

MEMORANDUM

Agenda Item No. 5(A)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

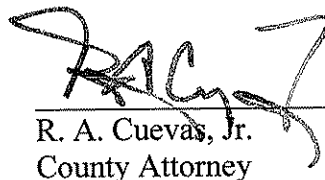
DATE: (Public Hearing 12-6-11)
November 3, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance granting petition
of Fontainebleau Lakes
Community Development
District to contract its
boundaries established by
Ordinance No. 06-135

Ordinance 11-94

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

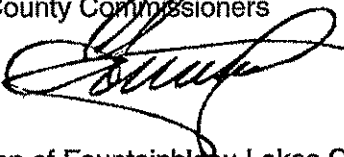
RAC/jls

Memorandum



Date: December 6, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Ordinance granting petition of Fountainbleau Lakes Community Development District
to contract its boundaries

The proposed ordinance granting petition of Fountainbleau Lakes Community Development District (CDD) to contract its boundaries will not have a fiscal impact to the County.


Office of the Mayor

Fis1612

1A



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 6, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5 (A)
12-6-11

ORDINANCE NO. 11-94

ORDINANCE GRANTING PETITION OF FONTAINBLEAU LAKES
COMMUNITY DEVELOPMENT DISTRICT TO CONTRACT ITS
BOUNDARIES ESTABLISHED BY ORDINANCE NO. 06-135;
PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND
EFFECTIVE DATE

WHEREAS, the Florida Legislature created and amended Chapter 190, Florida Statutes, to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter grants the Miami-Dade County Board of County Commissioners the authority to exercise all powers and privileges granted to municipalities and counties by the laws of this State; and

WHEREAS, Article VIII, Section 6(1) of the Florida Constitution provides for exclusive County Charter authority to establish all governmental units within Miami-Dade County and to provide for their government and prescribe their jurisdiction and powers; and

WHEREAS, at its meeting of September 26, 2006, the Board of County Commissioners of Miami-Dade County adopted Ordinance No. 06-135, establishing the Fontainebleau Lakes Community Development District ("District" or "Petitioner") and providing for specific boundaries of the District; and

WHEREAS, pursuant to Section 190.046, Florida Statutes, the District may petition and the Board of County Commissioners has the authority to terminate, contract and expand the boundaries of a community development district within its jurisdiction; and

WHEREAS, a public hearing has been conducted by the Miami-Dade County Board of County Commissioners in accordance with the requirements and procedures of Sections 190.005(2)(b) and 190.046(1), Florida Statutes, and the applicable requirements and procedures of the Miami-Dade County Home Rule Charter and Code; and

WHEREAS, the Board of County Commissioners finds that the statements contained in the Petition to Contract the District Boundaries are true and correct; and

WHEREAS, the alteration of the District boundaries is not inconsistent with any applicable element or portion of the State comprehensive plan or the Miami-Dade County Comprehensive Development Master Plan; and

WHEREAS, the area of land remaining within the District's amended external boundary is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community and the area of land being removed from the District boundaries does not impact such functionality; and

WHEREAS, the contraction of the District will not impact the delivery of community development facilities and services to the area that will be served by the contracted District; and

WHEREAS, the proposed facilities and services to be provided by the District within the contracted area will be compatible with the capacity and uses of existing local and regional community development facilities and services; and

WHEREAS, the owner of the property that is to be developed and served by the community development services and facilities to be provided by the District has submitted an executed declaration of restrictive covenants pledging among other things to provide initial purchasers of individual residential units with notice of liens and assessments applicable to such

parcels, with certain remedial rights vesting in the purchasers of such parcels if such notice is not provided in a timely and accurate manner and contained in such covenants is a provision releasing that portion of lands to be removed from the District from the obligations of the aforesaid restrictive covenants; and

WHEREAS, having made the foregoing findings, after a public hearing, the Miami-Dade County Board of County Commissioners wishes to exercise the powers bestowed upon it by Section 1.01(A)(21) of the Miami-Dade County Home Rule Charter in the manner provided by Chapter 190, Florida Statutes,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA THAT:

Section 1. The foregoing findings are adopted and made a part of this ordinance.

