

PETITION TO AMEND THE BOUNDARIES OF WATERSIDE COMMUNITY DEVELOPMENT DISTRICT

Submitted by: Jere Earlywine, Esq.
Florida Bar No. 155527
Jere.Earlywine@KutakRock.com
KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301
Ph: (850) 528-6152

BEFORE THE COUNTY COMMISSION OF MARTIN COUNTY, FLORIDA

**PETITION TO AMEND THE BOUNDARIES OF
WATERSIDE COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Waterside Community Development District, a unit of special-purpose local government established pursuant to the provisions of Chapter 190, Florida Statutes, and Ordinance No. 1175, and located entirely within the boundaries of Martin County, Florida (“District”), hereby petitions the Board of County Commissioners of Martin County, Florida, pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, Florida Statutes, and specifically Sections 190.046 and 190.005, Florida Statutes, to adopt an amendment to Ordinance No. 1175 to add approximately 40.227 acres to, and remove approximately 3.840 acres from, the District. In support of this petition, the District states:

1. Location and Size. The District is located entirely within Martin County, Florida (“County”). **Exhibit 1** depicts the general location of the existing District. The District currently covers approximately 179.983 acres of land and is located south of Southwest 96th Street, northwest of Southwest Kanner Highway, and east of Southwest Citrus Boulevard. The current metes and bounds description of the external boundary of the District is set forth in **Exhibit 2**. The metes and bounds of the lands to be added to the District (“Expansion Parcels”) which comprise approximately 40.227 acres are set forth in **Exhibit 3**. The metes and bounds of the lands to be removed from the District (“Contraction Parcel”) which comprise approximately 3.840 acres are set forth in **Exhibit 4**. Subsequent to the proposed amendment of the District, the District will encompass approximately 216.371 acres in total. **Exhibit 5** contains the metes and bounds description of the District boundary, as amended (“Amended District”).

2. Excluded Parcels. There are no parcels within the external boundary of the Expansion Parcel which are to be excluded.

3. Landowner Consent. Petitioner has obtained written consent to amend the boundary of the District from the owners of one hundred percent of property subject to the proposed amendment. Documentation of this consent is contained in **Exhibit 6**. A parcel within the District, identified as Southwest Waterside Way, is owned by the County. Pursuant to Sections 190.003(14) and 190.005(1)(a)2., Florida Statutes, consent of the County is not required.

The favorable action by the Board of Supervisors of the District, as reflected in Resolution 2024-07 at **Exhibit 7**, constitutes consent for all other lands pursuant to Section 190.046(1)(f), Florida Statutes.

4. Board Members. The five persons designated by the Ordinance as the original Board of Supervisors met and scheduled an election of the landowners as required by Section 190.006, Florida Statutes. The current members of the Board of Supervisors of the District are Michael Caputo, Timothy Smith, Candice Smith, Josh Long and Jon Seifel.

5. Future Land Uses. The designation of future general distribution, location, and extent of the public and private land uses proposed for the Amended District by the future land use plan elements of the local government comprehensive plan are shown on **Exhibit 8**. Amendment of the District in the manner proposed is consistent with the adopted local government comprehensive plan.

6. District Facilities and Services. The District does not expect to finance or construct any of the improvements within the expansion parcels, but may elect to acquire, operate, maintain, repair and replace common area improvements within such Expansion Parcels.

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

8. Agent Authorization. **Exhibit 10** is an authorization of agent authorizing Jere Earlywine to act as the District’s agents in all matters related to the Petition. Copies of all correspondence should be sent to:

Jere Earlywine, Esq.
Jere.Earlywine@KutakRock.com
KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301
Ph: (850) 528-6152

9. Chapter 190, Florida Statutes Requirements Are Met. This petition to amend the boundary of the District should be granted for the following reasons:

a. Amendment of the District’s boundary and all land uses and services planned within the Amended District are not inconsistent with applicable elements or portions of the adopted state comprehensive plan or the effective local government comprehensive plan.

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

c. Existence of the Amended District will prevent the general body of taxpayers in the County from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the Amended District. The Amended District is the best alternative for delivering community development services and facilities to the

Amended District without imposing an additional burden on the general population of the County. Amendment of the District to include such lands within a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the Amended District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.

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

WHEREFORE, the District respectfully requests that the Board of County Commissioners of Martin County:

a. Schedule a public hearing in accordance with the requirements of Section 190.046(1)(f), Florida Statutes; and

b. Grant the petition and amend Ordinance No. 1175 to amend the boundary of the District pursuant to Chapter 190, Florida Statutes.

[CONTINUED ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED, this 31st day of January, 2025.

KUTAK ROCK LLP

A handwritten signature in blue ink, appearing to read 'Jere Earlywine', is written over a horizontal line.

Jere Earlywine, Esq.

