

# **PETITION TO AMEND THE BOUNDARIES OF RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT DISTRICT**

Submitted by:

Jere Earlywine  
Florida Bar No.155527  
[jere@kelawgroup.com](mailto:jere@kelawgroup.com)  
KE LAW GROUP, PLLC  
2016 Delta Boulevard, Suite 101  
Tallahassee, Florida 32303  
(850) 528-6152 (telephone)

**BEFORE THE CITY COUNCIL OF  
THE CITY OF OCALA, FLORIDA**

**PETITION TO AMEND THE BOUNDARIES OF  
RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Ridge at Heath Brook Community Development District (“District”), a unit of special-purpose local government established pursuant to the provisions of Chapter 190, Florida Statutes, and City of Ocala Ordinance No. 2021-58, and located entirely within the boundaries of the City of Ocala, Florida, hereby petitions the City Council of the City of Ocala, 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. 2021-58 to add approximately 36.431 acres to the District. In support of this petition, the District states:

1. Location and Size. The District is located entirely within the City of Ocala, Florida (“City”). **Exhibit 1** depicts the general location of the existing District, as well as the general location of the Expansion Parcel (defined herein). The District currently covers approximately 39.365 acres of land. 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 Parcel”) which comprise approximately 36.431 acres, are set forth in **Exhibit 3**. Subsequent to the proposed amendment of the District, the District will encompass approximately 75.796 acres in total. **Exhibit 4** 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 Amended District 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 5**. The favorable action by the Board of Supervisors of the District, as reflected in Resolution 2022-05 at **Exhibit 6**, constitutes consent for all other lands pursuant to Section 190.046(1)(f), Florida Statutes.

4. Board Members. The District has lawfully held elections of Board Supervisors as required by Section 190.006, Florida Statutes. The current members of the Board of Supervisors of the District are Christian Cotter, Mary Moulton, Ty Vincent, Mark Roscoe and Ryan Zook.

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 7**. Amendment of the District in the manner proposed is consistent with the adopted local government comprehensive plan.

6. Major Water and Wastewater Facilities. **Exhibit 8** shows the existing and proposed major trunk water mains and sewer interceptors and outfalls to be included within the Amended District, as well as the proposed drainage patterns for lands within the Amended District.

7. District Facilities and Services. **Exhibit 9** describes the type of facilities the District presently expects to finance, construct, acquire and/or install, as well as the anticipated owner and entity responsible for maintenance. The estimated costs of constructing the infrastructure serving lands within the Amended District are also identified in **Exhibit 9**. Currently, these improvements are estimated to be made, acquired, constructed, and/or installed in three (3) phases over an estimated two (2) year period from 2022 – 2024. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

8. Statement of Estimated Regulatory Costs. **Exhibit 10** 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.

9. Agent Authorization. The Petitioner is authorized to do business in the state of Florida. The Petitioner has designated Jere Earlywine of KE Law Group, PLLC, as its authorized agent. See **Exhibit 11**. Copies of all correspondence and official notices should also be sent to:

Jere Earlywine  
[jere@kelawgroup.com](mailto:jere@kelawgroup.com)  
KE Law Group, PLLC  
2016 Delta Boulevard, Suite 101  
Tallahassee, Florida 32303

10. 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 City 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 City. 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 City Council of the City of Ocala, Florida:

- a. Schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes; and
- b. Grant the petition and amend Ordinance No. 2021-58 to amend the boundary of the District pursuant to Chapter 190, Florida Statutes.

[CONTINUED ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED, this 12<sup>th</sup> day of October, 2022.

KE LAW GROUP, PLLC



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Jere Earlywine

Florida Bar No. 155527

[jere@kelawgroup.com](mailto:jere@kelawgroup.com)

