



Rizzetta & Company

CFM Community Development District

Board of Supervisors' Meeting February 20, 2020

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

www.cfmccd.org

**CFM
COMMUNITY DEVELOPMENT DISTRICT**

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

Board of Supervisors	Leah Popelka Scott Campbell Paul Mayotte Chip Jones Sue Streeter	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
District Manager	Belinda Blandon	Rizzetta & Company, Inc.
District Counsel	Tucker Mackie	Hopping Green & Sams, P.A.
District Engineer	Brent Burford	Johnson Engineering, Inc.

All cellular phones must be placed on mute while in the meeting room.

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (239) 936-0913. 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), who can aid you in contacting the District Office.

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

CFM COMMUNITY DEVELOPMENT DISTRICT
DISTRICT OFFICE • 9530 MARKETPLACE ROAD • SUITE 206 • FORT MYERS • FLORIDA • 33912

www.cfmccd.org

February 12, 2020

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, February 20, 2020 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 Board of Supervisors' Meeting held on October 17, 2019 Tab 1
 - B. Consideration of the Operations and Maintenance Expenditures for the Months of September, October, November and December 2019 and January 2020 Tab 2
- 4. BUSINESS ITEMS**
 - A. Discussion Regarding Lake 152..... Tab 3
 1. Review of Johnson Engineering Barrier Exhibit
 2. Consideration of Solitude Lake Management Proposal for Spraying and Removal of All Littorals in Lake 152
 - B. Consideration of Sun Tech Proposal for Installation of Conduit for LCEC Lighting..... Tab 4
 - C. Consideration of Earth Tech Environmental Proposal for Exotic Eradication within Native Tree Buffer Tab 5
 - D. Consideration of Resolution 2020-03, Adopting Internal Controls Policy Tab 6
 - E. Consideration of Quit Claim Deed from CFM CDD to Maxcy Development Group Holdings – CFM, Inc..... Tab 7
- 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: Tucker Mackie, 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 regular meeting of the Board of Supervisors of the CFM Community Development District was held on **Thursday, October 17, 2019 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:

Leah Popelka	Board Supervisor, Chairperson
Paul Mayotte	Board Supervisor, Assistant Secretary
Sue Streeter	Board Supervisor, Assistant Secretary
Chip Jones, Jr.	Board Supervisor, Assistant Secretary (via speaker phone)

Also present were:

Belinda Blandon	District Manager, Rizzetta & Company, Inc.
Tucker Mackie	District Counsel, Hopping Green & Sams, P.A. (via speaker phone)
Brent Burford	District Engineer, Johnson Engineering
Christina Southwick	Magnolia Landing (joined meeting in progress)
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. There were none.

THIRD ORDER OF BUSINESS **Consideration of the Minutes of the
Board of Supervisors' Meeting held on
August 15, 2019**

Ms. Blandon presented the Minutes of the Board of Supervisors' meeting held on August 15, 2019. She asked if there were any questions related to the minutes. There were none.

On a Motion by Ms. Popelka, seconded by Ms. Streeter, with all in favor, the Board Approved the Minutes of the Board of Supervisors' Meeting held on August 15, 2019, for the CFM Community Development District.

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FOURTH ORDER OF BUSINESS

Consideration of the Operation and Maintenance Expenditures for the Months of July and August 2019

Ms. Blandon advised that the operations and maintenance expenditures for the period of July 1-31, 2019 total \$18,683.15 and the operations and maintenance expenditures for the period of August 1-31, 2019 total \$25,128.73. She asked if there were any questions regarding the expenditures. Ms. Streeter asked that when landscaping bills are submitted that they include more detail.

On a Motion by Ms. Streeter, seconded by Mr. Mayotte, with all in favor, the Board Approved the Operations and Maintenance Expenditures for the Months of July 2019 (\$18,683.15) and August 2019 (\$25,128.73), for the CFM Community Development District.

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FIFTH ORDER OF BUSINESS

Consideration of Resolution 2020-01, Certifying Due Date for the Collection of Debt Assessments on Forbearance Property

Ms. Mackie provided an overview of the resolution related to the collection of debt assessments. She advised that the resolution provides for enforcement of collection going forward from the expiration of the forbearance agreement. Ms. Popelka reviewed the properties related to direct bill and direct collection.

On a Motion by Ms. Popelka, seconded by Mr. Mayotte, with all in favor, the Board Adopted Resolution 2020-01, Certifying Due Date for the Collection of Debt Assessments on Forbearance Property, for the CFM Community Development District.

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SIXTH ORDER OF BUSINESS

Presentation of Amended Fiscal Year 2018/2019 Budget

Ms. Blandon advised that the District is required to amend the budget as per Statute within 60 days of the end of the fiscal year. She advised that the budget is being amended as discussed in order to account for the mitigation project.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2020-02, Amending the Budget for Fiscal Year 2018/2019

81 Ms. Bandon asked for a motion to adopt the resolution amending the budget for
82 fiscal year 2018/2019.
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On a Motion by Mr. Mayotte, seconded by Ms. Streeter, with all in favor, the Board Adopted Resolution 2020-02, Amending the Budget for Fiscal Year 2018/2019, for the CFM Community Development District.

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85 **EIGHTH ORDER OF BUSINESS**

**Consideration of First Addendum to
Contract for Professional District
Services**

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89 Ms. Bandon provided an overview of the addendum advising that it includes the
90 increase included in the fiscal year 2019/2020 budget. Ms. Mackie advised that she has
91 reviewed the addendum and has no issues as to the form of the agreement.
92

On a Motion by Ms. Popelka, seconded by Ms. Streeter, with all in favor, the Board Approved the First Addendum to the Contract for Professional District Services, for the CFM Community Development District.