Florida Bar No. 155527

Jere.Earlywine@KutakRock.com

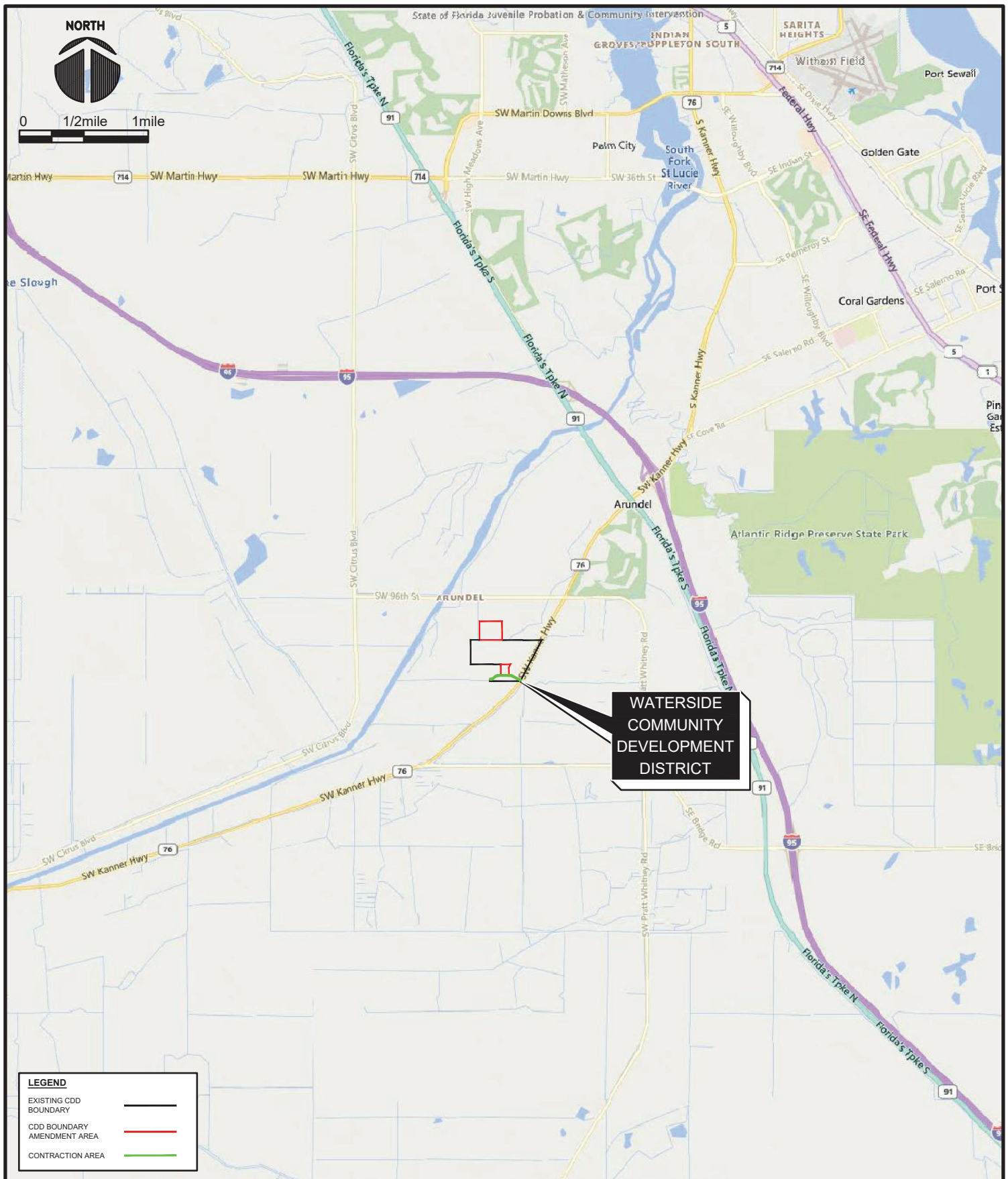
KUTAK ROCK LLP


107 West College Avenue

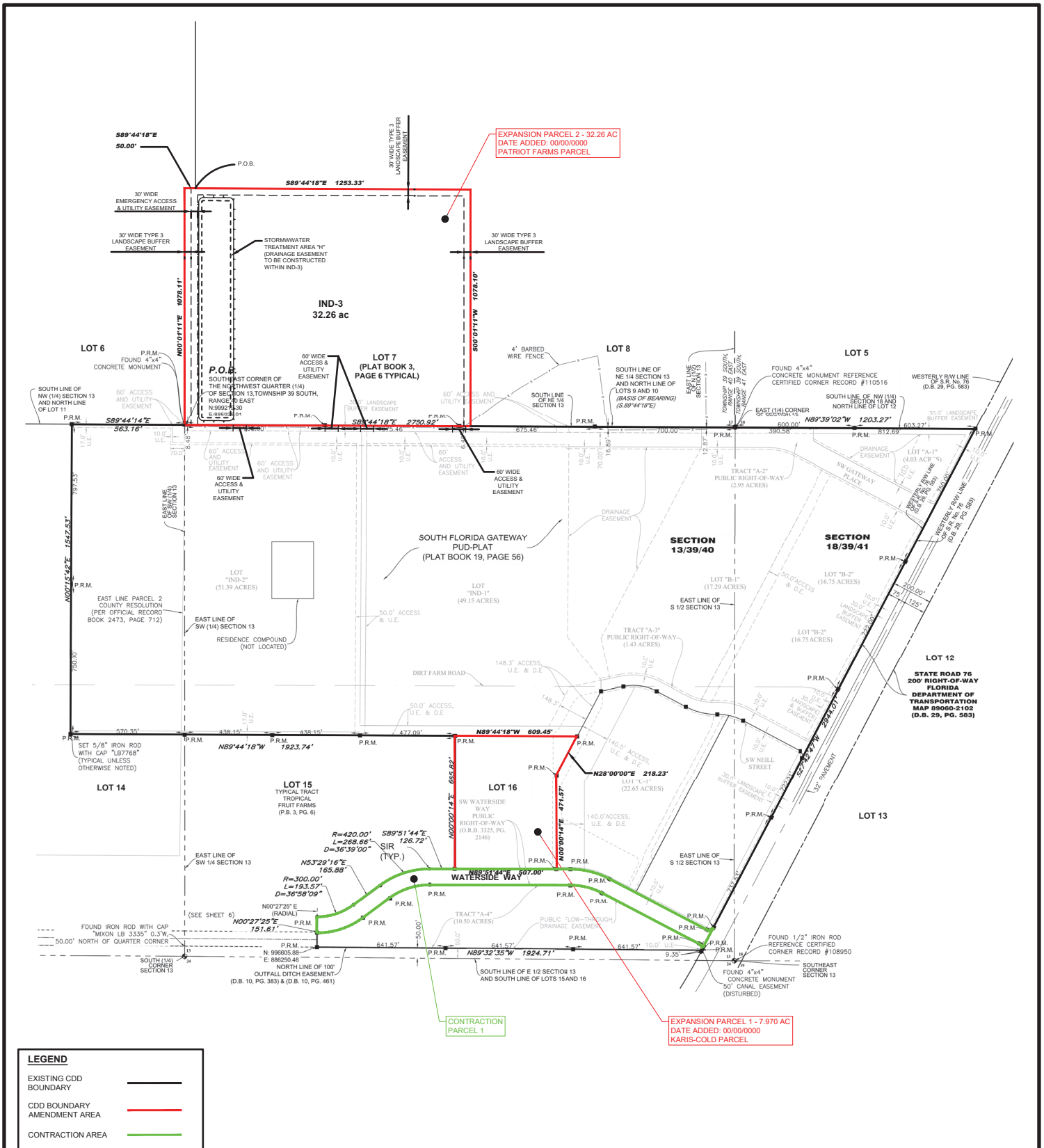
Tallahassee, Florida 32301

Ph: (850) 528-6152

EXHIBIT 1



 <p>360 Central Avenue, Suite 1150 St. Petersburg, FL 33701 (727) 209-0436 FL COA 27367</p>	<p>KL Waterside LLC SOUTH FLORIDA GATEWAY PUD</p>	<p>OSBORN PROJ: 20200558.300 PREPARED BY: SKK REV: 11-05-2024 WATERSIDE CDD 1 MILE LOCATION MAP EX-1</p>
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OSBORN ENGINEERING
360 Central Avenue, Suite 1150
St. Petersburg, FL 33701
(727) 209-0436
FL COA 27367
www.osborn-eng.com

KL Waterside LLC
SOUTH FLORIDA GATEWAY PUD

OSBORN PROJ: 20200558.300
PREPARED BY: SKK
REV: 11-05-2024
WATERSIDE CDD
METES AND BOUNDS SKETCH

EX-2.1

EXHIBIT 2

EXHIBIT

A

LEGAL DESCRIPTION:

BEING A REPLAT OF A PORTION OF LOTS 9, 10, 11, 14, 15, AND 16, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD NO. 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, SAID CORNER ALSO BEING THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.92 FEET TO THE EAST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.89°39'02"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1203.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2944.01 FEET TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET; THENCE N.00°27'25"E., A DISTANCE OF 151.61 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET, AND A RADIAL BEARING OF N.00°27'25"E. AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO THE POINT OF TANGENCY; THENCE N.53°29'16"E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 633.72 FEET; THENCE N.00°00'14"E., A DISTANCE OF 471.57 FEET; THENCE N.28°00'00"E., A DISTANCE OF 218.23 FEET; THENCE N.89°44'18"W., A DISTANCE OF 1970.19 FEET; THENCE N.89°44'18"W., A DISTANCE OF 563.00 FEET; THENCE N.00°15'42"E., A DISTANCE OF 1547.53 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 563.16 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 7,840,057 SQUARE FEET OR 179.983 ACRES, MORE OR LESS.

**WATERSIDE - COMMERCIAL PARCEL
SKETCH AND DESCRIPTION**

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Drawn	Date: JANUARY 11, 2022	

SURVEYOR'S CERTIFICATE

This certifies that this Sketch & Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary Rager

Gary A. Rager
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **LS4828**

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Surveying, Inc.

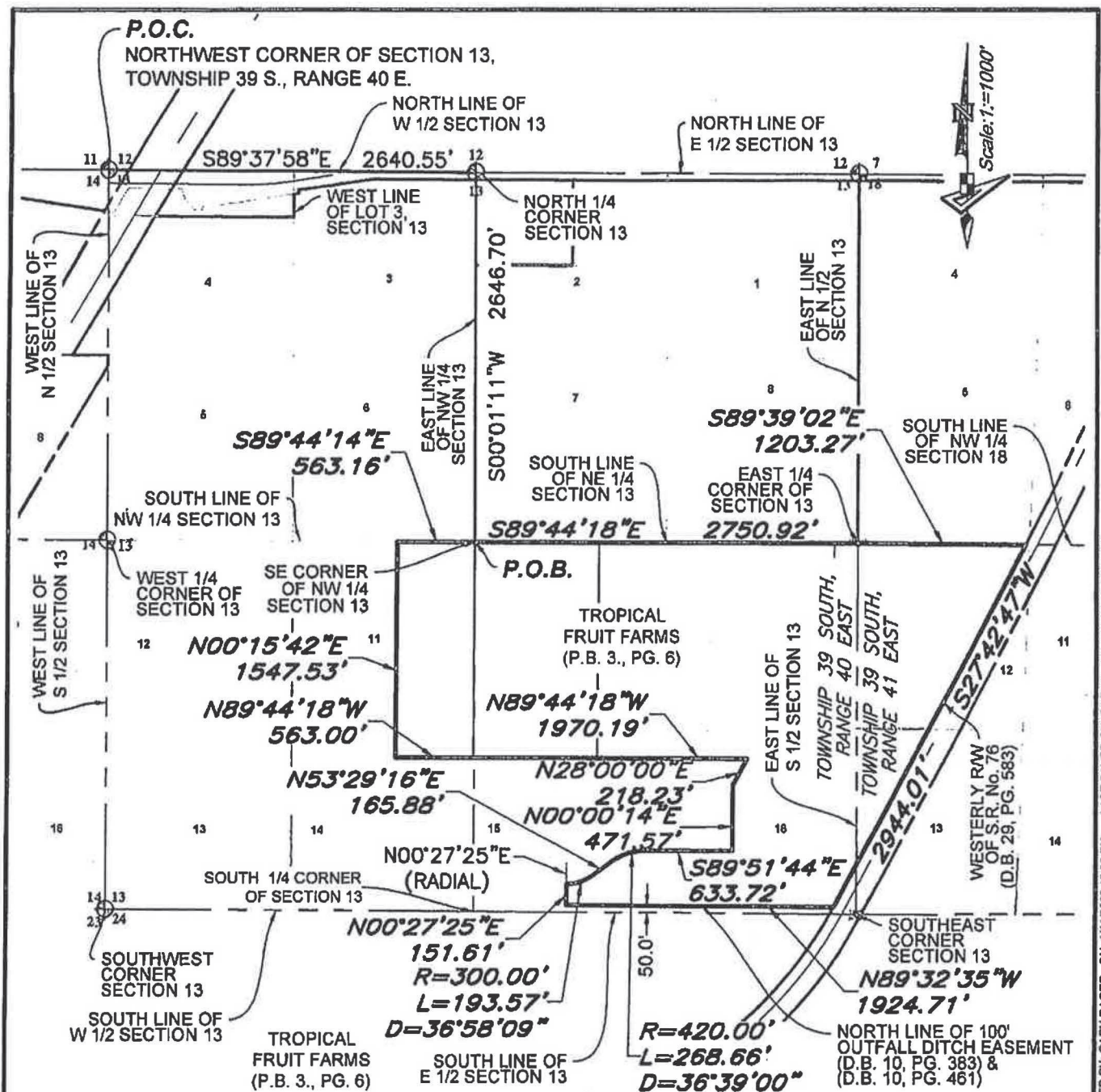
4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: GAR	Date: 01/11/22	Data File: waterside_NAVID88_8 03-23-20
Check: SWM	P.C.: DC-8	Field Book: 2020 11w/26-30, 40
Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-dasc1		