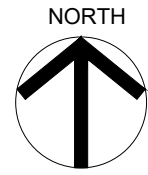
KE LAW GROUP, PLLC

2016 Delta Boulevard, Suite 101

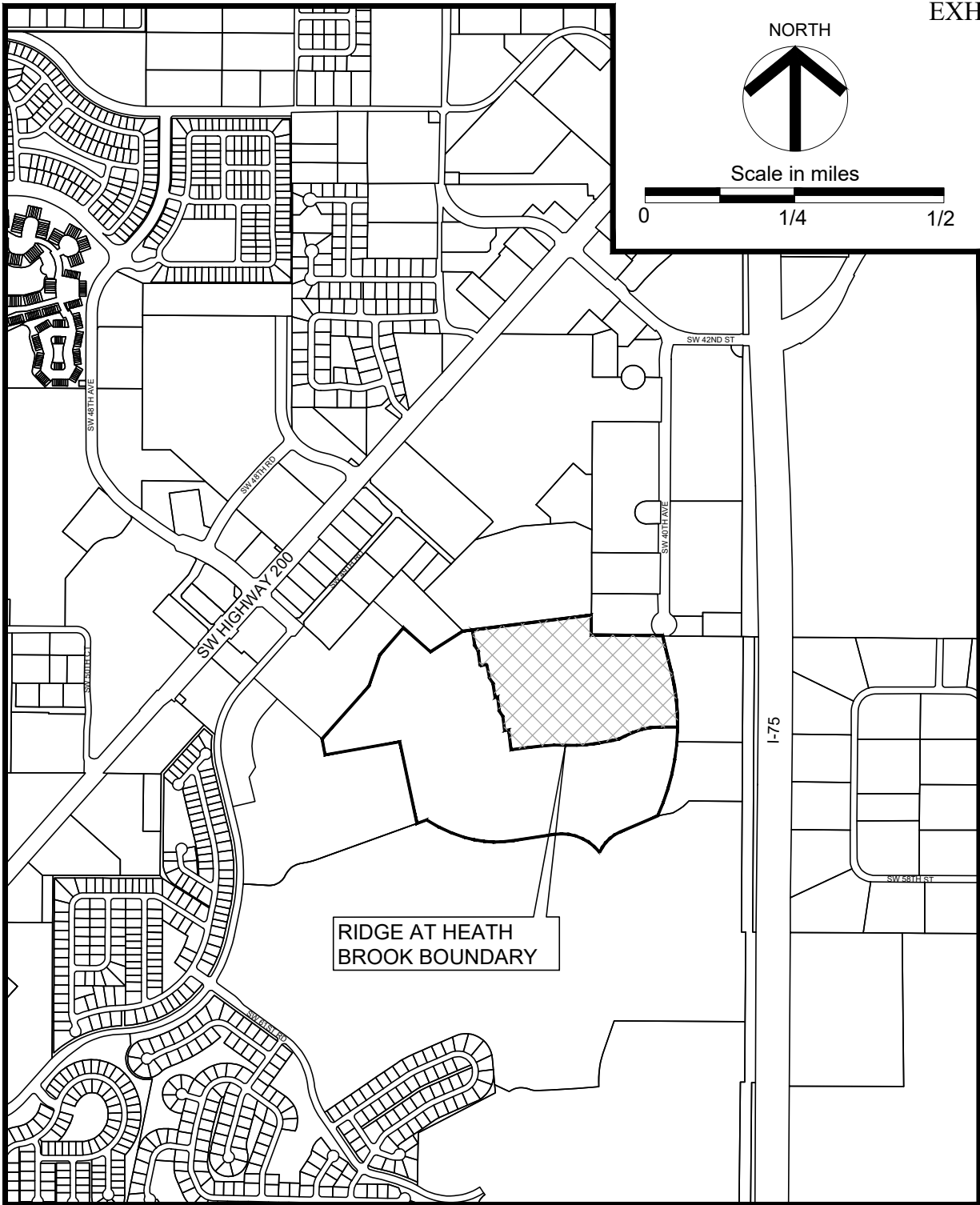
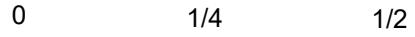
Tallahassee, Florida 32303

(850) 528-6152 Telephone

# EXHIBIT 1



Scale in miles



LEGEND

 PROPOSED BOUNDARY

DATE: 2022-5-31

RIDGE AT HEATH BROOK CDD VICINITY MAP

PREPARED FOR:

**FORESTAR GROUP, INC.**  
4042 PARK OAKS BOULEVARD  
TAMPA, FLORIDA 33610  
PHONE: (813) 392-3385

SECTION: TOWNSHIP: RANGE:

34&3 15S&16S 21E  
CITY OF OCALA, FLORIDA

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

FILE NAME: 1111501E0501.dwg  
SHEET: 1 OF 1

SANTIAGO MACHADO, P.E.  
FL LICENSE NO. 62992



# EXHIBIT 2

**DESCRIPTION:(Written by GEOPOINT SURVEYING, INC.)**

A portion of land lying in Section 34, Township 15 South, Range 21 East and a portion of Section 3, Township 16 South, Range 21 East, Marion County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northeast corner of said Section 3; thence N89°20'20"W, along the North line of Section 3, a distance of 115.68 feet to the Southeast corner of EXECUTIVE PARK, as recorded in Plat Book T, Pages 11 through 13, of the public records of Marion County, Florida; thence N89°20'20"W, along the South line of EXECUTIVE PARK and the North line of Section 3, a distance of 2,365.40 feet to the **POINT OF BEGINNING**; thence S.09°14'25"E., a distance of 108.30 feet; thence S.32°21'14"E., a distance of 55.05 feet; thence S.07°07'22"E., a distance of 133.55 feet; thence Easterly, 60.64 feet along the arc of a non-tangent curve to the right having a radius of 675.00 feet and a central angle of 05°08'50" (chord bearing N.76°19'24"E., 60.62 feet); thence S.11°06'11"E., a distance of 125.00 feet; thence S.34°29'20"E., a distance of 54.99 feet; thence S.08°36'03"E., a distance of 125.01 feet; thence N.82°31'04"E., a distance of 21.55 feet; thence S.07°07'22"E., a distance of 125.00 feet; thence S.33°25'17"E., a distance of 55.77 feet; thence S.07°07'22"E., a distance of 125.00 feet; thence N.82°52'38"E., a distance of 36.29 feet; thence S.07°07'22"E., a distance of 175.00 feet; thence S.82°52'38"W., a distance of 47.52 feet; thence Southwesterly, 39.27 feet along the arc of a tangent curve to the left having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.37°52'38"W., 35.36 feet); thence S.83°59'27"W., a distance of 50.01 feet; thence S.07°07'22"E., a distance of 45.08 feet; thence Southerly, 204.19 feet along the arc of a tangent curve to the right having a radius of 475.00 feet and a central angle of 24°37'49" (chord bearing S.05°11'32"W., 202.62 feet); thence Southerly, 214.58 feet along the arc of a reverse curve to the left having a radius of 725.00 feet and a central angle of 16°57'29" (chord bearing S.09°01'42"W., 213.80 feet); thence S.00°32'58"W., a distance of 96.28 feet; thence S.11°51'15"W., a distance of 77.00 feet; thence S.02°35'16"W., a distance of 122.94 feet; thence S.00°00'30"W., a distance of 20.17 feet; thence Westerly, 223.14 feet along the arc of a non-tangent curve to the right having a radius of 960.00 feet and a central angle of 13°19'03" (chord bearing N.80°08'54"W., 222.64 feet); thence Northwesterly, 371.76 feet along the arc of a compound curve to the right having a radius of 1305.00 feet and a central angle of 16°19'19" (chord bearing N.65°19'43"W., 370.50 feet); thence S.70°14'30"W., a distance of 91.50 feet; thence N.11°55'40"W., a distance of 735.58 feet; thence S.80°00'30"W., a distance of 668.21 feet; thence N.10°17'40"W., a distance of 144.01 feet; thence N.41°45'28"E., a distance of 620.83 feet; thence N.19°08'27"E., a distance of 295.63 feet; thence N.41°08'51"E., a distance of 314.68 feet; thence S.48°10'53"E., a distance of 317.64 feet; thence N.57°38'25"E., a distance of 340.05 feet; thence N.82°51'32"E., a distance of 79.04 feet; thence S.18°14'00"E., a distance of 20.41 feet; thence S.09°14'25"E., a distance of 11.99 feet to the **POINT OF BEGINNING**.