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94 Ms. Christina Southwick joined the meeting in progress at 11:39 a.m.

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96 **NINTH ORDER OF BUSINESS**

**Consideration of Landscaping
Proposals**

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99 Ms. Bandon distributed pictures of the areas where the landscaping is being
100 proposed. Ms. Southwick reviewed the landscaping proposals. Discussion ensued
101 regarding concerns related to trimming of the grasses and trimmings being left behind as
102 well as pine-straw versus mulch and shrubs versus grasses.
103

On a Motion by Mr. Mayotte, seconded by Ms. Popelka, with all in favor, the Board Approved the Option A Landscape Proposals for Magnolia Landing Lane, for the CFM Community Development District.

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105 Discussion was held regarding the type and color of bushes and trees to be
106 installed. Ms. Southwick will work with Ms. Streeter on the selections.
107

On a Motion by Ms. Popelka, seconded by Mr. Mayotte, with all in favor, the Board Approved the Parcel J Landscape Quote, Contingent Upon Consideration of Various Easement Issues and a Transfer to the District, for the CFM Community Development District.

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109 Mr. Jones Jr. advised that related to the conservation easement issue, progress
110 has been made with the Water Management District, and that may be brought to a close
111 relatively soon and so this may all come together rather quickly.

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113 Ms. Southwick left the meeting in progress.

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115 **TENTH ORDER OF BUSINESS**

Staff Reports

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117 A. District Counsel

118 Ms. Mackie advised that the Board will start receiving Capital Conversations
119 as a result of the Legislative Sessions beginning early. She advised that if
120 Board members do not wish to receive these updates then she can remove
121 them from the email distribution list related to these items.

122
123 B. District Engineer

124 Mr. Burford provided an update related to the South Florida Water
125 Management District non-compliance issue; tires have been removed from
126 Wetland N. Ms. Bandon advised that the Boat has been removed although
127 the tires are still there and stacked and she has been advised that the tires
128 will be removed shortly. Mr. Burford advised that he is continuing to work
129 with the SFWMD on discussions related to tree debris. Discussion ensued
130 regarding Wetland N.

131
132 C. District Manager

133 Ms. Bandon advised the next meeting of the Board of Supervisors is
134 scheduled for Thursday, November 21, 2019 at 11:30 a.m.

135
136 Ms. Bandon advised that the entry lights were installed although she will
137 have a photocell installed rather than the current timer. She advised that the
138 LCEC agreement has been executed and payment has been submitted and
139 so now LCEC will be assigning the work to a vendor to meet with the CDD
140 electrician to install the lights. Ms. Bandon advised that new stop signs will
141 be installed in about a week or so.

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143 **ELEVENTH ORDER OF BUSINESS**

Supervisor Requests

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145 Ms. Bandon opened the floor for Supervisor requests and comments.

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147 Ms. Streeter inquired as to what can be done to reduce speeding within the
148 community. She further inquired regarding installation of signage for notice of golf carts,
149 wheel chairs, etc. Ms. Mackie spoke regarding signage and speed humps which would
150 require County approval; she further recommended off duty Sheriff patrols to enforce the
151 speed limit within the District. Ms. Bandon advised that an agreement is needed for the
152 Sheriff's Department to patrol the community. She further recommended off duty patrols.
153 Ms. Streeter asked that Ms. Bandon look into additional signage. Ms. Bandon advised
154 that she will look into options prior to the next meeting along with contact the Sheriff's
155 Department to look into off duty patrols.

157 **TWELFTH ORDER OF BUSINESS** **Adjournment**

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Ms. Blandon advised there is no further business to come before the Board and asked for a motion to adjourn.

On a Motion by Ms. Popelka, seconded by Ms. Streeter, with all in favor, the Board adjourned the meeting at 12:19 p.m., for the CFM Community Development District.

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Secretary/Assistant Secretary

Chairman/Vice Chairman

DRAFT

Tab 2

CFM COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures September 2019 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from September 1, 2019 through September 30, 2019. This does not include expenditures previously approved by the Board.

The total items being presented: **\$22,891.78**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

CFM Community Development District

Paid Operation & Maintenance Expenditures

September 1, 2019 Through September 30, 2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
ADA Site Compliance	002528	839	ADA Website Compliance 50% Deposit 08/19	\$ 2,799.00
Egis Insurance Advisors,	002529	9253	FL Insurance Alliance Pkg 10/1/19-10/01/20	\$ 7,751.00
LCEC	002530	6571809552 08/19	Street Lights 3000 Magnolia Landing Ln 08/19	\$ 1,678.98
Magnolia Landing Master	002532	356	Landscape Maintenace 08/19	\$ 3,494.58
Rizzetta & Company, Inc.	002526	INV00000043148	District Management Fees 09/19	\$ 3,703.34
Rizzetta Technology Services, LLC	002527	INV0000004710	Website Hosting & Email Services 09/19	\$ 175.00
Solitude Lake Management LLC	002533	PI-A00297456	Monthly Lake & Pond Service 09/19	\$ 2,278.00
The Daily Breeze	002531	AD#670311 07/19	Budget Meeting Ad's 07/19	\$ 1,011.88
Report Total				<u>\$ 22,891.78</u>

CFM COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures October 2019 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from October 1, 2019 through October 31, 2019. This does not include expenditures previously approved by the Board.