Sheet No. 1 of 2 Sheets

DWG NAME: C:\GARY\WATERSIDE_COMMERCIAL.DWG PLOTTED BY: GARY RAGER ON 1/11/2022 12:30 PM LAST SAVED BY: GARY ON 1/11/2022 12:34 PM



WATERSIDE - COMMERCIAL PARCEL SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(S) --- PAGE(S)
13-39-40 --- SECTION-TOWNSHIP-RANGE

P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY

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Drawn: GAR	Date: 01/11/22	Data File: waterside_NAV088_8 03-23-20
Check: SWM	P.C.: DC-8	Field Book: 2020 11w/28-30, 40
Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc1		

Sheet No. 2 of 2 Sheets

DWG NAME: C:\GARY\WATERSIDE_COMMERCIAL.DWG PLOTTED BY: GARY RAGER ON: 1/11/2022 12:38 PM LAST SAVED BY: GARYR ON: 1/11/2022 12:34 PM

EXHIBIT 3

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLY MOST SOUTHWESTERLY CORNER OF TRACT "C-1" AS SHOWN ON THE PLAT OF SOUTH FLORIDA GATEWAY PUD - PLAT, AS RECORDED IN PLAT BOOK 19, PAGE 56, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.89°51'44"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE WAY, AS SHOWN ON SAID PLAT AND AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2146, OF SAID PUBLIC RECORDS, A DISTANCE OF 507.00 FEET TO THE EAST BOUNDARY OF THE 29.8 ACRE PARCEL, AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2137, OF SAID PUBLIC RECORDS; THENCE N.00°00'14"E., ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 665.82 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTH FLORIDA GATEWAY PUD - PLAT; THENCE THE FOLLOWING 3 COURSES ALONG THE BOUNDARY OF SOUTH FLORIDA GATEWAY PUD - PLAT; 1) THENCE S.89°44'18"E., A DISTANCE OF 609.45 FEET; 2) THENCE S.28°00'00"W., A DISTANCE OF 218.23 FEET; 3) THENCE S.00°00'14"W., A DISTANCE OF 471.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 347,185 SQUARE FEET OR 7.970 ACRES, MORE OR LESS.

NOTE:

BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE WAY, HAVING A BEARING OF NORTH 89°51'44" WEST.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

7.9 ACRE PARCEL SKETCH AND DESCRIPTION



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4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Prepared For: KOLTER LAND PARTNERS, LLC

Date: AUGUST 25, 2022

SURVEYOR'S CERTIFICATE

This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary Rager

Digitally signed by Gary Rager
DN: c=US, st=Florida, l=Tampa, o=GeoPoint Surveying,
Inc., ou=Professional Surveyor and Mapper, cn=Gary
Rager, email=gary@geopointsurvey.com
Date: 2022.10.27 14:43:37 -0400

Gary A. Rager

FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.

LS4828

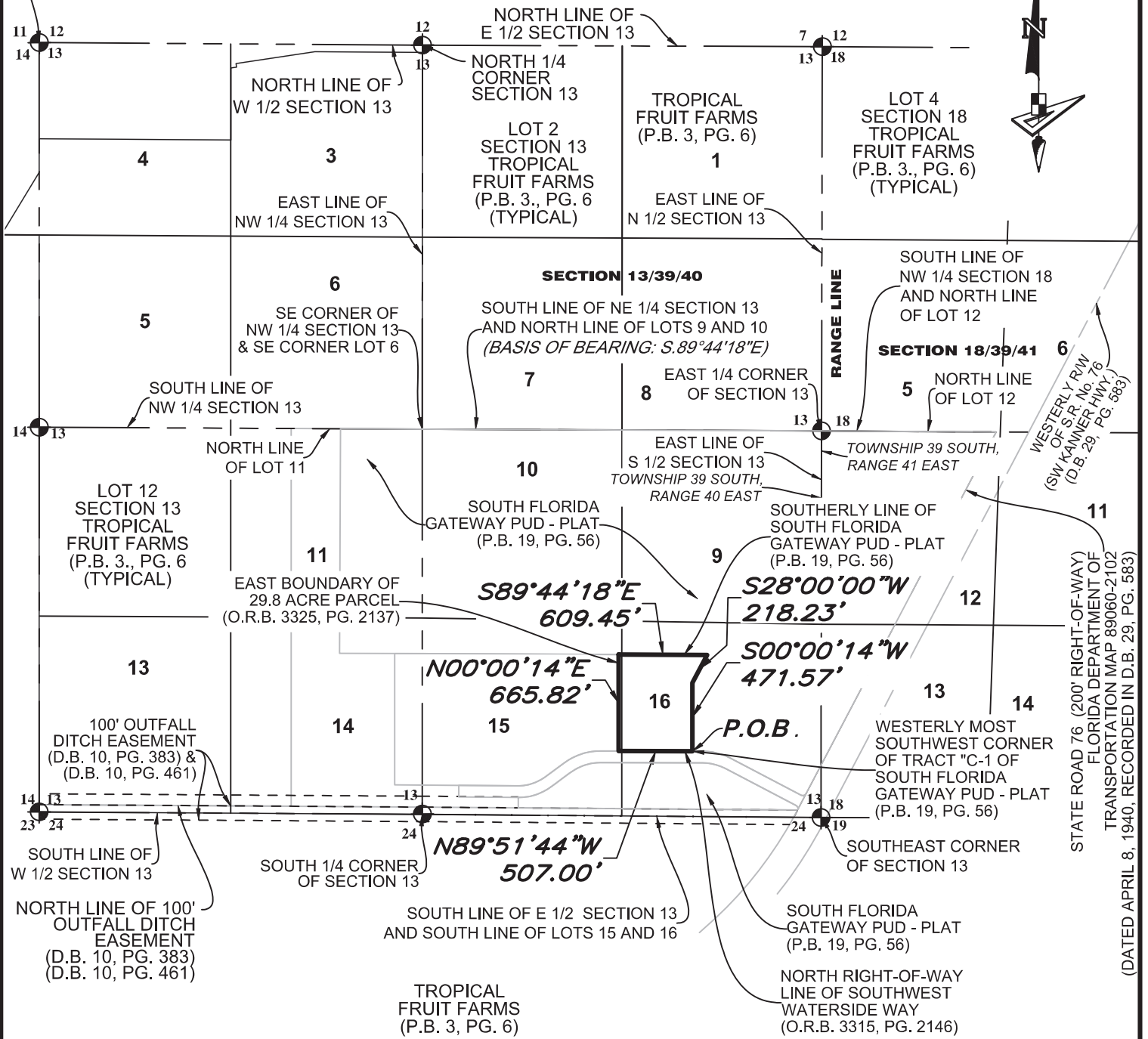
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& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

Drawn: DSC	Date: 10/26/2022	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13	Twn. 39S	Rng. 40E
Job #: 7.9 acre parcel S&D		

Sheet No. 01 of 02 Sheets

P.O.C.
NORTHWEST CORNER OF SECTION 13,
TOWNSHIP 39 S., RANGE 40 E. AND NORTHWEST
CORNER OF LOT 4 (P.B. 3, PG.6)

0 1000 2000
SCALE: 1" = 1000'



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LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(s) --- PAGE(S)
13-39-40 --- SECTION-TOWNSHIP-RANGE
14 13
23 24 --- SECTION CORNER

P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY
R --- RADIUS
L --- ARC LENGTH
D --- DELTA-CENTRAL ANGLE

7.9 ACRE PARCEL SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

Last Date of Field Survey: 8/25/22

GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: DSC	Date: 10/26/2022	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13 Twn. 39S Rng. 40E		Job #: 7.9 acre parcel S&D

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

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AGRICULTURAL TO INDUSTRIAL - PARCEL 1 SKETCH AND DESCRIPTION



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4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Prepared For: KOLTER LAND PARTNERS, LLC