Containing 39.365 acres, more or less.

# EXHIBIT 3

## DESCRIPTION: RIDGE AT HEATH BROOK TAKEDOWN 2

A portion of land lying in Section 3, Township 16 South, Range 21 East, Marion County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northeast corner of said Section 3; thence N89°20'20"W, along the North line of Section 3, a distance of 115.68 feet to the Southeast corner of EXECUTIVE PARK, as recorded in Plat Book T, Pages 11 through 13, of the public records of Marion County, Florida; thence continue N89°20'20"W, along the South line of EXECUTIVE PARK and the North line of Section 3, a distance of 692.26 feet to the **POINT OF BEGINNING**; thence leaving said South line of aforementioned EXECUTIVE PARK and said North line of Section 3, Southerly, 82.17 feet along the arc of a non-tangent curve to the left having a radius of 2352.00 feet and a central angle of 2°00'06" (chord bearing S.12°41'14"E., 82.17 feet); thence S.13°41'17"E., a distance of 245.78 feet; thence Southerly, 491.39 feet along the arc of a tangent curve to the right having a radius of 1940.00 feet and a central angle of 14°30'46" (chord bearing S.06°25'54"E., 490.08 feet) to **REFERENCE POINT "A"**; thence N.89°54'50"W., a distance of 155.52 feet; thence Westerly, 323.09 feet along the arc of a tangent curve to the left having a radius of 630.00 feet and a central angle of 29°23'00" (chord bearing S.75°23'41"W., 319.56 feet); thence Westerly, 110.62 feet along the arc of a reverse curve to the right having a radius of 325.00 feet and a central angle of 19°30'05" (chord bearing S.70°27'13"W., 110.09 feet); thence S.80°12'16"W., a distance of 170.11 feet; thence Westerly, 230.05 feet along the arc of a tangent curve to the right having a radius of 1025.00 feet and a central angle of 12°51'34" (chord bearing S.86°38'03"W., 229.57 feet); thence Westerly, 262.24 feet along the arc of a reverse curve to the left having a radius of 1475.00 feet and a central angle of 10°11'12" (chord bearing S.87°58'14"W., 261.90 feet); thence S.82°52'38"W., a distance of 241.97 feet; thence N.07°07'22"W., a distance of 175.00 feet; thence S.82°52'38"W., a distance of 36.29 feet; thence N.07°07'22"W., a distance of 125.00 feet; thence N.33°25'17"W., a distance of 55.77 feet; thence N.07°07'22"W., a distance of 125.00 feet; thence S.82°31'04"W., a distance of 21.55 feet; thence N.08°36'03"W., a distance of 125.01 feet; thence N.34°29'20"W., a distance of 54.99 feet; thence N.11°06'11"W., a distance of 125.00 feet; thence Westerly, 60.64 feet along the arc of a non-tangent curve to the left having a radius of 675.00 feet and a central angle of 5°08'50" (chord bearing S.76°19'24"W., 60.62 feet); thence N.07°07'22"W., a distance of 133.55 feet; thence N.32°21'14"W., a distance of 55.05 feet; thence N.09°14'25"W., a distance of 108.30 feet; thence N.09°14'25"W., a distance of 11.99 feet; thence N.18°14'00"W., a distance of 20.41 feet to the point of intersection the South line HEATH BROOK NORTH B-2, as recorded in Plat Book 9, Pages 149 through 152, of the public records of Marion County, Florida; thence N.82°51'32"E., along said South line of aforementioned HEATH BROOK NORTH B-2, a distance of 1060.88 feet to the Southeast corner of aforementioned HEATH BROOK NORTH B-2, same being the point of intersection with the West line of aforementioned EXECUTIVE PARK; thence S.00°08'38"W., along said West line of aforementioned EXECUTIVE PARK, a distance of 175.14 feet to the Southwest corner of aforementioned EXECUTIVE PARK; thence S.89°20'20"E., along the South of aforementioned EXECUTIVE PARK, a distance of 629.17 feet to the **POINT OF BEGINNING**.