The total items being presented: **\$95,296.33**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

CFM Community Development District

Paid Operation & Maintenance Expenditures

October 1, 2019 Through October 31, 2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Dale S. Jones Jr.	002542	DJ101719	Board of Supervisors Meeting 10/17/19	\$ 200.00
Earth Tech Environmental, LLC	002534	5515	Preserve Maintenance 09/19	\$ 52,023.50
Hopping Green & Sams	002537	110290	General/Monthly Legal Services 08/19	\$ 2,836.58
Johnson Engineering Inc	002540	20044888-001- 141	Magnolia Landing PH II WUP 06-05392-W 09/19	\$ 7,405.00
Johnson Engineering Inc	002547	20044888-001- 142	Magnolia Landing PH II WUP 06-05392-W 10/19	\$ 2,805.00
Johnson Engineering Inc	002535	20044888-011-1	Magnolia Landing PH II WUP 06-05392-W 09/19	\$ 2,660.00
LCEC	002539	101019-Deposit	Installation of 12 Street lights Acct-6571809552 10/19	\$ 2,400.00
Leah Popelka	002545	LP101719	Board of Supervisors Meeting 10/17/19	\$ 200.00
Magnolia Landing Golf, LLC	002536	1228	Aerator Utility Cost 09/19	\$ 1,200.00
Magnolia Landing Golf, LLC	002536	1229	Aerator Agreement & Water 09/19	\$ 625.00
Magnolia Landing Golf, LLC	002536	1234	Irrigation Repairs 09/19	\$ 5,475.00
Magnolia Landing Golf, LLC	002536	1235	Irrigation Repairs 09/19	\$ 320.00
Magnolia Landing Golf, LLC	002536	1236	Tree Removal Lake 169 Parcle J	\$ 100.00
Magnolia Landing Golf, LLC	002548	1244	Aerator Utility Cost 10/19	\$ 1,200.00

CFM Community Development District

Paid Operation & Maintenance Expenditures

October 1, 2019 Through October 31, 2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Magnolia Landing Golf, LLC	002548	1245	Aerator Agreement & Water 10/19	\$ 625.00
Magnolia Landing Master Association, Inc.	002543	357	Landscape Maintenance 09/19	\$ 3,494.58
Paul Mayotte	002544	PM101719	Board of Supervisors Meeting 10/17/19	\$ 200.00
Rizzetta & Company, Inc.	002541	INV00000043886	District Management Fees 10/19	\$ 3,816.67
Rizzetta & Company, Inc.	002538	INV00000043758	Assessment Roll FY 19/20	\$ 5,000.00
Rizzetta Technology Services, LLC	002549	INV0000004795	Website Hosting & Email Services 10/19	\$ 175.00
Solitude Lake Management LLC	002550	PI-A00309232	Monthly Lake & Pond Service 10/19	\$ 2,278.00
Sue Streeter	002546	SS101719	Board of Supervisors Meeting 10/17/19	\$ 200.00
The Daily Breeze	002551	115239 10/09/19	Legal Advertising 10/19	<u>\$ 57.00</u>
Report Total				<u>\$ 95,296.33</u>

CFM COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures November 2019 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from November 1, 2019 through November 30, 2019. This does not include expenditures previously approved by the Board.

The total items being presented: **\$15,712.02**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

CFM Community Development District

Paid Operation & Maintenance Expenditures

November 1, 2019 Through November 30, 2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Department of Economic Opportunity	002557	74004	Special District Fee FY 19/20	\$ 175.00
Hopping Green & Sams	002558	110868	General/Monthly Legal Services 09/19	\$ 2,977.00
Johnson Engineering Inc	002552	20044888-011-INV-2	Magnolia Landing PH II WUP 06-05392-W Renewal 10/19	\$ 100.00
Lee County Tax Collector	002554	04-43-24-L4-13RD1.000 2019	2019 Non Ad Valorem Assessment Roll	\$ 20.77
Magnolia Landing Golf, LLC	002560	1261	Aerator Utility Cost 11/19	\$ 1,200.00
Magnolia Landing Golf, LLC	002560	1262	Aerator Agreement & Water 11/19	\$ 625.00
Magnolia Landing Golf, LLC	002553	1264	Flag Irrigation @ Entrance 10/19	\$ 160.00
Magnolia Landing Golf, LLC	002553	1265	Replace Aerator Pipe 10/19	\$ 690.00
Magnolia Landing Master Association, Inc.	002559	358	Landscape Maintenance 10/19	\$ 3,494.58
Rizzetta & Company, Inc.	002555	INV00000044507	District Management Fees 11/19	\$ 3,816.67
Rizzetta Technology Services, LLC	002556	INV0000004879	Website Hosting & Email Services 11/19	\$ 175.00
Solitude Lake Management LLC	002561	PI-A00318859	Monthly Lake & Pond Service 11/19	\$ 2,278.00
Report Total				<u>\$ 15,712.02</u>

CFM COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures December 2019 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from December 1, 2019 through December 31, 2019. This does not include expenditures previously approved by the Board.

The total items being presented: **\$45,065.17**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

CFM Community Development District

Paid Operation & Maintenance Expenditures

December 1, 2019 Through December 31, 2019

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Earth Tech Environmental, LLC	002564	5696	Quarterly Preserve Maintenance 11/19	\$ 30,428.00
Hopping Green & Sams	002565	111195	General/Monthly Legal Services 10/19	\$ 2,109.50
Johnson Engineering Inc	002566	20044888-001- 143	Magnolia Landing PH II WUP 06-05392-W 11/19	\$ 3,085.00
Lee County Property Appraiser	002562	009091	2019 Non Ad Valorem Roll	\$ 348.00
Magnolia Landing Golf, LLC	002567	1283	Cut Down Exotic Tree 11/19	\$ 1,800.00
Magnolia Landing Golf, LLC	002567	1286	Aerator Utility Cost 12/19	\$ 1,200.00
Rizzetta & Company, Inc.	002563	INV00000045206	District Management Fees 12/19	\$ 3,816.67
Solitude Lake Management LLC	002568	PI-A00330917	Monthly Lake & Pond Service 12/19	\$ <u>2,278.00</u>
Report Total				\$ <u>45,065.17</u>

CFM COMMUNITY DEVELOPMENT DISTRICT

DISTRICT OFFICE · 12750 CITRUS PARK LANE · SUITE 115 · TAMPA, FLORIDA 33625

Operation and Maintenance Expenditures January 2020 For Board Approval

Attached please find the check register listing the Operation and Maintenance expenditures paid from January 1, 2020 through January 31, 2020. This does not include expenditures previously approved by the Board.

