SUMMARY OF NOTES, ASSUMPTIONS, DEFINITIONS, SOURCE INFORMATION, AND DESCRIPTION OF SCHEDULE

CFM Community Development District

May 30, 2018

\$42,940,000 Capital Improvement Revenue Bonds, Series 2004A and Series 2004B

For the period ended April 30, 2018

NOTES AND ASSUMPTIONS (cont'd)

9. The accrual basis of accounting has been used to calculate earnings on investments. Earnings accrued but not received at the last day of the Computation Period are treated as though received on that day. For investments purchased at a premium or a discount (if any), amortization or accretion is included in the earnings accrued at the last day of the Computation Period. Such amortization or accretion is computed in such a manner as to result in a constant rate of return for such investment. This is equivalent to the “present value” method of valuation that is described in the Regulations.
10. No provision has been made in this report for any debt service fund. Under Section 148(f)(4)(A) of the Code, a “bona fide debt service fund” for public purpose bonds issued after November 10, 1988 is not subject to rebate if the average maturity of the issue of bonds is at least five years and the rates of interest on the bonds are fixed at the issue date. It appears and has been assumed that the debt service fund allocable to the Bonds qualifies as a bona fide debt service fund, and that this provision applies to the Bonds.
11. In order to prepare the Arbitrage Calculation we have relied on prior arbitrage report by Deloitte Tax LLP with respect to the Rebate Amount Liability as of April 30, 2011.

SUMMARY OF NOTES, ASSUMPTIONS, DEFINITIONS, SOURCE INFORMATION, AND DESCRIPTION OF SCHEDULE

CFM Community Development District

May 30, 2018

\$42,940,000 Capital Improvement Revenue Bonds, Series 2004A and Series 2004B

For the period ended April 30, 2018

DEFINITIONS

1. *Bond Year*: Each one-year period that ends on the day selected by the Client. The first and last Bond Years may be shorter periods.
2. *Bond Yield*: The yield that, when used in computing the present value (at the issue date of the Bonds) of all scheduled payments of principal and interest to be paid over the life of the Bonds, produces an amount equal to the Issue Price.
3. *Allowable Earnings*: The amount that would have been earned if all nonpurpose investments were invested at a rate equal to the Bond Yield, which amount is determined under a future value method described in the Regulations.
4. *Computation Date Credit*: A credit allowed by the Regulations as a reduction to the Rebate Amount on certain prescribed dates.
5. *Rebate Amount*: The excess of actual earnings over Allowable Earnings and Computation Date Credits.
6. *Issue Price*: Generally, the initial offering price at which a substantial portion of the Bonds is sold to the public. For this purpose, 10% is a substantial portion.

SUMMARY OF NOTES, ASSUMPTIONS, DEFINITIONS, SOURCE INFORMATION, AND DESCRIPTION OF SCHEDULE

CFM Community Development District
May 30, 2018

\$42,940,000 Capital Improvement Revenue Bonds, Series 2004A and Series 2004B
For the period ended April 30, 2018

SOURCE INFORMATION

Bonds

Source

Closing Date

Federal Tax Certificate

Bond Yield

Federal Tax Certificate

Investments

Source

Principal and Interest Receipt Amounts
and Dates

Trust Statements

Investment Dates and Purchase Prices

Trust Statements

SUMMARY OF NOTES, ASSUMPTIONS, DEFINITIONS, SOURCE INFORMATION, AND DESCRIPTION OF SCHEDULE

CFM Community Development District
May 30, 2018

\$42,940,000 Capital Improvement Revenue Bonds, Series 2004A and Series 2004B
For the period ended April 30, 2018

DESCRIPTION OF SCHEDULE

SCHEDULE 1 - REBATE AMOUNT CALCULATION

Schedule 1 sets forth the amount of interest receipts and gains/losses on sales of investments and the calculation of the Rebate Amount.