Containing 36.431 acres, more or less.

# EXHIBIT 4

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Containing 39.365 acres, more or less.

TOGETHER WITH:

## DESCRIPTION: RIDGE AT HEATH BROOK TAKEDOWN 2

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Containing 36.431 acres, more or less.

FOR A TOTAL OF 75.796 ACRES, MORE OR LESS.

# EXHIBIT 5

This instrument was prepared by:

KE LAW GROUP, PLLC  
2016 DELTA BOULEVARD, SUITE 101  
TALLAHASSEE, FLORIDA 32303

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**CONSENT AND JOINDER OF LANDOWNER FOR THE  
AMENDMENT OF THE BOUNDARIES OF THE  
RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT DISTRICT**

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 Ridge at Heath Brook 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 7th day of October, 2022.

WITNESS

FORESTAR (USA) REAL ESTATE GROUP INC.  
LANDOWNER

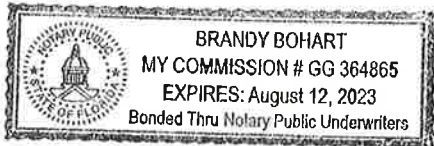
By: [Signature]  
Name: Stuart Hart

[Signature]  
Name: Anthony Squitieri  
Its: Vice President

By: [Signature]  
Name: ROBERT PRICIS

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 7th day of October, 2022, by Anthony Squitieri, as Vice President of Forestar (USA) Real Estate Group Inc. on its behalf. He  is personally known to me or  produced \_\_\_\_\_ as identification.



[Signature]  
Notary Public, State of Florida

EXHIBIT A: Legal Description

**EXHIBIT A:**  
Legal Description

**DESCRIPTION: RIDGE AT HEATH BROOK TAKEDOWN 2**

A portion of land lying in Section 3, Township 16 South, Range 21 East, Marion County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northeast corner of said Section 3; thence N89°20'20"W, along the North line of Section 3, a distance of 115.68 feet to the Southeast corner of EXECUTIVE PARK, as recorded in Plat Book T, Pages 11 through 13, of the public records of Marion County, Florida; thence continue N89°20'20"W, along the South line of EXECUTIVE PARK and the North line of Section 3, a distance of 692.26 feet to the **POINT OF BEGINNING**; thence leaving said South line of aforementioned EXECUTIVE PARK and said North line of Section 3, Southerly, 82.17 feet along the arc of a non-tangent curve to the left having a radius of 2352.00 feet and a central angle of 2°00'06" (chord bearing S.12°41'14"E., 82.17 feet); thence S.13°41'17"E., a distance of 245.78 feet; thence Southerly, 491.39 feet along the arc of a tangent curve to the right having a radius of 1940.00 feet and a central angle of 14°30'46" (chord bearing S.06°25'54"E., 490.08 feet) to **REFERENCE POINT "A"**; thence N.89°54'50"W., a distance of 155.52 feet; thence Westerly, 323.09 feet along the arc of a tangent curve to the left having a radius of 630.00 feet and a central angle of 29°23'00" (chord bearing S.75°23'41"W., 319.56 feet); thence Westerly, 110.62 feet along the arc of a reverse curve to the right having a radius of 325.00 feet and a central angle of 19°30'05" (chord bearing S.70°27'13"W., 110.09 feet); thence S.80°12'16"W., a distance of 170.11 feet; thence Westerly, 230.05 feet along the arc of a tangent curve to the right having a radius of 1025.00 feet and a central angle of 12°51'34" (chord bearing S.86°38'03"W., 229.57 feet); thence Westerly, 262.24 feet along the arc of a reverse curve to the left having a radius of 1475.00 feet and a central angle of 10°11'12" (chord bearing S.87°58'14"W., 261.90 feet); thence S.82°52'38"W., a distance of 241.97 feet; thence N.07°07'22"W., a distance of 175.00 feet; thence S.82°52'38"W., a distance of 36.29 feet; thence N.07°07'22"W., a distance of 125.00 feet; thence N.33°25'17"W., a distance of 55.77 feet; thence N.07°07'22"W., a distance of 125.00 feet; thence S.82°31'04"W., a distance of 21.55 feet; thence N.08°36'03"W., a distance of 125.01 feet; thence N.34°29'20"W., a distance of 54.99 feet; thence N.11°06'11"W., a distance of 125.00 feet; thence Westerly, 60.64 feet along the arc of a non-tangent curve to the left having a radius of 675.00 feet and a central angle of 5°08'50" (chord bearing S.76°19'24"W., 60.62 feet); thence N.07°07'22"W., a distance of 133.55 feet; thence N.32°21'14"W., a distance of 55.05 feet; thence N.09°14'25"W., a distance of 108.30 feet; thence N.09°14'25"W., a distance of 11.99 feet; thence N.18°14'00"W., a distance of 20.41 feet to the point of intersection the South line HEATH BROOK NORTH B-2, as recorded in Plat Book 9, Pages 149 through 152, of the public records of Marion County, Florida; thence N.82°51'32"E., along said South line of aforementioned HEATH BROOK NORTH B-2, a distance of 1060.88 feet to the Southeast corner of aforementioned HEATH BROOK NORTH B-2, same being the point of intersection with the West line of aforementioned EXECUTIVE PARK; thence S.00°08'38"W., along said West line of aforementioned EXECUTIVE PARK, a distance of 175.14 feet to the Southwest corner of aforementioned EXECUTIVE PARK; thence S.89°20'20"E., along the South of aforementioned EXECUTIVE PARK, a distance of 629.17 feet to the **POINT OF BEGINNING**.