Date: DECEMBER 10, 2021

SURVEYOR'S CERTIFICATE

This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary Rager

Digitally signed by Gary Rager
DN: c=US, st=Florida, l=Tampa, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, cn=Gary Rager, email=gayr@geopointsurvey.com
Date: 2023.08.15 11:12:59 -0400

Gary A. Rager

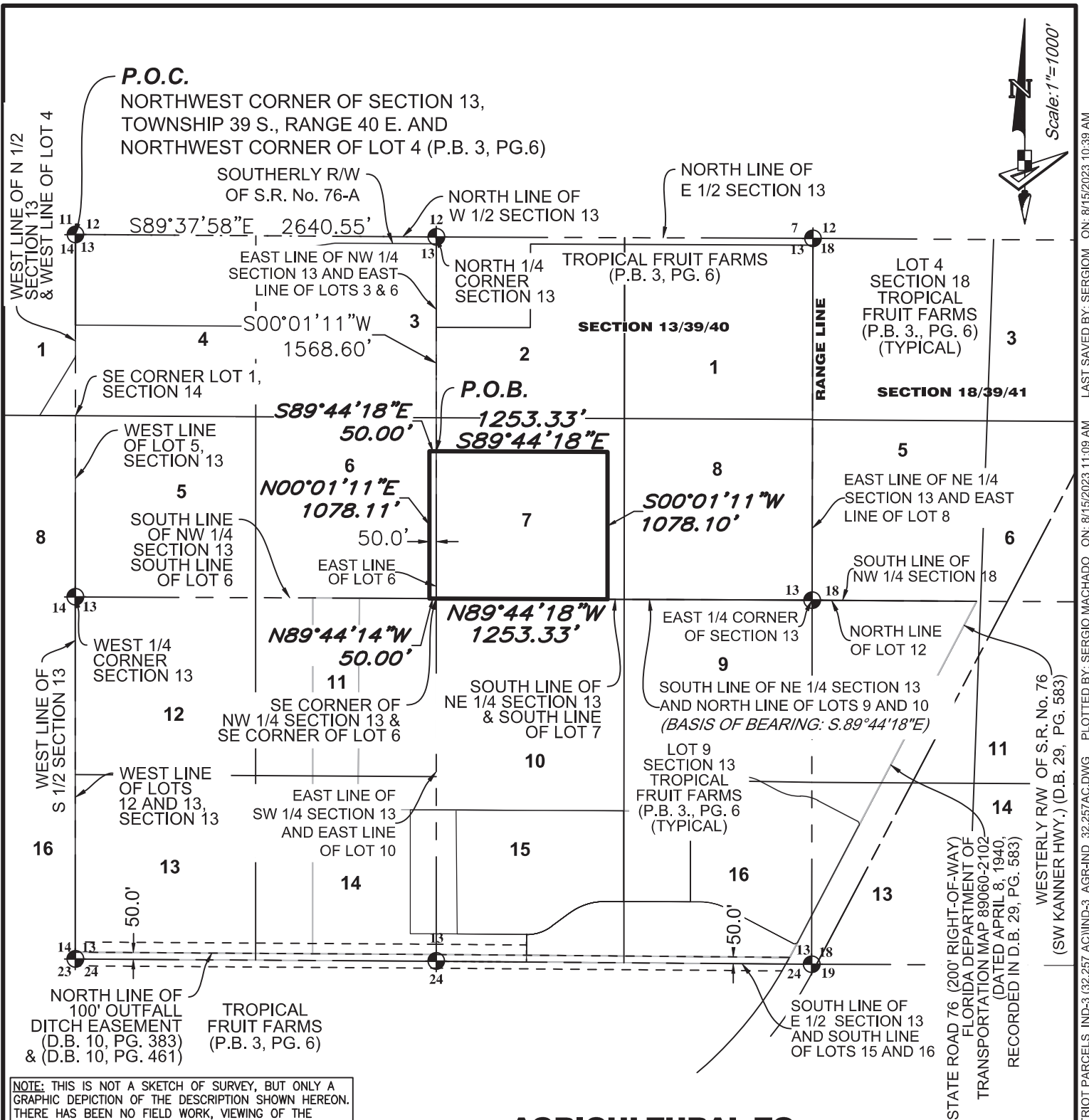
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.

LS4828

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Drawn: SWM	Date: 08/03/2023	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13	Twn. 39S	Rng. 40E
Job #: Ind 3_AG-Ind_32.26 -S&D		

Sheet No. 01 of 02 Sheets



NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

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LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(s) --- PAGE(s)
13-39-40 --- SECTION-TOWNSHIP-RANGE
14-13-24 --- SECTION CORNER

P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY
L1 --- LINE SEGMENT
RAD8 --- RADIAL BEARING

AGRICULTURAL TO INDUSTRIAL - PARCEL 1 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

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Surveying, Inc.

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Drawn: SWM	Date: 08/03/2023	Data File: N/A
Check: GAR	P.C.: N/A	Field Book: N/A
Section: 13 Twn. 39S Rng. 40E Job #: Ind 3_AG-Ind_32.26 -S&D		

EXHIBIT 4

THAT CERTAIN PORTION OF SW WATERSIDE WAY, A MARTIN COUNTY PUBLIC RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK: 3325, PAGE: 2146, WITHIN THE CDD DISTRICT BOUNDARY AS FURTHER DESCRIBED:

LEGAL DESCRIPTION – CONTRACTION PARCEL 1:

A PARCEL OF LAND BEING A PROTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORHTWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT; THENCE 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OR SAID SECTION 13, A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18" EAST, A DISTANCE OF 1353.39 FEET; THENCE S.00°00'14"W., A DISTANCE 665.82 TO THE **POINT OF THE BEGINNING**; THENCE S.89°51'44"E., A DISTANCE OF 577.77 FEET TO A POINT OF CURVATURE OF A CURNVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 420.00 FEET; THENC SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANLE OF 27°31'05", A DISTANCE OF 201.72 FEET TO POINT OF TANGENCY; THENCE S.62°20'39"E., A DISTANCE OF 548.31 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 25.00 FEET; THENCE VORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 89o56'34", A DISTANCE OF 39.24 FEET TO A POINT OF NON-TANGENCY AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 115.51 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 35.00 FEET, AND A RADIAL BEARING OF S.73°18'02"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY, ALON THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 45°38'42", A DISTANCE OF 27.88 FEET TO A POINT OF TANGENCY; THENCE N.62o20'39"W., A DISTANCE OF 548.17 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 340.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°31'05", A DISTANCE OF 163.30 FEET TO POINT OF TANGENCY; THENCE N.89°51'44"W., A DISTANCE OF 704.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 340.00 FEET; THENCE SOUTHWESTERLY, ALONG THEARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 217.49 FEET TO A POINT OF TANGENCY; THENCE S.53°29'16"W., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 380.00; THENCE WESTERLY, ALONG THE ARC OF SAID OF CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 245.19 FEET TO A POINT OF TANGENCY; THENCE N.00 °27'25"E., A DISTANCE OF 80.00 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET; THENCE NORHTEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY; THENCE N.53°29'16" E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 126.72 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 167,271 SQUARE FEET OR 3.840 ACRES, MORE OR LESS.

EXHIBIT 5

ORIGINAL WATERSIDE CDD DISTRICT BOUNDARY

LEGAL DESCRIPTION:

BEING A REPLAT OF A PORTION OF LOTS 9, 10, 11, 14, 15, AND 16, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, SAID CORNER ALSO BEING THE **POINT OF THE BEGINNING**; THENCE S.89°44'18"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.92 FEET TO THE EAST (1/4) QUARTER OF SAID SECTION 13; THENCE S.89°39'02"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1203.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN, COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, DISTANCE OF 2944.01 FEET TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET; THENCE N.00°27'25"E., A DISTANCE OF 151.61 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET, AND A RADIAL BEARING OF N.00°27'25"E., AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO THE POINT OF TANGENCY; THENCE N.53°29'16"E., A DISTANCE OF 165.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 633.72 FEET; THENCE N.00°00'14"E., A DISTANCE OF 471.57 FEET; THENCE N. 28°00'00"E., A DISTANCE OF 218.23 FEET; THENCE N.89°44'18"W., A DISTANCE OF 2533.19 FEET; THENCE N.00°15'42"E., A DISTANCE OF 1547.53 FEET TO A POINT OF THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 563.16 FEET TO THE **POINT OF THE BEGINNING**.

CONTAINING: 7,840,098 SQUARE FEET OR 179.984 ACRES, MORE OR LESS.