The total items being presented: **\$70,025.92**

Approval of Expenditures:

_____ Chairperson

_____ Vice Chairperson

_____ Assistant Secretary

CFM Community Development District

Paid Operation & Maintenance Expenditures

January 1, 2020 Through January 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Disclosure Services, LLC	002571	1	Amortization Series 2004A-2 10/19	\$ 250.00
Hopping Green & Sams	002572	111881	General/Monthly Legal Services 11/19	\$ 3,045.00
Johnson Engineering Inc	002573	5020044888-001- 144	Professional Services 12/19	\$ 2,238.75
Johnson Engineering Inc	002573	5020044888-011- INV 3	Magnolia Landing PH II WUP 06-05392-W 12/19	\$ 497.50
LCEC	002579	5502	Acorn Deco Light 1/20	\$ 6,227.62
LCEC	002578	6571809552 09/19	Street Lights 3000 Magnolia Landing Ln 09/19	\$ (2,321.02)
LCEC	002578	6571809552 10/19	Street Lights 3000 Magnolia Landing Ln 10/19	\$ 1,678.98
LCEC	002578	6571809552 10/19-CR	Street Lights 3000 Magnolia Landing Ln 10/19 CR	\$ (2,400.00)
LCEC	002578	6571809552 11/19	Street Lights 3000 Magnolia Landing Ln 11/19	\$ 1,678.98
LCEC	002578	6571809552 12/19	Street Lights 3000 Magnolia Landing Ln 12/19	\$ 1,678.98
Lee County Board of County Commissioners	002580	2191	Annual Regulatory Program & Surveillance Fee 2020	\$ 560.00
Lerner Reporting Services, Inc.	002574	175	CFM Annual Disclosure Fee FY 19/20	\$ 5,000.00
Lykins Signtek, Inc.	002581	3411	Fabrication & Install Custome Stop Sign 01/20	\$ 4,005.00

CFM Community Development District

Paid Operation & Maintenance Expenditures

January 1, 2020 Through January 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Magnolia Landing Golf, LLC	002575	1287	Aerator Agreement & Water 12/19	\$ 625.00
Magnolia Landing Golf, LLC	002584	1300	Aerator Utility Cost 01/20	\$ 1,200.00
Magnolia Landing Golf, LLC	002584	1301	Aerator Agreement & Water 01/20	\$ 625.00
Magnolia Landing Golf, LLC	002584	1320	Plant Replacement 1/20	\$ 20,100.30
Magnolia Landing Golf, LLC	002584	1321	Irrigation Extend And Plants 01/20	\$ 6,200.00
Magnolia Landing Golf, LLC	002584	1322	Much Replacment 01/20	\$ 4,452.00
Magnolia Landing Master Association, Inc.	002569	359	Landscape Maintenance 11/19	\$ 3,494.58
Magnolia Landing Master Association, Inc.	002583	360	Landscape Maintenance 12/19	\$ 3,494.58
Rizzetta & Company, Inc.	002570	INV00000045870	District Management Fees 01/20	\$ 3,816.67
Rizzetta Technology Services, LLC	002576	INV0000004963	Website Hosting & Email Services 12/19	\$ 175.00
Rizzetta Technology Services, LLC	002582	INV0000005408	Website Hosting & Email Services 01/20	\$ 175.00
Solitude Lake Management LLC	002577	PI-A00338544	Lake 30 Weed Eating Removal 12/19	\$ 1,250.00