Containing 36.431 acres, more or less.

# EXHIBIT 6

## RESOLUTION 2022-05

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIR AND DISTRICT STAFF TO REQUEST THE PASSAGE OF AN ORDINANCE BY THE CITY OF OCALA, 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 Ridge at Heath Brook 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 the City Council of the City of Ocala Ordinance No. 2021-58 ("**Ordinance**"); and

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

**WHEREAS**, the District presently consists of approximately 39.365 acres, more or less, as more fully described in the Ordinance; and

**WHEREAS**, the District desires to amend its boundaries to add certain lands ("**Expansion Parcel**"), as described in the attached **Exhibit A**, resulting in an amended boundary ("**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**, the 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 RIDGE AT HEATH BROOK 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 Chair and District Staff to proceed in an expeditious manner with the preparation and filing of any documentation with the City of Ocala, Florida, as necessary to seek the amendment of the District’s boundaries and to add those lands depicted 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 Chair, District Manager and District Counsel to act as agents of the District with regard to any and all matters pertaining to the petition to the City of Ocala, Florida, to amend the boundaries of the District. District Staff, in consultation with the District Chair, 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 Chair are attached hereto.

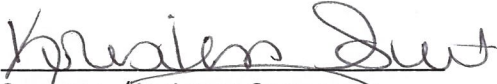
**4. EFFECTIVE DATE.** This Resolution shall become effective upon its passage.

[CONTINUED ON NEXT PAGE]

PASSED AND ADOPTED this 4<sup>th</sup> day of February, 2022.

ATTEST:

RIDGE AT HEATH BROOK  
COMMUNITY DEVELOPMENT DISTRICT

  
Secretary/Assistant Secretary

  
Chair/Vice Chair Board of Supervisors

**Exhibit A:** Legal Description of Boundary Amendment Parcel

**Exhibit A:**  
Legal Description of Boundary Amendment Parcel

## DESCRIPTION: RIDGE AT HEATH BROOK TAKEDOWN 2

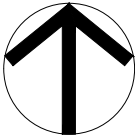
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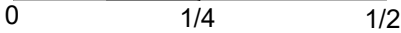
Containing 36.431 acres, more or less.