LESS AND EXCEPT THAT CERTAIN PORTION OF SW WATERSIDE WAY, A MARTIN COUNTY PUBLIC RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK: 3325, PAGE: 2146, WITHIN THE CDD DISTRICT BOUNDARY AS FURTHER DESCRIBED:

LEGAL DESCRIPTION – CONTRACTION PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORHTWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT; THENCE 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OR SAID SECTION 13, A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18" EAST, A DISTANCE OF 1353.39 FEET; THENCE S.00°00'14"W., A DISTANCE 665.82 TO THE **POINT OF THE BEGINNING**; THENCE S.89°51'44"E., A DISTANCE OF 577.77 FEET TO A POINT OF CURVATURE OF A CURNVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 420.00 FEET; THENC SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANLE OF 27°31'05", A DISTANCE OF 201.72 FEET TO POINT OF TANGENCY; THENCE S.62°20'39"E., A DISTANCE OF 548.31 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 25.00 FEET; THENCE VORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 89o56'34", A DISTANCE OF 39.24 FEET TO A POINT OF NON-TANGENCY AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 115.51 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 35.00 FEET, AND A RADIAL BEARING OF S.73°18'02"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY, ALON THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 45°38'42", A DISTANCE OF 27.88 FEET TO A POINT OF TANGENCY; THENCE N.62o20'39"W., A DISTANCE OF 548.17 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 340.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°31'05", A DISTANCE OF 163.30 FEET TO POINT OF TANGENCY; THENCE N.89°51'44"W., A DISTANCE OF 704.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 340.00 FEET; THENCE SOUTHWESTERLY, ALONG THEARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 217.49 FEET TO A POINT OF TANGENCY; THENCE S.53°29'16"W., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 380.00; THENCE WESTERLY, ALONG THE ARC OF SAID OF CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 245.19 FEET TO A POINT OF TANGENCY; THENCE N.00 °27'25"E., A DISTANCE OF 80.00 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET; THENCE NORHTEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY; THENCE N.53°29'16" E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 126.72 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 167,271 SQUARE FEET OR 3.840 ACRES, MORE OR LESS.

TOGETHER WITH EXPANSION PARCEL 1

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLY MOST SOUTHWESTERLY CORNER OF TRACT "C-1" AS SHOWN ON THE PLAT OF SOUTH FLORIDA GATEWAY PUD – PLAT, AS RECORDED IN PLAT BOOK 19, PAGE 56, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.89o51'44"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE

WAY, AS SHOWN ON SAID PLATE AND AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2146, OF SAID PUBLIC RECORDS, A DISTANCE OF 507.00 FEET TO THE EAST BOUNDARY OF THE 29.8 ACRE PARCEL, AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2137, OF SAID PUBLIC RECORDS; THENCE N.00°00'14"E., ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 665.82 FEET TO A POINT OF THE SOUTHERLY LINE OF SAID SOUTH FLORIDA GATEWAY PUD – PLAT; THENCE THE FOLLOWING 3 COURSES ALONG THE BOUNDARY OF SOUTH FLORIDA GATEWAY PUD – PLAT; 1) THENCE S.89°44'18"E., A DISTANCE OF 609.45 FEET; 2) THENCE S.28°00'00"W., A DISTANCE OF 218.23 FEET; 3) THENCE S.00°00'14"W., A DISTANCE OF 471.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 347,185 SQUARE FEET OR 7.970 ACRES, MORE OR LESS.

TOGETHER WITH EXPANSION PARCEL 2

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE POINT OF BEGINNING; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

THE TOTAL AREA WITHIN THE WATERSIDE CDD AMMENDED BOUNDARY IS SUMMARIZED:

ORIGINAL CDD BOUNDARY:	7,840,098 SQUARE FEET	179.984 ACRES
CONTRACTION PARCEL 1:	(167,271 SQUARE FEET)	(3.840 ACRES)
EXPANSION PARCEL 1:	347,185 SQUARE FEET	7.970 ACRES
EXPANSION PARCEL 2:	1,405,115 SQUARE FEET	<u>32.257 ACRES</u>
GRAND TOTAL:	9,425,127 SQUARE FEET	216.371 ACRES

EXHIBIT 6

This instrument was prepared by:

KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301

**CONSENT AND JOINDER OF LANDOWNER FOR THE
AMENDMENT OF THE BOUNDARIES OF THE
WATERSIDE COMMUNITY DEVELOPMENT DISTRICT
[EXPANSION PARCEL]**

The undersigned is the owner of certain lands which are more fully described as the "Expansion Parcel" in **Exhibit A** attached hereto and made a part hereof ("Property"). The undersigned understands and acknowledges that the Board of Supervisors of the Waterside Community Development District ("Petitioner" or "District") intends to submit a petition amending the boundaries of the District in accordance with the provisions of Chapter 190, Florida Statutes.

As the owner of lands that are intended to constitute lands to be added to the District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005 and Section 190.046, Florida Statutes, Petitioner is required to include the written consent to the amendment of the boundaries of the District of one hundred percent (100%) of the owners of the lands to be added to the District.

The undersigned hereby requests and consents to addition of the Property to the District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the petition process for the amendment of the boundaries of the District. The undersigned further acknowledges that the consent will remain in full force and effect for three years from the date hereof. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to amendment of the boundaries of the District in substantially this form.

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

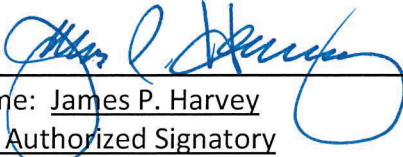
[signatures on following page]

Executed this 9th day of August, 2024.

WITNESS

SOUTH FLORIDA GATEWAY INDUSTRIAL LLC

By: 
Name: Dana Rhodes


Name: James P. Harvey
As: Authorized Signatory

By: 
Name: Bryon T. LoPreste

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of [x] physical presence or ☐ online notarization, this 9th day of August, 2024, by James P. Harvey, as Authorized Signatory of South Florida Gateway Industrial LLC, on its behalf. He [x] is personally known to me or [] produced _____ as identification.



Notary Public, State of Florida

EXHIBIT A: Legal Description

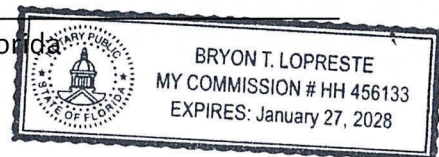


EXHIBIT A:
Legal Description

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE **POINT OF BEGINNING**.

LANDS CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

This instrument was prepared by:

KUTAK ROCK LLP
107 West College Avenue
Tallahassee, Florida 32301

**CONSENT AND JOINDER OF LANDOWNER FOR THE
AMENDMENT OF THE BOUNDARIES OF THE
WATERSIDE COMMUNITY DEVELOPMENT DISTRICT
[EXPANSION PARCEL]**

The undersigned is the owner of certain lands which are more fully described as the "Expansion Parcel" in **Exhibit A** attached hereto and made a part hereof ("Property"). The undersigned understands and acknowledges that the Board of Supervisors of the Waterside Community Development District ("Petitioner" or "District") intends to submit a petition amending the boundaries of the District in accordance with the provisions of Chapter 190, Florida Statutes.

As the owner of lands that are intended to constitute lands to be added to the District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005 and Section 190.046, Florida Statutes, Petitioner is required to include the written consent to the amendment of the boundaries of the District of one hundred percent (100%) of the owners of the lands to be added to the District.

The undersigned hereby requests and consents to addition of the Property to the District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the petition process for the amendment of the boundaries of the District. The undersigned further acknowledges that the consent will remain in full force and effect for three years from the date hereof. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, consent to amendment of the boundaries of the District in substantially this form.

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

[signatures on following page]

Executed this 30 day of August, 2024.

WITNESS

KCS ICEBOX SUA 1 LLC

By: [Signature]
Name: Ana Molina

By: [Signature]
Name: Jake Finley
As: AUTHORIZED SIGNATORY

By: [Signature]
Name: Drew W. Webb

STATE OF FLORIDA
COUNTY OF Collier

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30 day of August, 2024, by Jake Finley, as Authorized Signatory of KCS ICEBOX SUA 1 LLC on its behalf. He ☒ is personally known to me or ☐ produced _____ as identification.

[Signature]
Notary Public, State of Florida

EXHIBIT A: Legal Description



LAURA IANUALE
Notary Public
State of Florida
Comm# HH373438
Expires 3/14/2027

Legal Description

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLY MOST SOUTHWESTERLY CORNER OF TRACT "C-1" AS SHOWN ON THE PLAT OF SOUTH FLORIDA GATEWAY PUD - PLAT, AS RECORDED IN PLAT BOOK 19, PAGE 56, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.89°51'44"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE WAY, AS SHOWN ON SAID PLAT AND AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2146, OF SAID PUBLIC RECORDS, A DISTANCE OF 507.00 FEET TO THE EAST BOUNDARY OF THE 29.8 ACRE PARCEL, AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2137, OF SAID PUBLIC RECORDS; THENCE N.00°00'14"E., ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 665.82 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTH FLORIDA GATEWAY PUD - PLAT; THENCE THE FOLLOWING 3 COURSES ALONG THE BOUNDARY OF SOUTH FLORIDA GATEWAY PUD - PLAT; 1) THENCE S.89°44'18"E., A DISTANCE OF 609.45 FEET; 2) THENCE S.28°00'00"W., A DISTANCE OF 218.23 FEET; 3) THENCE S.00°00'14"W., A DISTANCE OF 471.57 FEET TO THE **POINT OF BEGINNING.**

CONTAINING: 347,185 SQUARE FEET OR 7.970 ACRES, MORE OR LESS.