\$42,940,000 CFM COMMUNITY DEVELOPMENT DISTRICT
 CAPITAL IMPROVEMENT REVENUE BONDS,
 SERIES 2004A AND SERIES 2004B

SCHEDULE 1 - REBATE AMOUNT CALCULATION

5 / 24 / 2004 ISSUE DATE
 5 / 1 / 2014 BEGINNING OF COMPUTATION PERIOD
 4 / 30 / 2018 COMPUTATION DATE

DATE	FUND/ACCOUNT	INVESTMENT VALUE AT COMPUTATION DATE	EARNINGS ON INVESTMENTS	OTHER DEPOSITS (WITHDRAWALS)	FUTURE VALUE AT BOND YIELD 6.18775%	ALLOWABLE EARNINGS
5 / 1 / 2014	BEGINNING BALANCE		0.00	551,195.66	703,226.43	152,030.77
5 / 1 / 2014	RESERVE FUND AB		4.53	0.00	0.00	0.00
5 / 2 / 2014	RESERVE FUND AB		0.00	(4.53)	(5.78)	(1.25)
6 / 2 / 2014	RESERVE FUND AB		4.68	0.00	0.00	0.00
6 / 3 / 2014	RESERVE FUND AB		0.00	(4.68)	(5.94)	(1.26)
7 / 1 / 2014	RESERVE FUND AB		4.53	0.00	0.00	0.00
7 / 2 / 2014	RESERVE FUND AB		0.00	(4.53)	(5.72)	(1.19)
8 / 1 / 2014	RESERVE FUND AB		18.73	0.00	0.00	0.00
8 / 4 / 2014	RESERVE FUND AB		0.00	(18.73)	(23.52)	(4.79)
9 / 2 / 2014	RESERVE FUND AB		18.73	0.00	0.00	0.00
9 / 3 / 2014	RESERVE FUND AB		0.00	(18.73)	(23.41)	(4.68)
10 / 1 / 2014	RESERVE FUND AB		18.12	0.00	0.00	0.00
10 / 2 / 2014	RESERVE FUND AB		0.00	(18.12)	(22.53)	(4.41)
11 / 3 / 2014	RESERVE FUND AB		9.36	0.00	0.00	0.00
11 / 4 / 2014	RESERVE FUND AB		0.00	(9.36)	(11.58)	(2.22)
12 / 1 / 2014	RESERVE FUND AB		9.06	0.00	0.00	0.00
12 / 2 / 2014	RESERVE FUND AB		0.00	(9.06)	(11.15)	(2.09)
1 / 2 / 2015	RESERVE FUND AB		9.36	0.00	0.00	0.00
1 / 5 / 2015	RESERVE FUND AB		0.00	(9.36)	(11.46)	(2.10)
2 / 2 / 2015	RESERVE FUND AB		4.83	0.00	0.00	0.00
2 / 3 / 2015	RESERVE FUND AB		0.00	(4.83)	(5.88)	(1.05)
3 / 2 / 2015	RESERVE FUND AB		4.23	0.00	0.00	0.00
3 / 3 / 2015	RESERVE FUND AB		0.00	(4.23)	(5.13)	(0.90)
4 / 1 / 2015	RESERVE FUND AB		4.68	0.00	0.00	0.00
4 / 2 / 2015	RESERVE FUND AB		0.00	(4.68)	(5.65)	(0.97)
5 / 1 / 2015	RESERVE FUND AB		4.53	0.00	0.00	0.00
5 / 4 / 2015	RESERVE FUND AB		0.00	(4.53)	(5.44)	(0.91)
6 / 1 / 2015	RESERVE FUND AB		4.68	0.00	0.00	0.00
6 / 2 / 2015	RESERVE FUND AB		0.00	(4.68)	(5.59)	(0.91)
7 / 1 / 2015	RESERVE FUND AB		4.53	0.00	0.00	0.00
7 / 2 / 2015	RESERVE FUND AB		0.00	(4.53)	(5.38)	(0.85)
8 / 3 / 2015	RESERVE FUND AB		14.04	0.00	0.00	0.00

\$42,940,000 CFM COMMUNITY DEVELOPMENT DISTRICT
 CAPITAL IMPROVEMENT REVENUE BONDS,
 SERIES 2004A AND SERIES 2004B

SCHEDULE 1 - REBATE AMOUNT CALCULATION

5 / 24 / 2004 ISSUE DATE
 5 / 1 / 2014 BEGINNING OF COMPUTATION PERIOD
 4 / 30 / 2018 COMPUTATION DATE

DATE	FUND/ACCOUNT	INVESTMENT VALUE AT COMPUTATION DATE	EARNINGS ON INVESTMENTS	OTHER DEPOSITS (WITHDRAWALS)	FUTURE VALUE AT BOND YIELD 6.18775%	ALLOWABLE EARNINGS
8 / 4 / 2015	RESERVE FUND AB		0.00	(14.04)	(16.59)	(2.55)
9 / 1 / 2015	RESERVE FUND AB		14.04	0.00	0.00	0.00
9 / 2 / 2015	RESERVE FUND AB		0.00	(14.04)	(16.51)	(2.47)
10 / 1 / 2015	RESERVE FUND AB		13.59	0.00	0.00	0.00
10 / 2 / 2015	RESERVE FUND AB		0.00	(13.59)	(15.90)	(2.31)
11 / 2 / 2015	RESERVE FUND AB		9.36	0.00	0.00	0.00
11 / 3 / 2015	RESERVE FUND AB		0.00	(9.36)	(10.89)	(1.53)
12 / 1 / 2015	RESERVE FUND AB		9.06	0.00	0.00	0.00
12 / 2 / 2015	RESERVE FUND AB		0.00	(9.06)	(10.49)	(1.43)
1 / 4 / 2016	RESERVE FUND AB		9.36	0.00	0.00	0.00
1 / 5 / 2016	RESERVE FUND AB		0.00	(9.36)	(10.78)	(1.42)
2 / 1 / 2016	RESERVE FUND AB		21.99	0.00	0.00	0.00
2 / 2 / 2016	RESERVE FUND AB		0.00	(21.99)	(25.21)	(3.22)
3 / 1 / 2016	RESERVE FUND AB		21.84	0.00	0.00	0.00
3 / 2 / 2016	RESERVE FUND AB		0.00	(21.84)	(24.91)	(3.07)
4 / 1 / 2016	RESERVE FUND AB		23.34	0.00	0.00	0.00
4 / 4 / 2016	RESERVE FUND AB		0.00	(23.34)	(26.48)	(3.14)
5 / 2 / 2016	RESERVE FUND AB		22.59	0.00	0.00	0.00
5 / 3 / 2016	RESERVE FUND AB		0.00	(22.59)	(25.51)	(2.92)
6 / 1 / 2016	RESERVE FUND AB		23.34	0.00	0.00	0.00
6 / 2 / 2016	RESERVE FUND AB		0.00	(23.34)	(26.22)	(2.88)
7 / 1 / 2016	RESERVE FUND AB		22.59	0.00	0.00	0.00
7 / 5 / 2016	RESERVE FUND AB		0.00	(22.59)	(25.24)	(2.65)
8 / 1 / 2016	RESERVE FUND AB		46.69	0.00	0.00	0.00
8 / 2 / 2016	RESERVE FUND AB		0.00	(46.69)	(51.93)	(5.24)
9 / 1 / 2016	RESERVE FUND AB		46.69	0.00	0.00	0.00
9 / 2 / 2016	RESERVE FUND AB		0.00	(46.69)	(51.66)	(4.97)
10 / 3 / 2016	RESERVE FUND AB		45.18	0.00	0.00	0.00
10 / 4 / 2016	RESERVE FUND AB		0.00	(45.18)	(49.72)	(4.54)
11 / 1 / 2016	RESERVE FUND AB		90.36	0.00	0.00	0.00
11 / 2 / 2016	RESERVE FUND AB		0.00	(90.36)	(98.98)	(8.62)
12 / 1 / 2016	RESERVE FUND AB		90.36	0.00	0.00	0.00