CFM Community Development District

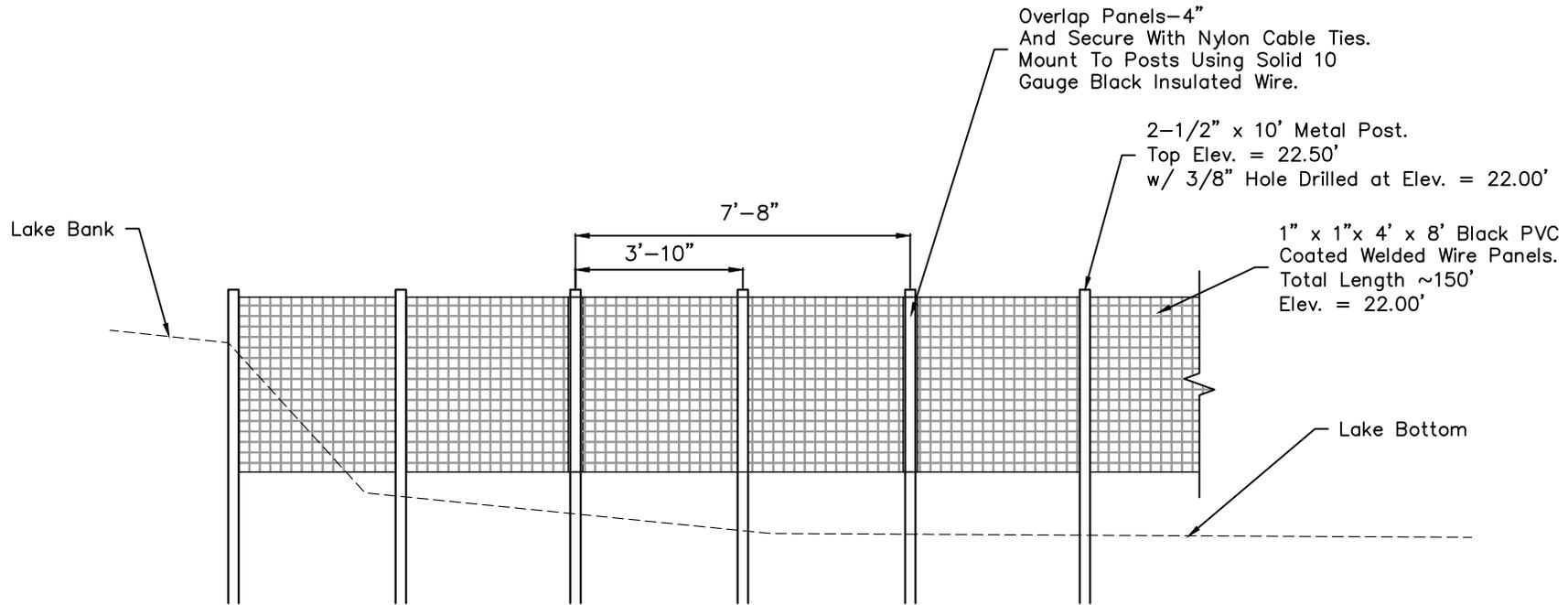
Paid Operation & Maintenance Expenditures

January 1, 2020 Through January 31, 2020

<u>Vendor Name</u>	<u>Check Number</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Amount</u>
Solitude Lake Management LLC	002585	PI-A00345250	Monthly Lake & Pond Service 01/20	\$ <u>2,278.00</u>
Report Total				\$ <u>70,025.92</u>

Tab 3

\\Labs01\Proj-lba\20040000\20044888-001 - CFM CDD (General Engineering)\Driving Range Lake 152.dwg (Fence) bkm Jan 29, 2020 - 8:33am



Golf Ball Barrier Detail

N.T.S.

CFM CDD
Lee County



JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

Golf Ball Barrier Detail

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
Jan, 2020	20044888	-	NTS	1

TREATMENT & REMOVAL CONTRACT

PROPERTY NAME: CFM Magnolia Landing

CONTRACT DATE: 1/13/19

SUBMITTED TO: Belinda Blandon #239-936-0913 bblandon@rizzetta.com

SUBMITTED BY: Jeff Moding

SPECIFICATIONS: Spraying & Removal of all littorals in lake 152 at Magnolia Landing.

Shoreline Treatment:

1. Spray, cut, remove of all shoreline vegetation, including beneficial littorals found within the area marked in red on the attached map.
2. All Littorals shall be treated through the application of aquatic herbicides and aquatic surfactants as required for control of the plants.
3. Removal will be completed 7-10 days after the spray event.
4. Contractor (Solitude) will dispose of all removed littoral plants.
5. All stumps and roots will remain in the ground.

Permitting:

1. SOLitude staff will NOT be responsible for the following:
 - a. Obtaining any Federal, state, or local permits required to perform any work specified in this contract where applicable.
 - b. Attending any public hearings or meetings with regulators as required in support of the permitting process.
 - c. Filing of any notices or year-end reports with the appropriate agency as required by any related permit.
 - d. Notifying the client of any restrictions or special conditions put on the site with respect to any permit received, where applicable.

Client Responsibilities:

1. Client will be responsible for the following:
 - a. Providing information required for the permit application process upon request.
 - b. Providing Certified Abutters List for abutter notification where required.
 - c. Perform any public filings or recordings with any agency or commission associated with the permitting process, if required.

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- d. Compliance with any Order of Conditions or other special requirements or conditions required by the local municipality.
- e. Compliance and enforcement of temporary water-use restrictions where applicable.

General:

1. Contractor is a licensed pesticide applicator in the state in which service is to be provided.
2. Individual Applicators are Certified Pesticide Applicators in Aquatics, Public Health, Forestry, Right of Way, and Turf/Ornamental as required in the state in which service is to be provided.
3. Contractor is a SePRO Preferred Applicator and dedicated Steward of Water. Each individual applicator has been trained and educated in the water quality testing and analysis required for site specific water quality management prescriptions and utilizes an integrated approach that encompasses all aspects of ecologically balanced management. Each applicator has received extensive training in the proper selection, use, and application of all aquatic herbicides, algaecides, adjuvants, and water quality enhancement products necessary to properly treat our clients' lakes and ponds as part of an overall integrated pest management program.
4. Contractor guarantees that all products used for treatment are EPA registered and labeled as appropriate and safe for use in lakes, ponds, and other aquatic sites, and are being applied in a manner consistent with their labeling.
5. All pesticide applications made directly to the water or along the shoreline for the control of algae, aquatic weeds, or other aquatic pests as specified in this contract will meet or exceed all of the contractor's legal regulatory requirements as set forth by the EPA and related state agencies for NPDES and FIFRA. Contractor will perform treatments that are consistent with NPDES compliance standards as applicable in and determined by the specific state in which treatments are made. All staff will be fully trained to perform all applications in compliance with all federal, state, and local law.
6. Contractor will furnish the personnel, equipment, materials, and other items required to provide the forgoing at his expense. Equipment will include trucks, boats, amphibious vehicles, all-terrain vehicles, utility vehicles, high volume tank sprayers, low volume tank sprayers, back- pack sprayers and other small equipment as required to properly access and perform treatments in the designated areas.
7. Contractor will maintain general liability and workman's compensation insurance.
8. Customer understands and acknowledges that there are irrigation restrictions associated with many of the products used to treat their lakes and ponds. The customer is responsible for notifying the contractor in advance of the contract signing and the start of the contract treatment if they utilize any of the water in their lakes or ponds for irrigation purposes. The customer accepts full responsibility for any issues that may arise from the irrigation of turf, ornamentals, trees, crops, or any