NOTE:

BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NORTH
RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE WAY, HAVING A BEARING
OF NORTH 89°51'44" WEST.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

7.9 ACRE PARCEL SKETCH AND DESCRIPTION



REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC		
No.	Date	Description	Drawn	Date: AUGUST 25, 2022	<h1>GeoPoint</h1> <h2>Surveying, Inc.</h2>	
				SURVEYOR'S CERTIFICATE This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 15-I-7.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Gary Rager Florida Professional Surveyor & Mapper No. LS4828	4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404 Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768	
				Drafts & signed by Gary Rager DSR: nlsr@colter.com, nlsr@colter.com, nlsr@colter.com nlsr@colter.com, nlsr@colter.com, nlsr@colter.com nlsr@colter.com, nlsr@colter.com, nlsr@colter.com Date: 2022-08-25 14:57:57 -0400	Drawn: DSC Date: 10/26/2022 Data File: N/A Check: GAR P.C.: N/A Field Book: N/A Section: 13 Twn. 39S Rng. 40E Job #: 7.9 acre parcel S&	
Sheet No. 01 of 02 Sheets				NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & MAILED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.		

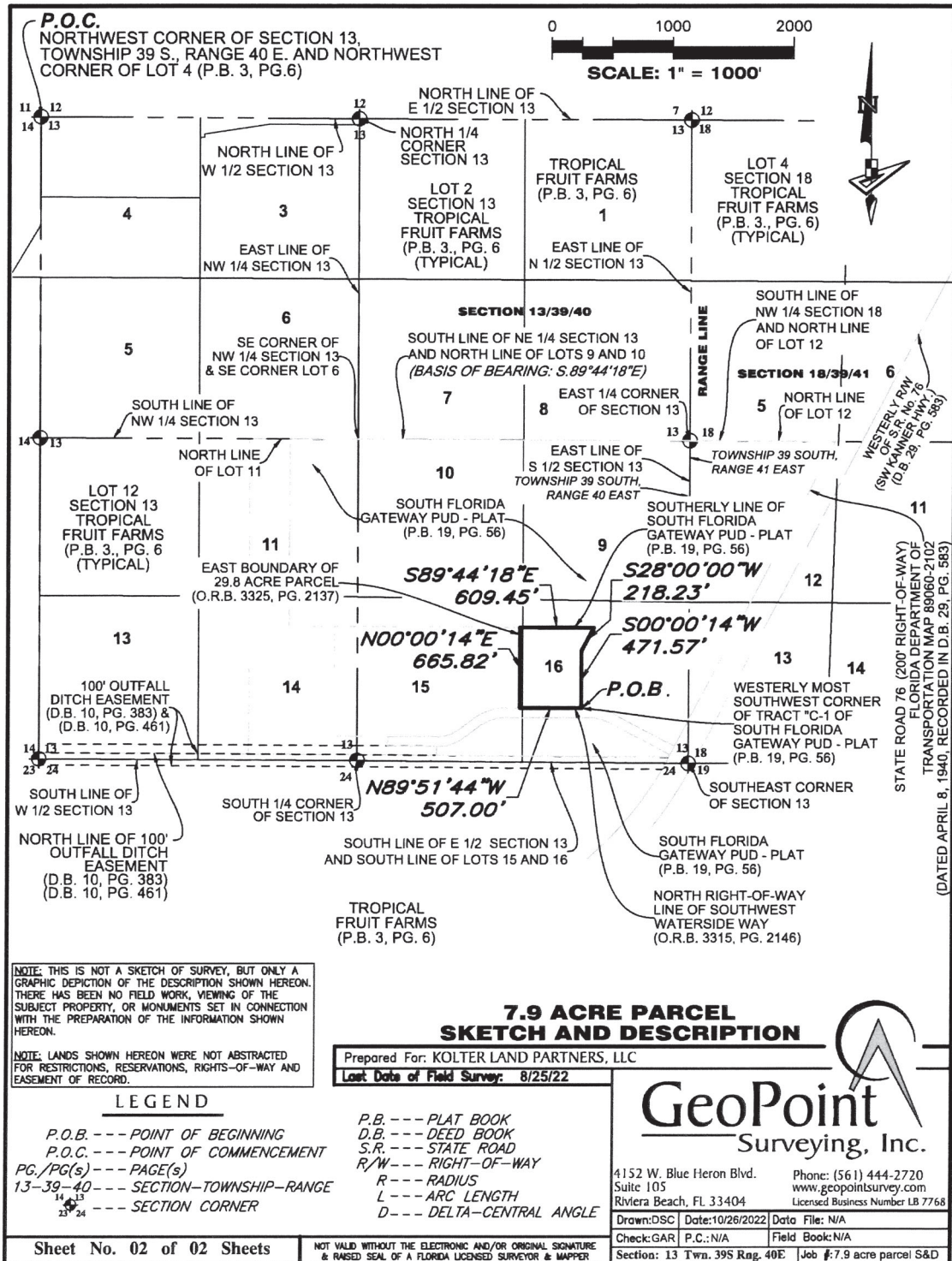


EXHIBIT 7

RESOLUTION 2024-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WATERSIDE COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO REQUEST THE PASSAGE OF AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THAT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Waterside Community Development District ("**District**") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* ("**Uniform Act**"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services; and

WHEREAS, the District desires to amend its boundaries to be consistent with the legal description set forth in **Exhibit A** ("**Boundary Amendment**"); and

WHEREAS, the Boundary Amendment is in the best interest of the District, and the area of land within the amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, the Boundary Amendment of the District's boundaries will allow the District to continue to be the best alternative available for delivering community development services and facilities to the lands within the District, as amended; and

WHEREAS, Boundary Amendment is not inconsistent with either the State or local comprehensive plan and will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District will continue to be amenable to separate special district government; and

WHEREAS, in order to seek a Boundary Amendment ordinance pursuant to Chapter 190, *Florida Statutes*, the District desires to authorize District staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board of Supervisors ("**Board**"); and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District hereby desires to request a Boundary Amendment in accordance with Chapter 190, *Florida Statutes*, by taking such actions as are necessary in furtherance of the same.

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

1. RECITALS. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

2. AUTHORIZATION FOR BOUNDARY AMENDMENT. Pursuant to Chapter 190, *Florida Statutes*, the Board hereby authorizes the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of any documentation necessary to seek the amendment of the District's boundaries as described in **Exhibit A**. The Board further authorizes the prosecution of the procedural requirements detailed in Chapter 190, *Florida Statutes*, for the Boundary Amendment.


3. AUTHORIZATION FOR AGENT. The Board hereby authorizes the District Chairman, District Manager and District Counsel to act as agents of the District with regard to any and all matters pertaining to the petition to amend the boundaries of the District. District Staff, in consultation with the District Chairman, is further authorized to revise **Exhibit A** in order to address any further boundary adjustments as may be identified by the District Engineer. The District Manager shall ensure that the final versions of **Exhibit A** as confirmed by the Chairman are attached hereto.

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

[CONTINUED ON NEXT PAGE]

PASSED AND ADOPTED this 20th day of August, 2024.

ATTEST:



Assistant Secretary

**WATERSIDE COMMUNITY DEVELOPMENT
DISTRICT**



Chair/Vice Chair, Board of Supervisors

Exhibit A: Legal Description of District Boundaries, as Amended

Exhibit A:
Legal Description of District Boundaries, as Amended

ORIGINAL WATERSIDE CDD DISTRICT BOUNDARY

LEGAL DESCRIPTION:

BEING A REPLAT OF A PORTION OF LOTS 9, 10, 11, 14, 15, AND 16, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, SAID CORNER ALSO BEING THE **POINT OF THE BEGINNING**; THENCE S.89°44'18"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.92 FEET TO THE EAST (1/4) QUARTER OF SAID SECTION 13; THENCE S.89°39'02"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1203.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN, COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, DISTANCE OF 2944.01 FEET TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET; THENCE N.00°27'25"E., A DISTANCE OF 151.61 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET, AND A RADIAL BEARING OF N.00°27'25"E., AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO THE POINT OF TANGENCY; THENCE N.53°29'16"E., A DISTANCE OF 165.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 633.72 FEET; THENCE N.00°00'14"E., A DISTANCE OF 471.57 FEET; THENCE N. 28°00'00"E., A DISTANCE OF 218.23 FEET; THENCE N.89°44'18"W., A DISTANCE OF 2533.19 FEET; THENCE N.00°15'42"E., A DISTANCE OF 1547.53 FEET TO A POINT OF THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 563.16 FEET TO THE **POINT OF THE BEGINNING**.