\$42,940,000 CFM COMMUNITY DEVELOPMENT DISTRICT
 CAPITAL IMPROVEMENT REVENUE BONDS,
 SERIES 2004A AND SERIES 2004B

SCHEDULE 1 - REBATE AMOUNT CALCULATION

5 / 24 / 2004 ISSUE DATE
 5 / 1 / 2014 BEGINNING OF COMPUTATION PERIOD
 4 / 30 / 2018 COMPUTATION DATE

DATE	FUND/ACCOUNT	INVESTMENT VALUE AT COMPUTATION DATE	EARNINGS ON INVESTMENTS	OTHER DEPOSITS (WITHDRAWALS)	FUTURE VALUE AT BOND YIELD 6.18775%	ALLOWABLE EARNINGS
12 / 2 / 2016	RESERVE FUND AB		0.00	(90.36)	(98.47)	(8.11)
1 / 3 / 2017	RESERVE FUND AB		93.37	0.00	0.00	0.00
1 / 4 / 2017	RESERVE FUND AB		0.00	(93.37)	(101.20)	(7.83)
2 / 1 / 2017	RESERVE FUND AB		185.59	0.00	0.00	0.00
2 / 2 / 2017	RESERVE FUND AB		0.00	(185.59)	(200.21)	(14.62)
3 / 1 / 2017	RESERVE FUND AB		173.36	0.00	0.00	0.00
3 / 2 / 2017	RESERVE FUND AB		0.00	(173.36)	(186.07)	(12.71)
4 / 3 / 2017	RESERVE FUND AB		191.94	0.00	0.00	0.00
4 / 4 / 2017	RESERVE FUND AB		0.00	(191.94)	(204.90)	(12.96)
5 / 1 / 2017	RESERVE FUND AB		185.75	0.00	0.00	0.00
5 / 2 / 2017	RESERVE FUND AB		0.00	(185.75)	(197.35)	(11.60)
6 / 1 / 2017	RESERVE FUND AB		191.94	0.00	0.00	0.00
6 / 2 / 2017	RESERVE FUND AB		0.00	(191.94)	(202.90)	(10.96)
7 / 3 / 2017	RESERVE FUND AB		185.75	0.00	0.00	0.00
7 / 5 / 2017	RESERVE FUND AB		0.00	(185.75)	(195.26)	(9.51)
8 / 1 / 2017	RESERVE FUND AB		246.06	0.00	0.00	0.00
8 / 1 / 2017	RESERVE FUND AB		27.48	0.00	0.00	0.00
8 / 2 / 2017	RESERVE FUND AB		0.00	(273.54)	(286.24)	(12.70)
9 / 1 / 2017	RESERVE FUND AB		296.18	0.00	0.00	0.00
9 / 5 / 2017	RESERVE FUND AB		0.00	(296.18)	(308.20)	(12.02)
10 / 1 / 2017	RESERVE FUND AB		296.49	0.00	0.00	0.00
10 / 3 / 2017	RESERVE FUND AB		0.00	(296.49)	(307.06)	(10.57)
11 / 1 / 2017	RESERVE FUND AB		313.11	0.00	0.00	0.00
11 / 2 / 2017	RESERVE FUND AB		0.00	(313.11)	(322.69)	(9.58)
11 / 3 / 2017	RESERVE FUND AB		0.00	(191,349.77)	(197,169.74)	(5,819.97)
12 / 1 / 2017	RESERVE FUND AB		213.72	0.00	0.00	0.00
12 / 4 / 2017	RESERVE FUND AB		0.00	(213.72)	(219.07)	(5.35)
1 / 2 / 2018	RESERVE FUND AB		251.12	0.00	0.00	0.00
1 / 3 / 2018	RESERVE FUND AB		0.00	(251.12)	(256.14)	(5.02)
2 / 1 / 2018	RESERVE FUND AB		288.78	0.00	0.00	0.00
2 / 2 / 2018	RESERVE FUND AB		0.00	(288.78)	(293.11)	(4.33)
2 / 22 / 2018	RESERVE FUND AB		0.00	(193,869.16)	(196,113.64)	(2,244.48)

\$42,940,000 CFM COMMUNITY DEVELOPMENT DISTRICT
 CAPITAL IMPROVEMENT REVENUE BONDS,
 SERIES 2004A AND SERIES 2004B

SCHEDULE 1 - REBATE AMOUNT CALCULATION

5 / 24 / 2004 ISSUE DATE
 5 / 1 / 2014 BEGINNING OF COMPUTATION PERIOD
 4 / 30 / 2018 COMPUTATION DATE

DATE	FUND/ACCOUNT	INVESTMENT VALUE AT COMPUTATION DATE	EARNINGS ON INVESTMENTS	OTHER DEPOSITS (WITHDRAWALS)	FUTURE VALUE AT BOND YIELD 6.18775%	ALLOWABLE EARNINGS
3 / 1 / 2018	RESERVE FUND AB		235.68	0.00	0.00	0.00
3 / 2 / 2018	RESERVE FUND AB		0.00	(235.68)	(238.01)	(2.33)
4 / 2 / 2018	RESERVE FUND AB		159.36	0.00	0.00	0.00
4 / 3 / 2018	RESERVE FUND AB		0.00	(159.36)	(160.09)	(0.73)
4 / 30 / 2018	INTEREST ACCRUAL		176.56	0.00	0.00	0.00
		<u>166,153.29</u>	<u>4,361.24</u>	<u>161,792.05</u>	<u>305,524.90</u>	<u>143,732.85</u>
	ACTUAL EARNINGS		4,361.24			
	ALLOWABLE EARNINGS		<u>143,732.85</u>			
	REBATE AMOUNT		(139,371.61)			
	FUTURE VALUE OF 4/30/2014 CUMULATIVE REBATE AMOUNT		(6,552,037.49)			
	FUTURE VALUE OF 4/30/2015 COMPUTATION CREDIT		(1,980.98)			
	FUTURE VALUE OF 4/30/2016 COMPUTATION CREDIT		(1,863.87)			
	FUTURE VALUE OF 4/30/2017 COMPUTATION CREDIT		(1,774.93)			
	COMPUTATION DATE CREDIT		<u>(1,700.00)</u>			
	CUMULATIVE REBATE AMOUNT		<u>(6,698,728.88)</u>			