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- other plants as a result of treated water being used by the customer for irrigation without the consent or knowledge of the contractor.
9. Although there is rarely direct fish toxicity with the products used for treatment when applied at the labeled rate, any time there is an extreme infestation of algae and aquatic weeds, there is a risk of dissolved oxygen drops as a result of large masses of algae and aquatic weeds dying and decomposing simultaneously. This risk is most severe in times of extremely hot weather and warm water temperatures, as these are the conditions during which dissolved oxygen levels are naturally at their lowest levels. Often times lakes and ponds will experience natural fish kills under these conditions even if no treatment is performed. Every effort, to include the method and timing of application, the choice of products, and the skill and training of the applicators is made to avoid such problems. This risk is especially mitigated by the use of systemic herbicides wherever possible, which results in a very slow steady control of the target weed species. However, the customer understands and accepts that there is always a slight risk of the occurrence of adverse conditions outside the control of the contractor that will result in the death of some fish and other aquatic life. The customer also understands and accepts that similar risks would remain if the algae or submersed invasive vegetation present in the lake goes uncontrolled, as it will over time interfere with the health and wellbeing of the existing fish population. The customer agrees to hold the contractor harmless for any issues with fish or other aquatic life which occur as described above or are otherwise outside the direct control of the contractor, unless there is willful negligence on the part of the contractor.
 10. Contractor is not responsible for treatment failures that result from dam or other structural failures, severe storms, flooding, or other acts of God that are outside of the control of the contractor.
 11. Contractor shall be reimbursed by the client for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the contractor by the client that are not covered specifically by the written specifications of this contract.
 12. The customer agrees to pay penalties and interest in the amount of 2% per month for all past due invoices and related account balances in excess of 30 days past due from the due date as specified by the contract and as stated on the relevant invoice presented to the customer.
 13. The customer covenants and agrees to pay reasonable attorney's fees and all other related costs and expenses of SOLitude Lake Management® for collection of past due invoices and account balances and for any other actions required to remedy a material breach of this contract.

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CONTRACT PRICE: \$6,900.00

PAYMENT TERMS:

1. 30 Days Net:
2. **Remit Payment To: 1320 Brookwood Drive Suite H, Little Rock, AR 72202**

APPROVED:

(Authorized Signature) **CFM Magnolia Landing**

(Print Name and Title) _____
(Date)

SOLitude Lake Management®



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Magnolia Landing

Lake 152 Littoral Removal



Google Earth

© 2019 Google



200 ft

Tab 4



Proposal
Suntech Electrical Contractors, Inc.
75 Mid Cape Terrace Unit #4
Cape Coral, FL 33991
(239) 772-7177 Fax (239) 772-4482

Proposal Submitted to Rizzetta and Company	Phone 239-936-0913	Date 1-23-20
Address 9530 Marketplace Road, suite 206	Job Name LCEC conduits	
City, State, Zip Ft. Myers, FL 33912	Job Location Magnolia Landings, N. Ft. Myers, FL	
Contact Belinda Blandon	Date of Plans	Fax
Supply and install underground conduits for 12 new LCEC installed light poles. Approximately 1200 ft of underground trenching and conduit. Installation of 12 LCEC supplied handholes.		
LCEC to supply and install light poles, pedestals, wire and concrete		
Excavation and backfill ----- \$1800.00		
Labor ----- \$3,520.00		
Material cost ----- \$1250.00		
Total Proposal: \$6,570.00		
Does not include: directional boring if needed. (by LCEC), repairs to landscaping and sprinkler system pipes.		

We propose: hereby to furnish material and labor - complete in accordance with above specifications, for the sum of : (\$ _____). Payment to be made as follows: Net 30 days. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature _____
 Proposed by: Tom Czajkowski Note: This Proposal may be withdrawn by us if not accepted within **30** days.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date of Acceptance _____

Tab 5



EARTH TECH ENVIRONMENTAL
 10600 Jolea Avenue
 Bonita Springs, FL 34135 US
 (239) 304-0030
 www.eteflorida.com

Proposal

ADDRESS

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

PROPOSAL # 2530

DATE 02/07/2020

EXPIRATION DATE 03/31/2020

PROJECT

CFM CDD

PROJECT MANAGER

donnb@eteflorida.com

ACTIVITY	QTY	RATE	AMOUNT
----------	-----	------	--------

Ecosystem Restoration/ Maint Tasks:Initial Exotic Removal

Task 1.0 Initial Exotic Eradication within Native Tree Buffer: Earth Tech Environmental, LLC will perform a one-time initial exotic eradication of all FLEPPC category I & II exotic species within 0.62AC of designated Native Tree Buffer at CFM, CDD (see attached hereto). All FLEPPC category I & II exotic species in addition to selective nuisance species will be targeted. All woody exotic species will be cut, stump treated and removed from the Native Tree Buffer. In addition, vines that encroach into the tree and shrub canopy will be treated and cut at base of tree. This task will consist of selective cut stump treatment, basal treatment, and foliar of all remaining exotic species within the designated areas. This task does include off-site disposal fees. All work will be supervised by a qualified project manager licensed to apply herbicide by FDACS.