CONTAINING: 7,840,098 SQUARE FEET OR 179.984 ACRES, MORE OR LESS.

LESS AND EXCEPT THAT CERTAIN PORTION OF SW WATERSIDE WAY, A MARTIN COUNTY PUBLIC RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS BOOK: 3325, PAGE: 2146, WITHIN THE CDD DISTRICT BOUNDARY AS FURTHER DESCRIBED:

LEGAL DESCRIPTION – CONTRACTION PARCEL 1:

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORHTWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT; THENCE 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OR SAID SECTION 13, A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18" EAST, A DISTANCE OF 1353.39 FEET; THENCE S.00°00'14"W., A DISTANCE 665.82 TO THE **POINT OF THE BEGINNING**; THENCE S.89°51'44"E., A DISTANCE OF 577.77 FEET TO A POINT OF CURVATURE OF A CURNVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 420.00 FEET; THENC SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANLE OF 27°31'05", A DISTANCE OF 201.72 FEET TO POINT OF TANGENCY; THENCE S.62°20'39"E., A DISTANCE OF 548.31 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 25.00 FEET; THENCE VORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 89o56'34", A DISTANCE OF 39.24 FEET TO A POINT OF NON-TANGENCY AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 115.51 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 35.00 FEET, AND A RADIAL BEARING OF S.73°18'02"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY, ALON THE ARC OF SAID CURVE THROUG A CENTRAL ANGLE OF 45°38'42", A DISTANCE OF 27.88 FEET TO A POINT OF TANGENCY; THENCE N.62o20'39"W., A DISTANCE OF 548.17 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 340.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°31'05", A DISTANCE OF 163.30 FEET TO POINT OF TANGENCY; THENCE N.89°51'44"W., A DISTANCE OF 704.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 340.00 FEET; THENCE SOUTHWESTERLY, ALONG THEARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 217.49 FEET TO A POINT OF TANGENCY; THENCE S.53°29'16"W., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 380.00; THENCE WESTERLY, ALONG THE ARC OF SAID OF CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 245.19 FEET TO A POINT OF TANGENCY; THENCE N.00 °27'25"E., A DISTANCE OF 80.00 FEET; TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET; THENCE NORHTEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY; THENCE N.53°29'16" E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 126.72 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 167,271 SQUARE FEET OR 3.840 ACRES, MORE OR LESS.

TOGETHER WITH EXPANSION PARCEL 1

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 15 AND 16, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE WESTERLY MOST SOUTHWESTERLY CORNER OF TRACT "C-1" AS SHOWN ON THE PLAT OF SOUTH FLORIDA GATEWAY PUD – PLAT, AS RECORDED IN PLAT BOOK 19, PAGE 56, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.89o51'44"W., ALONG THE NORTH RIGHT-OF-WAY LINE OF SOUTHWEST WATERSIDE

WAY, AS SHOWN ON SAID PLATE AND AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2146, OF SAID PUBLIC RECORDS, A DISTANCE OF 507.00 FEET TO THE EAST BOUNDARY OF THE 29.8 ACRE PARCEL, AS RECORDED IN OFFICIAL RECORD BOOK 3325, PAGE 2137, OF SAID PUBLIC RECORDS; THENCE N.00°00'14"E., ALONG SAID EASTERLY BOUNDARY, A DISTANCE OF 665.82 FEET TO A POINT OF THE SOUTHERLY LINE OF SAID SOUTH FLORIDA GATEWAY PUD – PLAT; THENCE THE FOLLOWING 3 COURSES ALONG THE BOUNDARY OF SOUTH FLORIDA GATEWAY PUD – PLAT; 1) THENCE S.89°44'18"E., A DISTANCE OF 609.45 FEET; 2) THENCE S.28°00'00"W., A DISTANCE OF 218.23 FEET; 3) THENCE S.00°00'14"W., A DISTANCE OF 471.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 347,185 SQUARE FEET OR 7.970 ACRES, MORE OR LESS.

TOGETHER WITH EXPANSION PARCEL 2

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

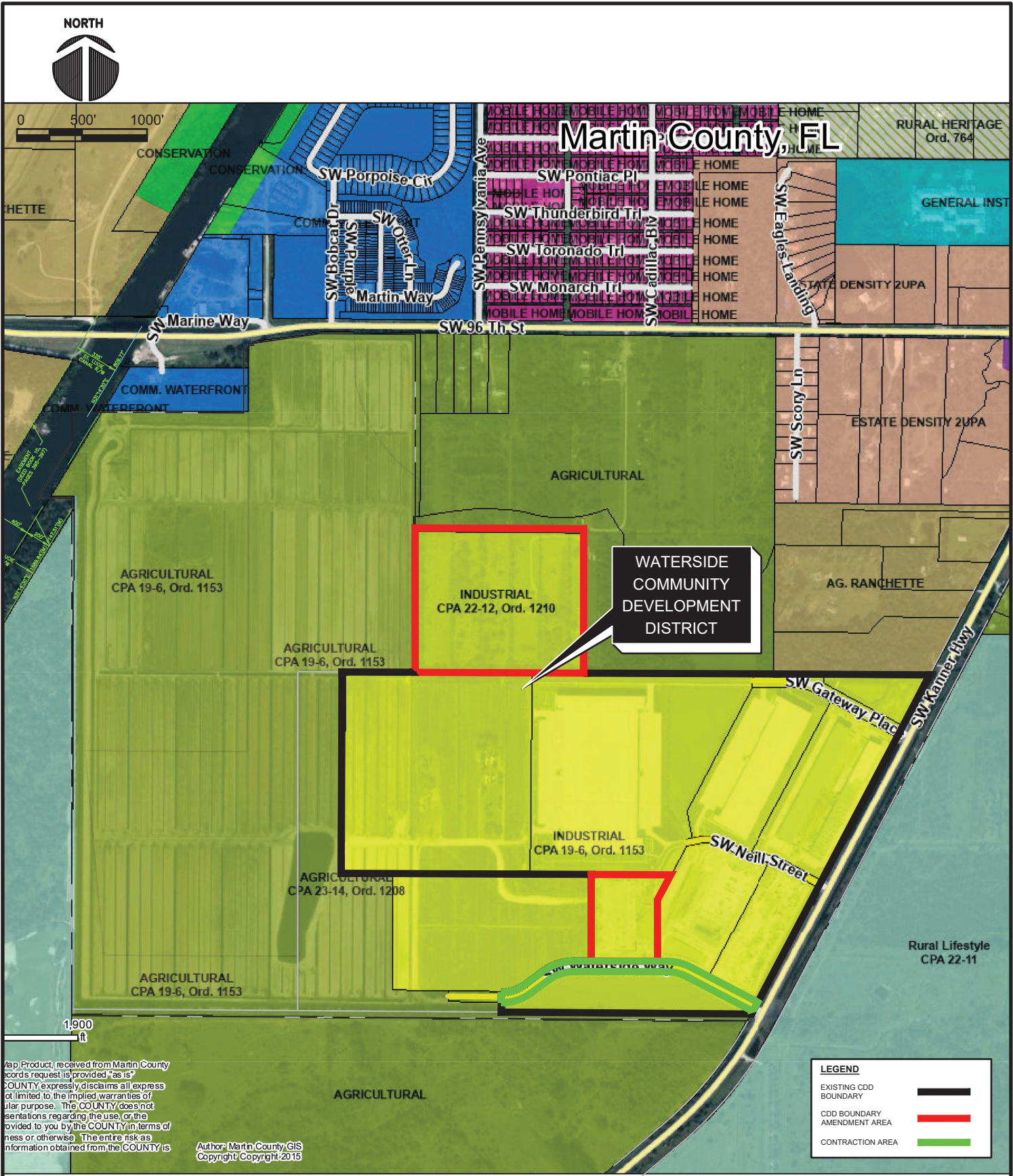
COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE POINT OF BEGINNING; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,405,115 SQUARE FEET OR 32.257 ACRES, MORE OR LESS.

THE TOTAL AREA WITHIN THE WATERSIDE CDD AMENDED BOUNDARY IS SUMMARIZED:

ORIGINAL CDD BOUNDARY:	7,840,098 SQUARE FEET	179.984 ACRES
CONTRACTION PARCEL 1:	(167,271 SQUARE FEET)	(3.840 ACRES)
EXPANSION PARCEL 1:	347,185 SQUARE FEET	7.970 ACRES
EXPANSION PARCEL 2:	1,405,115 SQUARE FEET	<u>32.257 ACRES</u>
GRAND TOTAL:	9,425,127 SQUARE FEET	216.371 ACRES

EXHIBIT 8



360 Central Avenue, Suite 1150
St. Petersburg, FL 33701
(727) 209-0436
FL COA 27367

KL Waterside LLC
SOUTH FLORIDA GATEWAY PUD

OSBORN PROJ: 20200558.300
PREPARED BY: SKK
REV: 11-05-2024
WATERSIDE CDD
FUTURE LAND USE MAP

EX-6

Unless otherwise stated in Contract, The Osborn Engineering Company retains copyright ownership. Instruments of Service may only be used for the purpose described in the Contract. The Osborn Engineering Company may grant specific usage rights under license, and / or may transfer copyright ownership / assignment in writing. Reproduction, re-use or re-distribution of Instruments of Service is prohibited.