# EXHIBIT 7

NORTH

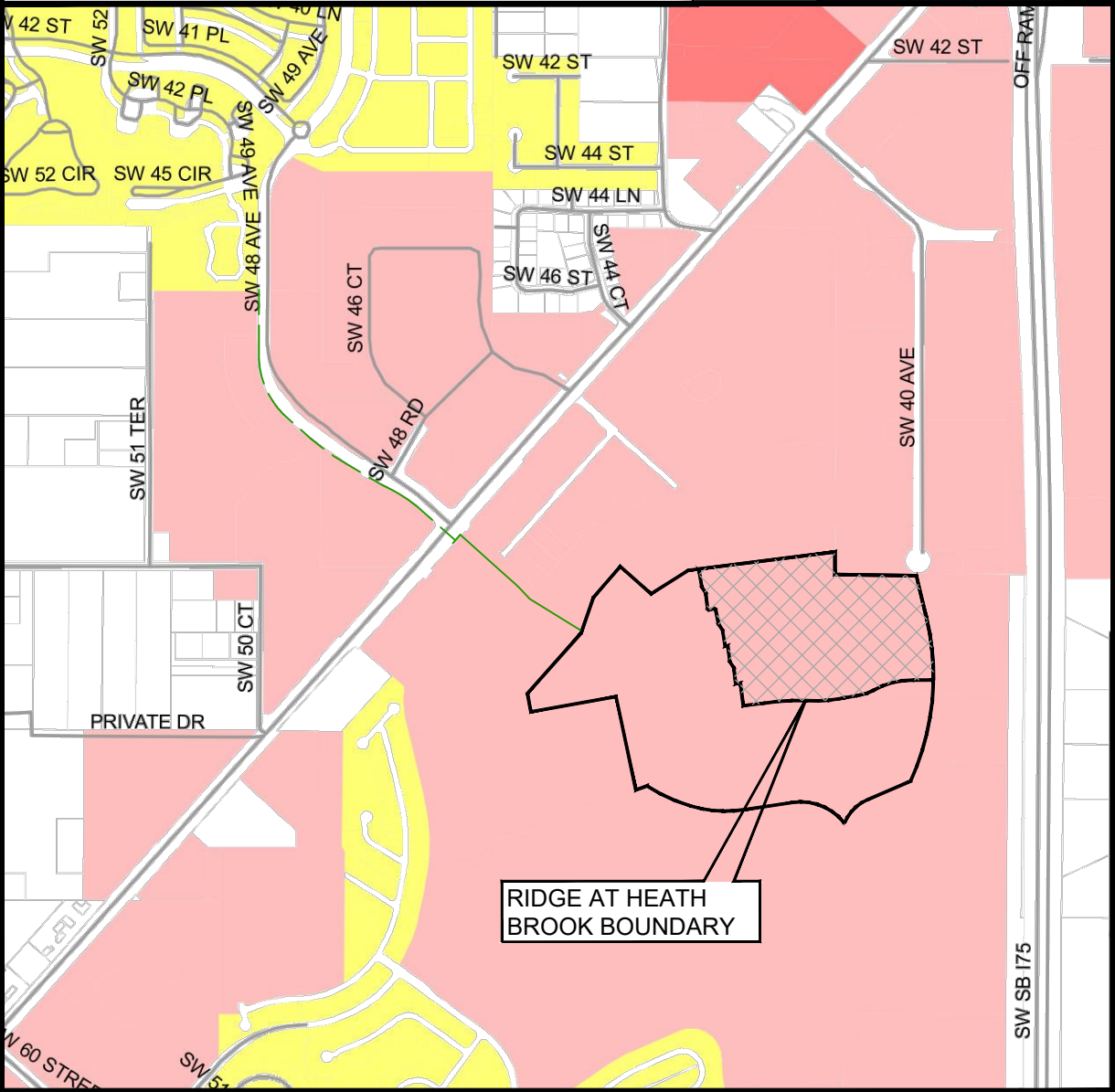


Scale in miles



**Legend and Land Use Classifications**

	Streets		Parcels		EMPLOYMENT CENTER		MEDIUM INTENSITY/SPECIAL
	HIGH INTENSITY/CENTRAL CORE		NEIGHBORHOOD		PUBLIC		LOW INTENSITY



**LEGEND**

	PROPOSED BOUNDARY
--	-------------------

DATE: 2022-5-31

**RIDGE AT HEATH BROOK CDD FUTURE LAND USE MAP**

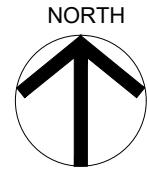
PREPARED FOR:  
**FORESTAR GROUP, INC.**  
 4042 PARK OAKS BOULEVARD  
 TAMPA, FLORIDA 33610  
 PHONE: (813) 392-3385

SECTION: TOWNSHIP: RANGE:  
 34&3 15S&16S 21E  
 CITY OF OCALA, FLORIDA  
 FILE NAME: 1111501E0501.dwg  
 SHEET: 1 OF 1

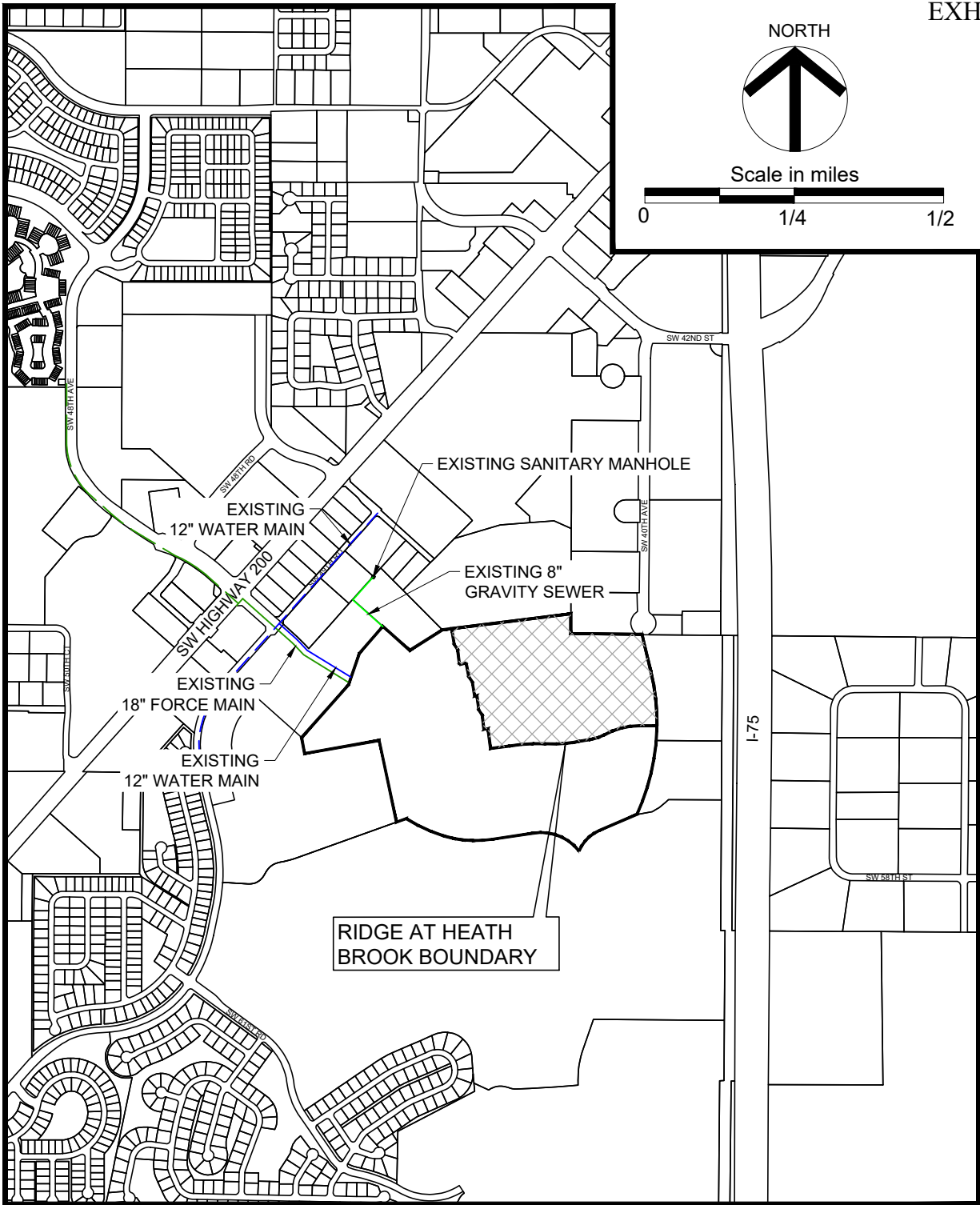
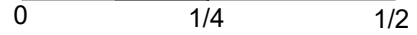
FLORIDA CERTIFICATE OF AUTHORIZATION #8636  
 SANTIAGO MACHADO, P.E.  
 FL LICENSE NO. 62992



