

In-Hopping Green

This Instrument Prepared by  
and return to:

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Heritage Landing Community Development District  
c/o Rizzetta & Company, Inc.  
3434 Colwell Avenue, Suite 200  
Tampa, Florida 33614

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St. Johns County, FL  
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**DISCLOSURE OF PUBLIC FINANCING AND MAINTENANCE  
OF IMPROVEMENTS TO REAL PROPERTY UNDERTAKEN BY  
THE HERITAGE LANDING COMMUNITY DEVELOPMENT DISTRICT**

**Board of Supervisors<sup>1</sup>  
Heritage Landing Community Development District**

Robert Porter  
Chairman

Jan Doan  
Vice Chairman

Brett Sovine  
Assistant Secretary

Pat Nolan  
Assistant Secretary

Kathy Shippey  
Assistant Secretary

Rizzetta and Company  
District Manager  
3434 Colwell Avenue, Suite 200  
Tampa, Florida 33614  
(813) 933-5571

District records are on file at the office of the District Manager, 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614 and at 370 Heritage Landing Parkway, St. Augustine, Florida 32092. District records are available for public inspection upon request during normal business hours.

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<sup>1</sup> This list reflects the composition of the Board of Supervisors as of September 17, 2007. For a current list of Board members, please call the District Manager.

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## **Introduction**

On behalf of the Board of Supervisors of the Heritage Landing Community Development District ("District"), the following information is provided to give you a description of the District's services and the assessments that have been levied within the District to pay for certain community infrastructure and the manner in which the District is operated. The District is a local unit of special purpose government created pursuant to and existing under the provisions of Chapter 190, Florida Statutes. Unlike city and county governments, the District has only certain limited powers and responsibilities. These powers and responsibilities include, for example, certain roadways, water and sewer facilities, stormwater management facilities, community recreation facilities, entryway monuments, landscaping, and landscape irrigation.

The District is here to serve the needs of the community and we encourage your participation in District activities.

Under Florida law, community development districts are required to take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by such districts. The law specifically provides that this information shall be made available to all persons currently residing within the District and to all prospective District residents. The following information describing the Heritage Landing Community Development District and the assessments, fees, and charges that have been levied within the District to pay for certain community infrastructure is provided to fulfill this statutory requirement.

### **What is the District and how is it governed?**

The District is an independent special taxing district, created pursuant to and existing under the provisions of Chapter 190, Florida Statutes, and established by Ordinance No. 2004-46 of the Board of County Commissioners of St. Johns County, Florida, effective on June 28, 2004. The District currently encompasses approximately 597 acres of land located entirely within unincorporated St. Johns County, Florida. As a local unit of special purpose government, the District provides an alternative means for planning, financing, constructing, operating and maintaining various public improvements and community facilities within its jurisdiction.

The District is governed by a five-member Board of Supervisors, the members of which must be residents of the State of Florida and citizens of the United States. Within ninety (90) days of appointment of the initial board, members were elected on an at-large basis by the owners of property within the District, each landowner being entitled to one vote for each acre of land with fractions thereof rounded upward to the nearest whole number. Thereafter, elections are held every two (2) years in November. Commencing six (6) years after the initial appointment of Supervisors and when the District attains a minimum of two hundred and fifty (250) qualified electors, the positions of two board members whose terms are expiring shall be filled by qualified electors of the district. The remaining board member whose term is expiring shall be selected by the landowners and is not required to be a qualified elector. Thereafter, as terms expire, board members shall be qualified electors elected by qualified electors of the

district for a term of four years. A "qualified elector" in this instance is any person at least eighteen (18) years of age who is a citizen of the United States, a legal resident of Florida and of the District, and who is also registered with the Supervisor of Elections to vote in St. Johns County. Notwithstanding the foregoing, if at any time the Board proposes to exercise its ad valorem taxing power, it shall, prior to the exercise of such power, call an election at which all members of the Board shall be elected by qualified electors of the District.

Board meetings are noticed in the local newspaper and are conducted in a public forum in which public participation is permitted. Consistent with Florida's public records laws, the records of the District are available for public inspection during normal business hours. Elected members of the Board are similarly bound by the State's open meetings law and are subject to the same disclosure requirements as other elected officials under the State's ethics laws.

**What infrastructure improvements does the District provide  
and how are the improvements paid for?**

The District is comprised of approximately 597 acres located entirely within unincorporated St. Johns County, Florida. The legal description of the lands encompassed within the District is attached hereto as **Exhibit "A."** The public infrastructure necessary to support the District's development program includes master infrastructure improvements. The master infrastructure improvements include, but are not limited to, the following: certain roadways, water and sewer facilities, stormwater management facilities, community recreation facilities, entryway monuments, landscaping, and landscape irrigation. Each of these infrastructure improvements is more fully detailed below.