Tab 5

RESOLUTION 2018-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CFM COMMUNITY DEVELOPMENT DISTRICT IMPLEMENTING SECTION 190.006(3), *FLORIDA STATUTES*, AND REQUESTING THAT THE LEE COUNTY SUPERVISOR OF ELECTIONS BEGIN CONDUCTING THE DISTRICT'S GENERAL ELECTIONS; PROVIDING FOR COMPENSATION; SETTING FORTH THE TERMS OF OFFICE; AUTHORIZING NOTICE OF THE QUALIFYING PERIOD; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the CFM Community Development District (“**District**”) is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within unincorporated Lee County, Florida; and

WHEREAS, the Board of Supervisors of the District (“**Board**”) seeks to implement Section 190.006(3), *Florida Statutes*, and to instruct the Lee County Supervisor of Elections (“**Supervisor**”) to conduct the District’s elections by the qualified electors of the District at the general election (“**General Election**”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CFM COMMUNITY DEVELOPMENT DISTRICT:

1. GENERAL ELECTION SEATS. Seats 3, currently held by Mike Dady and Seat 4, currently held by Leah Popelka, are scheduled for the General Election beginning in November 2018. The District Manager is hereby authorized to notify the Supervisor of Elections as to what seats are subject to General Election for the current election year, and for each subsequent election year.

2. QUALIFICATION PROCESS. For each General Election, all candidates shall qualify for individual seats in accordance with Section 99.061, *Florida Statutes*, and must also be a qualified elector of the District. A qualified elector is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Lee County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, *Florida Statutes*.

3. COMPENSATION. Members of the Board receive \$200 per meeting for their attendance and no Board member shall receive more than \$4,800 per year.

4. TERM OF OFFICE. The term of office for the individuals to be elected to the Board in the General Election is four years. The newly elected Board members shall assume office

on the second Tuesday following the election.

5. REQUEST TO SUPERVISOR OF ELECTIONS. The District hereby requests the Supervisor to conduct the District's General Election in November 2018 and for each subsequent General Election unless otherwise directed by the District's Manager. The District understands that it will be responsible to pay for its proportionate share of the General Election cost and agrees to pay same within a reasonable time after receipt of an invoice from the Supervisor.

6. PUBLICATION. The District Manager is directed to publish a notice of the qualifying period for each General Election, in a form substantially similar to **Exhibit A** attached hereto.

7. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

8. EFFECTIVE DATE. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 28th day of June, 2018.

ATTEST:

**CFM COMMUNITY
DEVELOPMENT DISTRICT**

SECRETARY/ASSISTANT SECRETARY

CHAIRPERSON/VICE CHAIRPERSON

Exhibit A

NOTICE OF QUALIFYING PERIOD FOR CANDIDATES FOR THE BOARD OF SUPERVISORS OF THE CFM COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given that the qualifying period for candidates for the office of Supervisor of the CFM Community Development District will commence at noon on June 18, 2018, and close at noon on June 22, 2018. Candidates must qualify for the office of Supervisor with the Lee County Supervisor of Elections located at 2480 Thompson Street, Third Floor, Fort Myers, Florida 33901, Ph: (239) 533-8683. All candidates shall qualify for individual seats in accordance with Section 99.061, *Florida Statutes*, and must also be a “qualified elector” of the District, as defined in Section 190.003, *Florida Statutes*. A “qualified elector” is any person at least 18 years of age who is a citizen of the United States, a legal resident of the State of Florida and of the District, and who is registered to vote with the Lee County Supervisor of Elections. Campaigns shall be conducted in accordance with Chapter 106, *Florida Statutes*.

The CFM Community Development District has two (2) seats up for election, specifically seats 3 and 4. Each seat carries a four-year term of office. Elections are nonpartisan and will be held at the same time as the general election on November 6, 2018, and in the manner prescribed by law for general elections.

For additional information, please contact the Lee County Supervisor of Elections.

Publish on or before June 4, 2018.

Tab 6

Prepared by/Return to:

Jason E. Merritt
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

LIMITED LIABILITY COMPANY CERTIFICATION

STATE OF MICHIGAN
COUNTY OF OAKLAND

BEFORE ME, the undersigned authority, personally appeared Herbert Lawson (the "Affiant"), who, being by me first duly sworn, deposes and says:

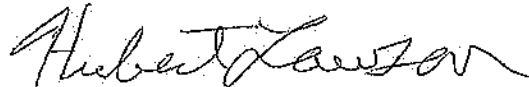
1. THAT Affiant is the Manager of Windham/Magnolia Landing, LLC, a Michigan limited liability company (the "Company").
2. THAT Affiant has the authority to sign on behalf of the Company.
3. THAT the Company is duly formed and organized under the laws of the State of Michigan and, as of the date of this Certification, is active and in good standing under the laws of the State of Michigan.
4. THAT as of the date of this Certification, the Company is duly registered to conduct business within the State of Florida.
5. THAT said Company has not been dissolved during any period of time from the date of its inception to the date of this Certification by reason of or by means of, including, but not limited to:
 - (a) Expiration of the term or specific undertaking as set forth in the Articles of Organization;
 - (b) Expressed decision of all of the members;
 - (c) Expulsion of any member as set forth in the Articles of Organization or Operating Agreement;
 - (d) Activities in contravention of the Articles of Organization or Operating Agreement;
 - (e) Any event that makes it unlawful for the business to be carried on by the Company;
 - (f) Death of any member;
 - (g) Bankruptcy of any member;
 - (h) Dissolution of a member;

(i) By an adjudication of dissolution of the Company by any court.