1 3,000.00 3,000.00

Earth Tech Environmental LLC will provide the above-listed environmental services within the designated Native Tree Buffer at CFM CDD. If you agree these services please send a signed copy to donnb@eteflorida.com for work to be scheduled.

TOTAL

\$3,000.00

Accepted By

Accepted Date

" Land, Water and the Environment ... Protecting what's important "

Office : 239-304-0030 Fax: 239-324-0054



- CFM CDD Boundary
- Additional Treatment Area (0.62 Ac)
- Maintenance Frequency**
- Bi-Annual Maintenance (211.95 Ac)
- Quarterly Maintenance (265.35 Ac)



Note:
2018 Aerial, Project Boundary and Preserve Limits
obtained from Lee County Property Appraiser.

CFM CDD
Magnolia Landing
Lee County, Florida



EARTH TECH ENVIRONMENTAL, LLC
1455 RAILHEAD BLVD, SUITE 8
NAPLES, FLORIDA 34110
PHONE (239) 304-0030 FAX (239) 324-0054
WWW.ETEFLOIDA.COM



SHEET NO.	1	DATE	02/04/20	PROJECT NO.	N/A	SCALE	AS SHOWN
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Tracking Map

Tab 6

RESOLUTION 2020-03

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE CFM COMMUNITY DEVELOPMENT DISTRICT ADOPTING AN INTERNAL CONTROLS POLICY CONSISTENT WITH SECTION 218.33, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, consistent with Section 218.33, *Florida Statutes*, the District is statutorily required to establish and maintain internal controls designed to prevent and detect fraud, waste, and abuse as defined in Section 11.45(1), *Florida Statutes*; promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices; support economical and efficient operations; ensure reliability of financial records and reports; and safeguard assets; and

WHEREAS, to demonstrate compliance with Section 218.33, *Florida Statutes*, the District desires to adopt by resolution the Internal Controls Policy attached hereto as **Exhibit A**.

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

SECTION 1. The attached Internal Controls Policy attached hereto as **Exhibit A** is hereby adopted pursuant to this Resolution.

SECTION 2. If any provision of this Resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 3. This Resolution shall become effective upon its passage and shall remain in effect unless rescinded or repealed.

PASSED AND ADOPTED THIS 20TH DAY OF FEBRUARY, 2020.

ATTEST:

**CFM COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chairman / Vice Chairman, Board of Supervisors

EXHIBIT "A"

CFM COMMUNITY DEVELOPMENT DISTRICT INTERNAL CONTROLS POLICY

1. Purpose.

- 1.1. The purpose of this internal controls policy is to establish and maintain internal controls for the CFM Community Development District.
- 1.2. Consistent with Section 218.33(3), *Florida Statutes*, the internal controls adopted herein are designed to:
 - 1.2.1. Prevent and detect Fraud, Waste, and Abuse (as hereinafter defined).
 - 1.2.2. Promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices.
 - 1.2.3. Support economical and efficient operations.
 - 1.2.4. Ensure reliability of financial records and reports.
 - 1.2.5. Safeguard Assets (as hereinafter defined).

2. Definitions.

- 2.1. "Abuse" means behavior that is deficient or improper when compared with behavior that a prudent person would consider a reasonable and necessary operational practice given the facts and circumstances. The term includes the misuse of authority or position for personal gain.
- 2.2. "Assets" means District assets such as cash or other financial resources, supplies, inventories, equipment and other fixed assets, real property, intellectual property, or data.
- 2.3. "Auditor" means the independent auditor (and its employees) retained by the District to perform the annual audit required by state law.
- 2.4. "Board" means the Board of Supervisors for the District.
- 2.5. "District Management" means (i) the independent contractor (and its employees) retained by the District to provide professional district management services to the District and (ii) any other independent contractor (and its employees) separately retained by the District to provide amenity management services, provided said services include a responsibility to safeguard and protect Assets.

- 2.6. “Fraud” means obtaining something of value through willful misrepresentation, including, but not limited to, intentional misstatements or intentional omissions of amounts or disclosures in financial statements to deceive users of financial statements, theft of an entity’s assets, bribery, or the use of one’s position for personal enrichment through the deliberate misuse or misapplication of an organization’s resources.
- 2.7. “Internal Controls” means systems and procedures designed to prevent and detect fraud, waste, and abuse; promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices; support economical and efficient operations; ensure reliability of financial records and reports; and safeguard assets.
- 2.8. “Risk” means anything that could negatively impact the District’s ability to meet its goals and objectives. The term includes strategic, financial, regulatory, reputational, and operational risks.
- 2.9. “Waste” means the act of using or expending resources unreasonably, carelessly, extravagantly, or for no useful purpose.

3. Control Environment.

3.1. Ethical and Honest Behavior.

- 3.1.1. District Management is responsible for maintaining a work environment that promotes ethical and honest behavior on the part of all employees, contractors, vendors and others.
- 3.1.2. Managers at all levels must behave ethically and communicate to employees and others that they are expected to behave ethically.
- 3.1.3. Managers must demonstrate through words and actions that unethical behavior will not be tolerated.

4. Risk Assessment.

- 4.1. Risk Assessment. District Management is responsible for assessing Risk to the District. District Management’s Risk assessments shall include, but not be limited to:
 - 4.1.1. Identifying potential hazards.
 - 4.1.2. Evaluating the likelihood and extent of harm.
 - 4.1.3. Identifying cost-justified precautions and implementing those precautions.