# EXHIBIT 8



Scale in miles



LEGEND

 PROPOSED BOUNDARY

DATE: 2022-5-31

RIDGE AT HEATH BROOK CDD EXISTING UTILITIES MAP

PREPARED FOR:

**FORESTAR GROUP, INC.**  
 4042 PARK OAKS BOULEVARD  
 TAMPA, FLORIDA 33610  
 PHONE: (813) 392-3385

SECTION: TOWNSHIP: RANGE:

34&3 15S&16S 21E  
 CITY OF OCALA, FLORIDA

FLORIDA CERTIFICATE OF AUTHORIZATION #8636

FILE NAME: 1111501E0501.dwg  
 SHEET: 1 OF 1

SANTIAGO MACHADO, P.E.  
 FL LICENSE NO. 62992



# EXHIBIT 9

Proposed Facilities Serving the  
Ridge at Heath Brook CDD

Facilities	Funded By	Ownership and Maintenance Entity	Phase 1	Phase 2	Phase 3	Phase 4	Estimated Cost of Construction
Potable Water	CDD	City of Ocala	\$ 299,000.00	\$ 313,400.00	\$ 202,500.00	\$ 166,500.00	\$ 981,400.00
Sanitary Sewer	CDD	City of Ocala	\$ 519,200.00	\$ 1,508,000.00	\$ 230,000.00	\$ 180,000.00	\$ 2,437,200.00
Roadway/Curbing	CDD	CDD	\$ 721,600.00	\$ 657,400.00	\$ 410,000.00	\$ 360,000.00	\$ 2,149,000.00
Underrounding of Conduit	CDD	City of Ocala	\$ 200,500.00	\$ 205,000.00	\$ 205,000.00	\$ 205,000.00	\$ 815,500.00
Stormwater Improvements	CDD	CDD	\$ 399,000.00	\$ 487,600.00	\$ 372,000.00	\$ 324,500.00	\$ 1,583,100.00
Earthwork (Stormwater Ponds)	CDD	CDD	\$ 265,000.00	\$ 198,000.00	\$ 124,500.00	\$ 105,500.00	\$ 693,000.00
Landscape/Hardscape/Irrigation/Entry Features	CDD	CDD	\$ 1,552,000.00	\$ 918,000.00	\$ 966,000.00	\$ 221,500.00	\$ 3,657,500.00
Amenity	Developer	Developer	\$ 1,615,000.00	\$ -	\$ -	\$ -	\$ 1,615,000.00
Professional Services and Permitting Fees	CDD	N/A	\$ 525,000.00	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00	\$ 900,000.00
Contingency (15%)	As Above		\$ 914,445.00	\$ 661,860.00	\$ 395,250.00	\$ 253,200.00	\$ 2,224,755.00
<b>Total</b>							<b>\$ 17,056,455.00</b>

As an alternative, the developer may elect to privately finance any of the above improvements and transfer them upon completion to a homeowner's association for ownership and operations.

# EXHIBIT 10

RIDGE AT HEATH  
BROOK  
COMMUNITY DEVELOPMENT DISTRICT

Statement  
of  
Estimated Regulatory Costs

October 7, 2022



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](http://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 Ridge at Heath Brook Community Development District ("District"). The District was established by Ordinance No. 2021-58, passed by the City Council of the City of Ocala, Florida on June 15<sup>th</sup>, 2021. The current size of the District is approximately 39.365 +/- acres and the District is located entirely within the City of Ocala, Florida (the "City"). The petition to amend the boundaries of the District seeks to add approximately 36.431 +/- acres located in the City to the District ("Amendment Area"). After the amendment, the District will be projected to contain approximately 75.796 +/- acres and is planned to be developed with a total of 282 residential dwelling units. 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 Ridge at Heath Brook Community Development District**

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 282 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

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

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

### 1.3 Requirements for Statement of Estimated Regulatory Costs

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

- (a) An economic analysis showing whether the rule directly or indirectly:
  1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
  2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or
  3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
  
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
  
- (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.
  