6. THAT all necessary actions required under the Articles of Organization and Operating Agreement of the Company, including obtaining any necessary consents from the members of Company, have been taken in order to authorize and approve the conveyance of certain property of the Company as is more particularly described on **Exhibit A** attached hereto and that Affiant as the Manager of the Company is authorized to execute and deliver any and all documents necessary to convey said property.

FURTHER AFFIANT SAYETH NOT.

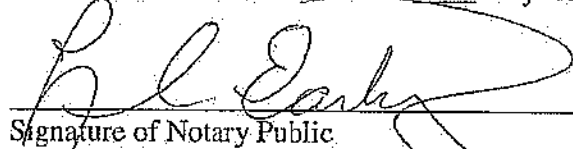
Dated: June 12, 2018



Herbert Lawson

STATE OF Michigan
COUNTY OF Oakland

The foregoing instrument was sworn to and subscribed before me this 12 day of June, 2018, by Herbert Lawson.



Signature of Notary Public

Linda Early

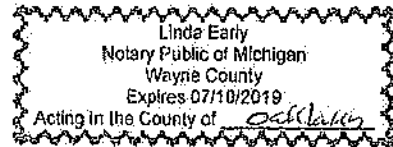
Name of Notary Public

(Typed, Printed or stamped)

(SEAL)

Personally Known OR Produced Identification _____

Type of Identification Produced: _____



**EXHIBIT A
LEGAL DESCRIPTION**

Golf Course Strip 1

A parcel of land lying within Section 10, Township 43 South, Range 24 East, Lee County, Florida, being the area referred to as "LESS AND EXCEPT 1" of Parcel 28, as described in Official Records Instrument 2013000102148 of the Public Records of Lee County, more particularly described as follows:

Commencing at the intersection of the centerline of Avenida del Cera (60 foot right-of-way) and the centerline of Cherry Palm Drive (40 foot right-of-way), as shown on the plat of MAGNOLIA LANDING PARCEL J, recorded in Official Records Instrument 2017000238918, said Public Records of Lee County Florida; thence on the centerline of said Cherry Palm Drive for the following 2 courses:

1. S73°59'50"W, a distance of 144.50 feet;
2. Westerly on the arc of a curve to the right having: a radius of 160.00 feet, a delta angle of 07°21'33", a chord bearing of S77°40'36"W, and a chord distance of 20.54 feet, for an arc distance of 20.55 feet to the Westerly boundary of said MAGNOLIA LANDING PARCEL J;

Thence along said Westerly boundary of MAGNOLIA LANDING PARCEL J, Southeasterly on the arc of a non-tangent curve to the left having: a radius of 575.27 feet, a delta angle of 14°59'16", a chord bearing of S23°22'08"E, and a chord distance of 150.05 feet, for an arc distance of 150.48 feet to the South boundary of the aforementioned Parcel 28 as described in Official Records Instrument 2013000102148; thence on said boundary for the following four (4) courses:

1. Westerly on the arc of a non-tangent curve to the right having: a radius of 307.50 feet, a delta angle of 32°06'48", a chord bearing of N89°42'44"W, and a chord distance of 170.10 feet, for an arc distance of 172.35 feet;
2. N73°39'20"W, a distance of 378.02 feet;
3. Westerly on the arc of a curve to the left having: a radius of 172.50 feet, a delta angle of 47°31'22", a chord bearing of S82°34'59"W, and a chord distance of 139.01 feet, for an arc distance of 143.08 feet;
4. S58°49'18"W, a distance of 141.06 feet to the Point of Beginning, said point also lying on the boundary of aforementioned "LESS AND EXCEPT 1" of Parcel 28;

Thence along said boundary of "LESS AND EXCEPT 1" of Parcel 28 for the following eight (8) courses:

1. Continue S58°49'18"W, a distance of 20.00 feet;
2. N31°10'42"W, a distance of 122.21 feet;
3. N62°24'30"W, a distance of 52.63 feet;
4. N31°10'42"W, a distance of 127.79 feet;
5. N58°49'18"E, a distance of 20.00 feet;
6. S31°10'42"E, a distance of 122.21 feet;

7. S62°24'30"E, a distance of 52.63 feet;
8. S31°10'42"E, a distance of 127.79 feet to the Point of Beginning.

Golf Course Strip 2

A parcel of land lying within Section 10, Township 43 South, Range 24 East, Lee County, Florida, being the area referred to as "LESS AND EXCEPT 2" of Parcel 28, as described in Official Records Instrument 2013000102148 of the Public Records of Lee County, more particularly described as follows:

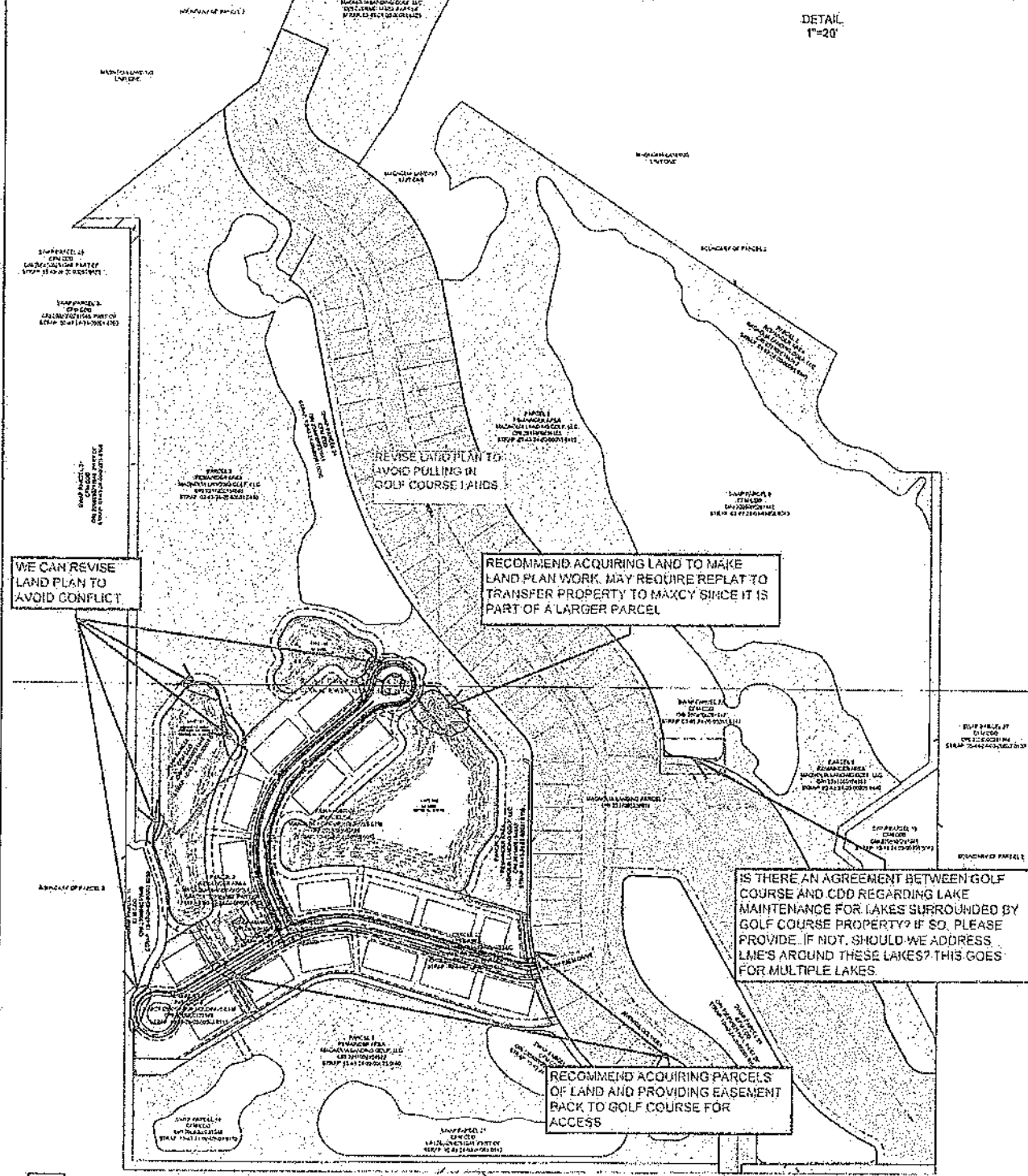
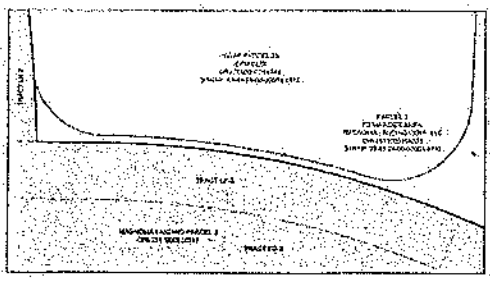
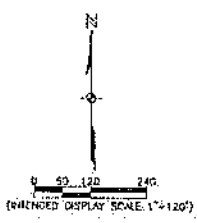
Commencing at the intersection of the centerline of Avenida Del Vera (60 foot right-of-way) and the centerline of Cherry Palm Drive (40 foot right-of-way), as shown on the plat of MAGNOLIA LANDING PARCEL J, recorded in Official Records Instrument 2017000238918, said Public Records of Lee County Florida; thence on the centerline of said Cherry Palm Drive for the following 2 courses:

1. S73°59'50"W, a distance of 144.50 feet;
2. Westerly on the arc of a curve to the right having: a radius of 160.00 feet, a delta angle of 07°21'33", a chord bearing of S77°40'36"W, and a chord distance of 20.54 feet, for an arc distance of 20.55 feet to the Point of Beginning, being a point on the Westerly boundary of said MAGNOLIA LANDING PARCEL J, said point also lying on the Easterly boundary of the aforementioned "LESS AND EXCEPT 2" area;

Thence along the boundary of said "LESS AND EXCEPT 2" area for the following five (5) courses:

1. On a non-tangent curve to the left, being concave to the East, having: a radius of 575.00 feet, a delta angle of 14°59'41", a chord bearing of S23°22'08", and a chord distance of 150.05 feet, Southeasterly for an arc distance of 150.48 feet;
2. Westerly on the arc of a non-tangent curve to the right having: a radius of 307.50 feet, a delta angle of 03°53'32", a chord bearing of S76°10'39"W, and a chord distance of 20.89 feet, for an arc distance of 20.89 feet;
3. Northerly on the arc of a non-tangent curve to the right having: a radius of 595.00 feet, a delta angle of 29°36'57", a chord bearing of N15°28'08"W, and a chord distance of 304.14 feet, for an arc distance of 307.55 feet;
4. S73°39'20"E, a distance of 14.92 feet;
5. Easterly on the arc of a curve to the left having: a radius of 12.50 feet, a delta angle of 26°39'37", a chord bearing of S86°59'08"E, and a chord distance of 5.76 feet, for an arc distance of 5.82 feet to an intersection with the aforementioned Westerly boundary of MAGNOLIA LANDING PARCEL J;

thence, along said Westerly boundary, Southerly on the arc of a non-tangent curve to the left having: a radius of 575.00 feet, a delta angle of 14°44'20", a chord bearing of S08°30'07"E, and a chord distance of 147.51 feet, for an arc distance of 147.91 feet to the Point of Beginning.