5. Control Activities.

5.1. Minimum Internal Controls. The District hereby establishes the following minimum Internal Controls to prevent and detect Fraud, Waste, and Abuse:

5.1.1. Preventive controls designed to forestall errors or irregularities and thereby avoid the cost of corrections. Preventive control activities shall include, but not be limited to, the following:

5.1.1.1. Identifying and segregating incompatible duties and/or implementing mitigating controls.

5.1.1.2. Performing accounting functions in accordance with Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB) standards.

5.1.1.3. Requiring proper authorizations to access and/or modify accounting software.

5.1.1.4. Implementing computerized accounting techniques (e.g. to help identify coding errors, avoid duplicate invoices, etc.).

5.1.1.5. Maintaining a schedule of the District's material fixed Assets.

5.1.1.6. Maintaining physical control over the District's material and vulnerable Assets (e.g. lock and key, computer passwords, network firewalls, etc.).

5.1.1.7. Retaining and restricting access to sensitive documents.

5.1.1.8. Performing regular electronic data backups.

5.1.2. Detective controls designed to measure the effectiveness of preventive controls and to detect errors or irregularities when they occur. Detective control activities shall include, but not be limited to, the following:

5.1.2.1. Preparing financial reports in accordance with Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB) standards.

5.1.2.2. Reviewing financial statements and investigating any material variances between budgeted expenses and actual expenses.

5.1.2.3. Establishing and implementing periodic reconciliations of bank, trust, and petty cash accounts.

- 5.1.2.4. Establishing an internal protocol for reporting and investigating known or suspected acts of Fraud, Waste, or Abuse.
 - 5.1.2.5. Engaging in periodic physical inventory counts and comparisons with inventory records.
 - 5.1.2.6. Monitoring all ACH (electronic) transactions and the sequencing of checks.
- 5.2. Implementation. District Management shall implement the minimum Internal Controls described herein. District Management may also implement additional Internal Controls that it deems advisable or appropriate for the District. The specific ways District Management implements these minimum Internal Controls shall be consistent with Generally Accepted Accounting Principles (GAAP) and otherwise conform to Governmental Accounting Standards Board (GASB) and American Institute of Certified Public Accountants (AICPA) standards and norms.

6. Information and Communication.

- 6.1. Information and Communication. District Management shall communicate to its employees (needing to know) information relevant to the Internal Controls, including but not limited to any changes to the Internal Controls and/or changes to laws, rules, contracts, grant agreements, and best practices.
- 6.2. Training. District Management shall regularly train its employees (needing the training) in connection with the Internal Controls described herein and promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices.

7. Monitoring Activities.

- 7.1. Internal Reviews. District Management shall internally review the District's Internal Controls at least once per year. In connection with this internal review, District Management shall:
 - 7.1.1.1. Review its operational processes.
 - 7.1.1.2. Consider the potential risk of Fraud, Waste, or Abuse inherent in each process.
 - 7.1.1.3. Identify the controls included in the process, or controls that could be included, that would result in a reduction in the inherent risk.
 - 7.1.1.4. Assess whether there are Internal Controls that need to be improved or added to the process under consideration.

7.1.1.5. Implement new controls or improve existing controls that are determined to be the most efficient and effective for decreasing the risk of Fraud, Waste or Abuse.

7.1.1.6. Train its employees on implemented new controls or improvements to existing controls.

7.2. External Audits and Other Reviews. Audits and other reviews may be performed on various components of the District's Internal Controls by the Auditor consistent with Government Auditing Standards (GAS). Audits may identify material deficiencies in the Internal Controls and make recommendations to improve them. District Management shall communicate and cooperate with the Board and the Auditor regarding the potential implementation of Auditor recommendations.

Specific Authority: §§ 190.011(5), 218.33(3), *Florida Statutes*

Effective date: [REDACTED], 2020

Tab 7

This instrument was prepared by
and is to be returned to:
Tucker F. Mackie
Hopping Green & Sams, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

Folio No. 10562809
 10562810

(Reserved for Recording Office)

QUIT-CLAIM DEED

This QUIT-CLAIM DEED is made this ____ day of January, 2020, by and between **CFM COMMUNITY DEVELOPMENT DISTRICT**, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes and who address is 9530 Marketplace Road, Suite 206, Fort Myers, Florida 33912 (the “**Grantor**”), and **MAXCY DEVELOPMENT GROUP HOLDINGS – CFM, INC.**, a Florida corporation, whose address is 3014 West Palmira Avenue, Suite 301, Tampa, Florida 33629 (the “**Grantee**”). (All references to the parties herein shall include their heirs, personal representatives, successors, and assigns.)

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt of which is hereby acknowledged, has remised, released, and quit-claimed and does hereby remise, release and quitclaim to Grantee, its successors and assigns, forever, all right, title, interest, claim, and demand which Grantor has in and to the real property situated in the County of Lee, State of Florida and described as follows:

See Exhibit “A” attached hereto and incorporated by reference herein.

SUBJECT to all taxes, easements, reservations and other matters of records, reference to which shall not operate to reimpose same.

TO HAVE AND TO HOLD all of said right, title, interest, claim, and demand of Grantor in said land, and all improvements thereon, unto Grantee for its use and benefit forever.

IN WITNESS WHEREOF, that said Grantor has hereto caused this instrument to be executed the day and year first above written.

(Signature page follows.)

WITNESSES:

GRANTOR:

CFM COMMUNITY DEVELOPMENT DISTRICT

a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes

Print Name: _____

By: _____
Name: _____
Title: _____

Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by means of physical presence or online notarization, by _____ as _____ of CFM Community Development District, a local unit of special-purpose government established pursuant to Chapter 190, Florida Statutes, on its behalf.

(SEAL)

Signature of Notary Public

Name of Notary Public
(Typed, Printed or Stamped)

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 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 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.