These public infrastructure improvements will be funded in part by the District's sale of bonds. On October 20, 2004, the Circuit Court of the Seventh Judicial Circuit of the State of Florida, in and for St. Johns County, Florida, entered a Final Judgment validating the District's ability to issue an aggregate principal amount not to exceed \$45,000,000 Heritage Landing (St. Johns County, Florida) Special Assessment Bonds for infrastructure needs of the District. Since its establishment, the District has issued one series of notes and one series of bonds.

On September 14, 2004, the District issued \$10,000,000 Heritage Landing Community Development District (St. Johns County, Florida) Special Assessment Bond Anticipation Notes, Series 2004 ("Series 2004 Notes") for purposes of: (1) financing a portion of the costs associated with acquisition and construction of certain infrastructure improvements consisting of roadways, water and sewer facilities, stormwater management facilities, community recreation facilities, entryway monuments, landscaping, landscape irrigation and associated professional fees; and (2) paying certain costs associated with issuance of the Series 2004 Notes.

On May 11, 2005, the District issued \$17,305,000 Heritage Landing Community Development District (St. Johns County, Florida) Special Assessment Bonds, Series 2005 ("Series 2005 Bonds") for purposes of: (1) financing a portion of the costs associated with acquisition and construction of certain infrastructure improvements consisting of roadways, water and sewer facilities, stormwater management facilities, community recreation facilities, entryway monuments, landscaping, landscape irrigation and associated professional fees; (2) retiring the Series 2004 Notes; (3) making a deposit into the Series 2005 Debt Service Reserve Account in the amount of the Debt Service Reserve Requirement for the Series 2005 Bonds; (4) paying interest accruing on the Series 2005 Bonds through November 1, 2006; and (5) paying the issuance costs of the Series 2005 Bonds.

To plan the infrastructure improvements necessary for the District, the District adopted an Amended and Restated Improvement Plan dated May 4, 2005 ("Improvement Plan"), which details the improvements presently contemplated for completion by the District. Copies of the Improvement Plan are available for review in the District's public records.

### **Roadways**

The District intends to finance, design, and construct or has constructed certain master transportation facilities within and adjacent to the District boundaries, including, but not limited to County Road 13, Entrance Boulevard, and certain spine roads. County Road 13 is an existing two-lane rural roadway along the west side of the District boundary that the District has widened to allow for acceleration lanes, deceleration lanes, and turn lanes at the entrance into the District. Entrance Boulevard consists of a divided entrance tapering into a 24-foot wide two-lane curb and gutter roadway and associated landscaping and irrigation. Improvements associated with construction of certain spine roads within the District include paving, drainage, water, and sewer. These roadway improvements will be dedicated and maintained by St. Johns County, with the exception of the landscaping and irrigation of internal roadways, which will be owned and maintained by the District.

### **Water and Sewer Facilities**

The District intends to finance, design, and construct or has constructed certain master potable water and wastewater facilities within its boundaries. These improvements include potable watermains, gravity sewer collection system, and four lift stations and associated force mains that will convey the sanitary sewer flows from the development. These facilities will be owned and maintained by the St. Johns County Utility Department.

### **Stormwater Management Facilities**

The District intends to finance, design, and construct or has constructed certain master drainage improvements within and adjacent to its boundaries. The improvements

include ponds, outfall control structures and equalizer pipes. These drainage improvements will be owned and maintained by the District.

### **Community Recreation Facilities**

The District intends to finance, design, and construct or has constructed recreational facilities within its boundaries, including a 19.96-acre amenity center. The basic components of the amenity center may include: clubhouse, bathrooms, pool, playground equipment, barbeque grills and picnic tables, parking, landscape and lighting, tennis courts, baseball fields, and open space.

### **Entryway Monuments, Landscaping, and Landscape Irrigation**

The District intends to finance, design, and construct or has constructed entry monuments, landscape, hardscape, and irrigation along Heritage Landing Boulevard and at common areas within the development. The District will own and maintain these improvements.

### **Assessments, Fees, and Charges**

The costs of a portion of these infrastructure improvements have been financed by the District through the sale of its Series 2004 Notes and Series 2005 Bonds. A schedule of the annual debt service obligations of the District which must be defrayed by your annual assessment will depend upon the type of property purchased. A copy of the District's Final Special Assessment Allocation Report is available for review in the District's public records.

The Series 2005 Bonds and the interest due thereon, are payable solely from and secured by the levy of non ad valorem or special assessments against lands within the District which benefit from the construction, acquisition, establishment, and operation of the District's improvements. The assessments on lots are billed in the same manner as are county ad valorem taxes.

The District may undertake the construction, acquisition, or installation of other future improvements and facilities, which may be financed by bonds, notes, or other methods authorized by Chapter 190, Florida Statutes.