- MICHIGAN LANDING PARCEL (02/28/2011)
- PARCEL # (1/2/2011)
- BOUNDARY OF LOT (02/28/2011)
- BOUNDARY OF PARCEL (02/28/2011)

This Instrument Prepared by:

Jason E. Merritt, Esq.
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314

TEMPORARY ACCESS EASEMENT AGREEMENT

This Temporary Access Easement Agreement (“**Easement Agreement**”) is made and entered into this _____ day of _____, 2018 (the “**Effective Date**”), by and among:

CFM Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, located in Lee County, Florida, (the “**District**”);

Maxcy Development Group Holdings – CFM, Inc., a Florida corporation, (the “**SPE**”); and

Magnolia Landing Golf, LLC, a Michigan limited liability company, (“**Magnolia Landing**”).

Collectively, the “**Parties**” and individually, a “**Party.**”

RECITALS

WHEREAS, the District is the owner of certain lands located in Lee County, Florida more particularly described on Exhibit A-1 attached hereto and incorporated by reference (the “**District Lands**”); and

WHEREAS, the SPE is the owner of certain lands located in Lee County, Florida more particularly described on Exhibit A-2 attached hereto and incorporated by reference (the “**SPE Lands**”); and

WHEREAS, Magnolia Landing is the owner and operator of a golf course located adjacent to the District Lands and the SPE Lands; and

WHEREAS, District and SPE desires to grant to Magnolia Landing a temporary, non-exclusive easement on the terms and conditions set forth herein over the District Lands and the SPE Lands, respectively, for purposes of operating and maintaining certain golf cart paths across

said lands in the locations and the configurations in which said golf cart paths currently exist as of the Effective Date (the "Cart Paths"); and

WHEREAS, this temporary grant of easement over and through the District Lands and the SPE Lands shall be terminate and be superseded at such time as the SPE dedicates perpetual, replacement golf cart path easements over the SPE Lands on one or more final plats of the SPE Lands made by the SPE or its successors or assigns as more particularly provided herein.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Grant of Easement.** The District and the SPE hereby grant to Magnolia Landing, and Magnolia Landing's invitees, guests, successors, transferees and grantees, for the benefit of that certain golf course owned and operated by Magnolia Landing, a non-exclusive, temporary easement (the "Easement") over, upon, and through the District Lands and the SPE Lands, respectively, for the operation and maintenance of the Cart Paths in the locations and the configurations in which the Cart Paths exist as of the Effective Date.
2. **Compliance with Laws; No Liens.** The Parties shall each exercise their respective rights under this Agreement in compliance with all applicable laws. Magnolia Landing shall keep its interest in the Easement free and clear of any liens, claims, leases and other encumbrances.
3. **Inconsistent Use.** The District and the SPE agree and covenant that as to the District Lands and SPE Lands, respectively, that neither shall not grant nor exercise any rights with respect to said lands which are inconsistent with, or which interfere with, the rights herein accorded to Magnolia Landing.
4. **Indemnification.**
 - a. Magnolia Landing agrees to indemnify and hold the District and the SPE, respectively, harmless from and against any and all damages, losses or claims, including but not limited to legal fees and expenses, to the extent that such damages, losses or claims are attributable to actions, omissions or negligence in the use of the Easement by Magnolia Landing, its guests, tenants, invitees, licensees, agents, employees or independent contractors.
 - b. Magnolia Landing and the SPE each agree that nothing contained in this Easement Agreement shall constitute or be construed as a waiver of the District's limitations on liability set forth in Section 768.28, Florida Statutes, and other law.
5. **Termination.** This Easement Agreement and the easement rights granted herein shall automatically terminate without any further action of the Parties upon the SPE's grant to Magnolia Landing of a permanent easement, either by plat dedication or

separate instrument, as necessary for Magnolia Landing to operate and maintain the Cart Paths or replacement cart paths over locations reasonably determined by SPE. Magnolia Landing acknowledges and agrees that the SPE shall have the right to relocate and close the Cart Paths in connection with the development of the SPE Lands provided however that during the course of any such development the SPE shall make available for the benefit of Magnolia Landing's benefitted property a reasonably equivalent means of access over the SPE Lands as furnished by the Cart Paths. Following the termination of the Easement as provided by this Section 5, Magnolia Landing agrees to execute such documentation as the District or the SPE may request in order to evidence the termination of the Easement and Magnolia Landing's rights under this Easement Agreement.

6. **Notices.** Any notice, demand, consent, authorization, request, approval or other communication that any party is required, or may desire, to give to or make upon the other party pursuant to this Easement Agreement shall be effective and valid only if in writing, signed by the party giving notice and delivered personally to the other parties or sent by express 24-hour guaranteed courier or delivery service or by certified mail of the United States Postal Service, postage prepaid and return receipt requested, addressed to the other party as follows (or to such other place as any party may by notice to the others specify):

To SPE: Maxcy Development Group Holdings – CFM, Inc.
3014 Palmira Avenue, Suite 301
Tampa, Florida 33629

To the District: CFM Community Development District
3434 Colwell Avenue, Suite 200
Tampa, Florida 33614
Attention: District Manager

With a copy to: Hopping Green & Sams, P.A.
119 South Monroe Street (32301)
Post Office Box 6526
Tallahassee, Florida 32314
Attn: Michael Eckert

To Magnolia
Landing: Magnolia Landing Golf, LLC
3501 Avenida Del Vera Blvd.
North Fort Myers, Florida 33917

Notice shall be deemed given when received, except that if delivery is not accepted, notice shall be deemed given on the date of such non-acceptance. Notices delivered after 5:00 p.m. (at the place of delivery) or on a non-business day shall be deemed received on the next business day. If any time for giving notice would otherwise expire on a non-business day, the notice period shall be extended to the next

succeeding business day. Saturdays, Sundays and legal holidays recognized by the United States government shall not be regarded as business days. Counsel for any of the Parties may deliver Notice on behalf of the Party represented by such counsel.