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.
  
- (e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Ocala, according to the Census 2020, has a population of 63,591; therefore, it is not defined as a small City for the purposes of this requirement.)
  
- (f) Any additional information that the agency determines may be useful.
  
- (g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

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

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

The ordinance 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 Amended 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 residential development. The development of the larger, approximately 75.796 +/- 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 39.365 +/- 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 282 residential dwelling units. 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 City 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 City and approval of such petition by the City. As described in more detail in Section 4, the District will pay a one-time filing fee to the City to offset any expenses that the City 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 75.796 +/- acre master planned residential development currently anticipated to contain a total of approximately 282 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 987 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

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

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.

City of Ocala, Florida

The existing District as well as the Amendment Area are both located within the City of Ocala, Florida. The City 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 City will be modest for a number of reasons. First, the City approved ordinance establishing the District in 2021 and that petition possessed much information about the District and City 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 City 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 City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to amend

the boundaries of a community development district.

Further, there will be no increase in the very small annual costs to City, because of the amendment of the District's boundaries. The District is an independent unit of local government. The only annual costs the City 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 City, or any monitoring expenses the City 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.**

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

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$17,056,455. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

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

**Table 1**

**RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT  
DISTRICT  
Proposed Facilities and Services**

<b>FACILITY</b>	<b>FUNDED BY</b>	<b>OWNED BY</b>	<b>MAINTAINED BY</b>
Potable Water	CDD	City of Ocala	City of Ocala
Sanitary Sewer	CDD	City of Ocala	City of Ocala
Roadway/Curbing	CDD	CDD	CDD
Underrounding of Conduit	CDD	City of Ocala	City of Ocala
Stormwater Improvements	CDD	CDD	CDD
Earthwork (Stormwater Ponds)	CDD	CDD	CDD
Landscape/Hardscape/Irrigation/ Entry Features	CDD	CDD	CDD
Amenity	Developer	Developer	Developer

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

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

**Table 2**

**RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT  
DISTRICT  
Estimated Costs of Construction**

<b>CATEGORY</b>	<b>COST</b>
Potable Water	\$981,400
Sanitary Sewer	\$2,437,200
Roadway/Curbing	\$2,149,000
Underrounding of Conduit	\$815,500
Stormwater Improvements	\$1,583,100
Earthwork (Stormwater Ponds)	\$693,000
Landscape/Hardscape/Irrigation/Entry Features	\$3,657,500
Amenity	\$1,615,000
Professional Services and Permitting Fees	\$900,000
Contingency	\$2,224,755
<b>Total</b>	<b>\$17,056,455</b>

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

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

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

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

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

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

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what

the landowners would have paid to install infrastructure via an alternative financing mechanism.

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

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

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

City of Ocala has a population of 63,591 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" City according to Section 120.52, F.S.

**7.0 Any additional useful information.**

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

In relation to the question of whether the Ridge at Heath Brook 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 City could establish a dependent Special District for the Amendment Area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District 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 Ridge at Heath Brook development that is not currently located within the District. First, a portion of the Ridge at Heath Brook development is already located within the Ridge at Heath Brook Community Development District, an existing District that was established specifically to serve a portion of the Ridge at Heath Brook development. It would be inefficient to have a portion of the Ridge at Heath Brook development provided with improvements and services by the existing District, while another portion provided with improvements and services by a dependent Special District, MSBU or MSTU.

Second, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Ridge at Heath Brook 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 City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, MSBU or MSTU for the Amendment Area, then the some of the residents and landowners of the Ridge at Heath Brook development would take their grievances and desires to the City 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 City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services for that portion of the Ridge at Heath Brook 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 Ridge at Heath Brook 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 Ridge at Heath Brook Community Development District.

# EXHIBIT 11

**AUTHORIZATION OF AGENT**

This letter shall serve as a designation of Jere Earlywine of KE Law Group, PLLC, to act as agent for Petitioner, Ridge at Heath Brook Community Development District, with regard to any and all matters pertaining to the Petition to the City Council of the City of Ocala, Florida, to Amend the Boundaries of the Ridge at Heath Brook 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:**

**RIDGE AT HEATH BROOK COMMUNITY DEVELOPMENT DISTRICT**

Andre Carmack  
Name: Andre Carmack

Mary E. Moulton  
By: Mary E. Moulton  
V. Chairman, Board of Supervisors

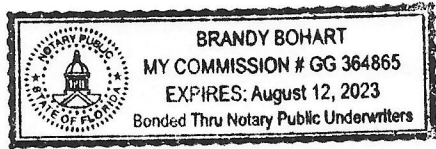
Jere Earlywine  
Name: Jere Earlywine

Date: 2/7/22

STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 7th day of February, 2022, by Mary Moulton, as Vice Chairman of Ridge at Heath Brook Community Development District, who appeared before me this day in person, and who is either personally known to me, or produced as identification.

Brandy Bohart  
NOTARY PUBLIC, STATE OF FLORIDA



Name: Brandy Bohart  
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)