EXHIBIT 9

WATERSIDE COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

January 10, 2025



Provided by

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to amend the boundaries of the Waterside Community Development District ("District"). The District was established by Ordinance No. 1175, passed by the Board of County Commissioners of Martin County, Florida on February 1, 2022. The current size of the District is approximately 179.984 +/- acres and the District is located entirely within Martin County, Florida (the "County"). The petition to amend the boundaries of the District seeks to add 40.227 acres and remove 3.840 acres of lands located in the County to the District ("Amendment Area"). After the amendment, the District will be projected to contain approximately 216.371 +/- acres and is planned to be developed with approximately 138.36 acres of non-residential uses. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) as follows:

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

1.2 Overview of the Waterside Community Development District

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned non-residential development currently anticipated to contain a total of approximately 138.36 acres of non-residential uses following the amendment of the District's boundaries.

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

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

1.3 Requirements for Statement of Estimated Regulatory Costs

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

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

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

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

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

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

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

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

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

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (Martin County, according to the Census 2020, has a population of 158,431; therefore, it is not defined as a small County for the purposes of this requirement.)

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

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

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

- 2.0 An economic analysis showing whether the ordinance directly or indirectly:**
- 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;**
 - 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance; or**
 - 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

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

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

The sole reason for the amending of the District's boundaries is to provide public facilities and services to support the development of a new, master planned non-residential development. The development of the larger, approximately 216.371 +/- acres, parcel will promote local economic activity, create local value, lead to local private sector investment and is likely, at least in the short term, to support local private sector employment and/or lead to local new job creation to a degree likely higher than that of a smaller, pre-amendment, approximately 179.984 +/- acre, parcel contained within the existing District boundaries.

Amending the boundaries of the District will allow it to plan, fund, implement, operate and maintain, for the benefit of the landowners within the amended and larger District, various public facilities and services for a larger-sized development. Such facilities and services, as further described in Section 5, will allow for the development of the land within the amended District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the amended and larger District. The private developer of the land in the amended and larger District will use its private funds to conduct the private land development and construction of an anticipated approximately 138.36 acres of non-residential uses the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved without amending the District's boundaries by the private sector alone, the fact that the amendment of the District's boundaries is initiated by the private developer means that the private developer considers

the amendment of the District's boundaries and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the amended and larger District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

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

When assessing the question of whether the amending of the boundaries of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the amended District boundaries in the development. When the question is phrased in this manner, it can be surmised that the amendment of the District's boundaries is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the amended and larger District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will insure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the amendment of the District's boundaries for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was a smaller District. The amended and larger District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

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

The amendment of the District's boundaries will not increase any regulatory costs of the State or the County by virtue that the District has already been established and amending its size does not change the regulatory requirements that the District will be subject to after the initial review of the petition to amend its boundaries by the County and approval of such petition by the County. As described in more detail in Section 4, the District will pay a one-time filing fee to the County to offset any expenses that the County may incur in the processing of this petition to amend the District's boundaries.

The amending of the District's boundaries will, however, directly increase regulatory costs to the landowners within the Amendment Area. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the Amendment Area. However, as property ownership in the District is completely voluntary, all current property owners within the Amendment Area must consent to the amendment of the District's boundaries and the likelihood of additional transaction costs, and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the service and facilities provided by the District. As to the anticipated amount of the transactional costs in the aggregate within 5 years, they are anticipated to not exceed \$5,000,000.

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

The proposed amended District will serve land that comprises an approximately 216.371 +/- acre master planned non-residential development currently anticipated to contain a total of approximately 138.36 acres of non-residential uses, although the development plan can change. Assuming an average landowner will own one (1) acre of non-residential uses, the estimated number of landowners within the proposed District at build out would be approximately 139 +/- and all of these non-residential landowners within the District will be affected by the ordinance. The County and certain state agencies will not be affected by or required to comply with the ordinance as more fully discussed hereafter.

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

There is no state agency promulgating any rule relating to this project and there is no anticipated effect of the ordinance amending the District's boundaries on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

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

State Governmental Entities

Amending the boundaries of an already existing independent local special purpose government will result in no costs to any State governmental entities to implement and enforce the proposed amended and enlarged District.

Martin County, Florida

The existing District as well as the Amendment Area are both located within the Martin County, Florida. The County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to amend the boundaries of the District. These activities will absorb some resources; however, these costs incurred by the County will be modest for a number of reasons. First, the County approved the original ordinance establishing the District in 2022 and that petition possessed much information about the District and County staff should be generally familiar with the District. Second, review of the petition to amend the boundaries of the District does not include analysis of the project itself. Third, the petition itself provides much of the information needed for a staff review. Fourth, the County already possesses the staff needed to conduct the review without the need for new staff. Fifth, there is no capital required to review the petition. Sixth, the potential costs are offset by a filing fee included with the petition to offset any expenses the County may incur in the processing of this petition. Finally, the County already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that

are far more complex than the petition to amend the boundaries of a community development district.

Further, there will be no increase in the very small annual costs to County, because of the amendment of the District's boundaries. The District is an independent unit of local government. The only annual costs the County faces, which will not change with the amendment of the District's boundaries, are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it maintains a monitoring program for this District.

4.2 Impact on State and Local Revenues

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

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

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

Please note that there is no additional facilities infrastructure resulted from the proposed amendment. Therefore, the proposed facilities and services and the estimated costs of construction in the entire CDD after amendment will remain the same as the original CDD.

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

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

Martin County has a population of 158,431 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" County according to Section 120.52, F.S.

7.0 Any additional useful information.

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

In relation to the question of whether the Waterside Community Development District with amended boundaries is the best possible alternative to provide public facilities and services to the project, there are

several additional factors which bear importance. As an alternative to an independent district, the County could establish a dependent Special District for the Amendment Area or establish an MSBU or MSTU. Either of these alternatives could finance improvements in a fashion similar to the proposed District with amended boundaries.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the portion of Waterside development that is not currently located within the District. First, a portion of the Waterside development is already located within the Waterside Community Development District, which was established specifically to serve a portion of the Waterside development. It would be inefficient to have a portion of the Waterside development provided with improvements and services by the existing District, while another portion is provided with improvements and services by a dependent Special District, MSBU or MSTU.

Second, unlike a CDD, this alternative would require the County to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Waterside development is a significant and expensive undertaking.

Third, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other County responsibilities. By contrast, if the County were to establish and administer a dependent Special District, MSBU or MSTU for the Amendment Area, then some of the residents and landowners of the Waterside development would take their grievances and desires to the County Commission meetings, and some others to the CDD Board, leading to confusion as to the which party is responsible for what area.

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

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services for that portion of the Waterside development that would not be within the CDD. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low-cost funds from the municipal capital markets. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability. Finally, it would be inefficient to have a portion of the Waterside development that is within the CDD provided with improvements and services by the existing District, while another portion provided with improvements and services by a POA.

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

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

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to amend the boundaries of the Waterside Community Development District.

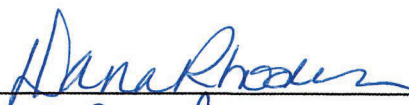
EXHIBIT 10

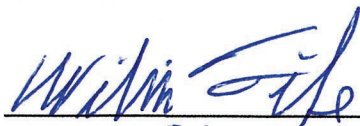
AUTHORIZATION OF AGENT

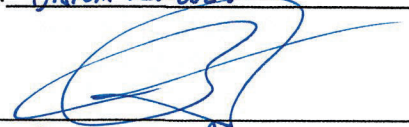
This letter shall serve as a designation of Jere Earlywine of Kutak Rock LLP, to act as agent for Petitioner, Waterside Community Development District, with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of Martin County, Florida, to Amend the Boundaries of the Waterside Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

WITNESSES:

WATERSIDE COMMUNITY DEVELOPMENT DISTRICT


Name: DANA RHODES


By: William Fife
Chairman, Board of Supervisors

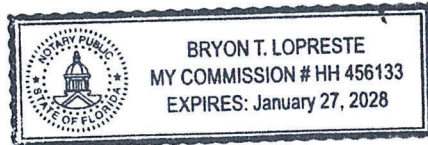

Name: BRYON T. LOPRESTE

Date: 9/11/24

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of SEPT., 2024, by WILLIAM FIFE, as CHAIRMAN of WATERSIDE COD, who appeared before me this day in person, and who is either personally known to me, or produced _____ as identification.




NOTARY PUBLIC, STATE OF FLORIDA

Name: BRYON T. LOPRESTE
Name of Notary Public, Printed, Stamped or
Typed as Commissioned)