7. **Default.** A default by any Party under this Easement Agreement shall entitle the other parties to all remedies available at law or in equity, which may include but not be limited to the right of actual damages, injunctive relief and/or specific performance.
8. **Enforcement of Agreement.** In the event that any Party seeks to enforce this Easement Agreement by court proceedings or otherwise, then the prevailing party shall be entitled to recover from the non-prevailing Party or Parties all fees and costs incurred, including reasonable attorneys' fees and costs for trial, alternative dispute resolution or appellate proceedings.
9. **Third Parties.** This Easement Agreement is solely for the benefit of the formal parties hereto, and no right or cause of action shall accrue upon or by reason, to or for the benefit of any third party not a formal party to this Easement Agreement. Nothing in this Easement Agreement, expressed or implied, is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy, or claim under or by reason of this Easement Agreement or any of the provisions or conditions hereof. Each Party shall be solely responsible for enforcing its rights under this Easement Agreement against any interfering third party. Nothing contained in this Easement Agreement shall limit or impair any Party's right to protect its rights from interference by a third party.
10. **Controlling Law.** This Easement Agreement shall be construed, interpreted and controlled according to the laws of the State of Florida.
11. **Public Records.** Landowner understands and agrees that all documents of any kind provided to the District or to District Staff in connection with this Easement Agreement are public records and are to be treated as such in accordance with Florida law.
12. **Severability.** The invalidity or unenforceability of any one or more provisions of this Easement Agreement shall not affect the validity or enforceability of the remaining portions of this Easement Agreement, or any part of this Easement Agreement not held to be invalid or unenforceable.
13. **Binding Effect.** This Easement Agreement and all of the provisions of this Easement Agreement shall inure to the benefit of and be binding upon the parties set forth herein and their respective successors and permitted assigns, and the agents, employees, invitees, tenants, subtenants, licensees, lessees, mortgagees in possession and independent contractors thereof, as a covenant running with and binding upon the property burdened by this Easement Agreement.

14. **Authorization.** By execution below, the undersigned represent that they have been duly authorized by the appropriate body or official of their respective entity to execute this Easement Agreement, and that each party has complied with all the requirements of law and has full power and authority to comply with the terms and provisions of this instrument.
15. **Amendments.** Amendments to and waivers of the provisions contained in this Easement Agreement may be made only by an instrument in writing which is executed by all parties hereto.
16. **Entire Agreement.** This instrument shall constitute the final and complete expression of the agreement between the parties relating to the subject matter of this Easement Agreement.
17. **Counterparts.** This instrument may be executed in any number of counterparts, each of which, when executed and delivered, shall constitute an original, and such counterparts together shall constitute one and the same instrument. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document.

Signed, sealed and delivered
in the presence of:

David Jae
(Signature)

David Jae
(Print Name)

Scott H Campbell
(Signature)

Scott H Campbell
(Print Name)


CFM COMMUNITY DEVELOPMENT DISTRICT

By: _____
Its: Chairman / Vice-Chairman



STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 14 day of June, 2018, by Michael Dady, as Chairman of the Board of Supervisors of the CFM Community Development District, a unit of special purpose government created pursuant to Chapter 190, *Florida Statutes*, on behalf of said District. He [] is personally known to me, or [] has produced _____ as identification.

 David Jae
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF924293
Expires 10/5/2019

David Jae
Notary Public

IN WITNESS WHEREOF, the Parties have caused this instrument to be executed by their duly authorized officers effective as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

David Jae
(Signature)

David Jae
(Print Name)

Scott H. Campbell
(Signature)

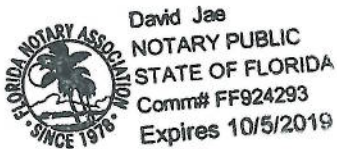
Scott H. Campbell
(Print Name)

MAXCY DEVELOPMENT GROUP
HOLDINGS – CFM, INC., a Florida
corporation

By: Harry Lerner
Harry Lerner, President

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 14 day of June, 2018, by Harry Lerner as President of Maxcy Development Group Holdings – CFM, Inc., a Florida corporation, on its behalf. He [] is personally known to me, or [] has produced _____ as identification.



David Jae
Notary Public

Signed, Sealed and Delivered
in our Presence:

MAGNOLIA LANDING GOLF, LLC, a
Michigan limited liability company

By: WINDHAM/MAGNOLIA LANDING,
LLC, a Michigan limited liability company
Its Manager

[Signature]
Printed Name: Linda Early

[Signature]
Printed Name: Karen G. Sheppard

By: [Signature]
Printed Name: HERBERT LAWSON
As its: MANAGER

STATE OF MICHIGAN
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 12 day of June, 2018,
by Herbert Lawson as Manager of Windham/Magnolia Landing, LLC, a Michigan
limited liability company, as Manager of Magnolia Landing Golf, LLC, a Michigan limited liability
company, on behalf of the companies.

[Signature]
Signature of Notary Public

Linda Early
Name of Notary Public
(Typed, Printed or Stamped)

(SEAL)

Personally Known ✓ OR Produced Identification _____
Type of Identification Produced: _____