The amounts described above exclude any operations and maintenance assessments which may be determined and calculated annually by the District's Board of Supervisors against all benefitted lands in the District. These assessments on lots will also be collected in the same manner as county ad valorem taxes.

A detailed description of all costs and allocations which result in the formulation of assessments, fees and charges are available for public inspection upon request.

### **Method of Collection**

The District's benefit and maintenance assessments may appear on that portion of the annual real estate tax bill entitled "non-ad valorem assessments," and will be collected by the county tax collector in the same manner as county ad valorem taxes. Each property owner must pay both ad valorem and non-ad valorem assessments at the same time. Property owners will, however, be entitled to the same discounts as provided for ad valorem taxes. As with any tax bill, if all taxes and assessments due are not paid within the prescribed time limit, the tax collector is required to sell tax certificates which, if not timely redeemed, may result in the loss of title to the property. The District may also elect to collect the assessment directly.

This description of the District's operation, services and financing structure is intended to provide assistance to landowners and purchasers concerning the important role that the District plays in providing infrastructure improvements essential to the development of new communities. If you have questions or would simply like additional information about the District, please write to: District Manager, 3434 Colwell Avenue, Suite 200, Tampa, Florida 33614, or call (813) 933-5571.

IN WITNESS WHEREOF, this Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken has been executed as of the 8<sup>th</sup> day of November, 2007, and recorded in the Official Records of St. Johns County, Florida.

**HERITAGE LANDING COMMUNITY  
DEVELOPMENT DISTRICT**

By: [Signature]  
Chairman

[Signature]  
Witness

BRET L. SOVINE  
Print Name

[Signature]  
Witness  
JAN J. DOAN  
Print Name

**STATE OF FLORIDA**  
**COUNTY OF ST. JOHNS**

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November, 2007, by Robert Porter, Chairman of the Heritage Landing Community Development District, who is personally known to me or who has produced \_\_\_\_\_ as identification, and did [] or did not [ ] take the oath.

NOTARY PUBLIC-STATE OF FLORIDA  
Eric J. Dailey  
Commission #DD710983  
Expires: DEC. 22, 2011  
BONDED THRU ATLANTIC BONDING CO., INC.

[Signature]  
Notary Public, State of Florida  
Print Name: ERIC J. DAILEY  
Commission No.: DD710983  
My Commission Expires: 12-22-2011

Exhibit A: Legal Description

EXHIBIT A

LEGAL DESCRIPTION:

A PART OF SECTIONS 18, 19 AND A PART OF THE ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST TOGETHER WITH A PART OF SECTIONS 24 AND 25, TOWNSHIP 6 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE WESTERLY LINE OF SECTION 18, TOWNSHIP 6 SOUTH, RANGE 28 EAST WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16 (A 66.00 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE NORTH 63°36'48" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 54.96 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 922.37 FEET; THENCE NORTHEASTERLY CONTINUING ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 12.32 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 63°34'09" EAST AND A CHORD DISTANCE OF 12.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 224.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 71°20'36" EAST AND A CHORD DISTANCE OF 223.87 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 02°24'12" EAST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1127.96 FEET; THENCE NORTH 87°36'31" EAST, A DISTANCE OF 996.04 FEET; THENCE SOUTH 59°30'00" EAST, A DISTANCE OF 613.25 FEET; THENCE SOUTH 34°30'00" EAST, A DISTANCE OF 909.05 FEET; THENCE SOUTH 31°42'09" EAST, A DISTANCE OF 506.42 FEET; THENCE DUE SOUTH, A DISTANCE OF 2204.83 FEET; THENCE SOUTH 30°00'00" WEST, A DISTANCE OF 2995.75 FEET; THENCE SOUTH 50°00'00" WEST, A DISTANCE OF 2325.01 FEET; THENCE NORTH 26°00'00" WEST, A DISTANCE OF 4105.65 FEET; THENCE NORTH 02°16'42" WEST, A DISTANCE OF 2100.13 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13 (A 100.00 FOOT RIGHT-OF-WAY LINE AS NOW ESTABLISHED), SAID POINT BEING ON A CURVE, SAID CURVE BEING CONCAVE WESTERLY, HAVING A RADIUS OF 2342.01 FEET; THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 721.56 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 20°08'28" EAST AND A CHORD DISTANCE OF 718.71 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 65°01'00" EAST LEAVING SAID EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13, A DISTANCE OF 967.56 FEET; THENCE NORTH 87°36'25" EAST, A DISTANCE OF 1587.56 FEET TO A POINT IN THE WESTERLY LINE OF A FLORIDA POWER AND LIGHT 110.00 FOOT EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 46, PAGE 647 OF PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 02°24'17" WEST ALONG THE WESTERLY LINE OF SAID EASEMENT, A DISTANCE OF 2680.12 FEET TO THE POINT OF BEGINNING. CONTAINING 596.74 ACRES MORE OR LESS.