Section 2. The Petition to Contract the Boundaries of the Fontainebleau Lakes Community Development District to remove the real property described in such Petition filed by the District on October 31, 2011, and on file at the Office of the Clerk of the Board, is granted. A copy of the Petition is attached and incorporated in this ordinance as Exhibit "A".

Section 3. The contracted external boundaries of the District are sufficiently contiguous, are depicted on the location map attached to and incorporated in this ordinance as Exhibit "B" and are legally described in the Petition.

Section 4. The current members of the Board of Supervisors shall be as follows:

Marta A. Cruz
Raquel Priscila Chong
Jennifer Ortiz
Lydia Cabrera
Orestes Lopez-Recio

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Section 5. The name of the contracted District shall remain "Fontainebleau Lakes Community Development District."

Section 6. Notwithstanding any power granted to the Fontainebleau Lakes Community Development District pursuant to this Ordinance or Ordinance No. 06-135, neither the District nor any real or personal property or revenue in the district shall, solely by reason of the District's creation and existence, be exempted from any requirement for the payment of any and all rates, fees, charges, permitting fees, impact fees, connection fees, or similar County rates, fees or charges, or special taxing districts special assessments which are required by law, ordinance or County rule or regulation to be imposed within or upon any local government within the County.

Section 7. Except to alter the boundaries of the District as provided herein, this Ordinance does not affect, amend or modify Ordinance No. 06-135.

Section 8. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 9. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be excluded from the Code of Miami-Dade County.

Section 10. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: December 6, 2011

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald T. Heffernan

Prime Sponsor: Sen. Javier D. Souto

EXHIBIT "A" TO THE ORDINANCE

**BOARD OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

**IN RE: PETITION PURSUANT TO
SECTION 190.046(1), FLORIDA STATUTES,
TO CONTRACT THE BOUNDARIES OF
FONTAINBLEAU LAKES COMMUNITY
DEVELOPMENT DISTRICT**

**PETITION TO CONTRACT BOUNDARIES OF
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors (the "Board") of the Fontainebleau Lakes Community Development District (CDD) an independent special district established pursuant to Chapter 190, Florida Statutes (the "District") by Ordinance No 06-135 of Miami-Dade County, Florida (the "County") adopted on September 26, 2006, (the "Ordinance") hereby petitions the ~~BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA~~ (the "Commission") in accordance with Section 190.046(1) of the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes (the "Act"), to contract the boundaries of the District, and in support thereof, hereby attests as follows:

1. That attached hereto as Exhibit "A" and made a part hereof is the legal description for the approximately 272.12 acres, more or less, currently within the boundaries of the District.
2. That the Board desires to contract the boundaries of the District by excluding approximately 129.93 acres, more or less, as legally described on Exhibit "B". The District is currently providing no services or facilities to the area being removed.
3. That the real property to be excluded from the external boundaries of the District does not exceed 50% of the acres initially located within the boundaries of the District and all petitions of the District, including this portion, submitted to the Commission subsequent to the initial petition seeking establishment of the District do not encompass more than a total of 500 acres.
4. That attached hereto as Exhibit "C" and made a part hereof is a metes and bounds description of the external boundaries of the District following the proposed contraction of such boundaries. No real property within the external boundaries of the District as proposed is to be excluded therefrom.

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5. That annexed hereto as Exhibit "D" and made a part hereof is evidence of the written consent to the removal of its property in the District by the owner (directly or as attorney in fact) of one hundred percent (100%) of the real property to be newly excluded within the District.
6. That annexed hereto as Exhibit "E" and made a part hereof is a designation of the future general distribution, location, and extent of public and private uses of land proposed for the area to be excluded from the District by the future land use plan element of the effective local government comprehensive plan.
7. That attached hereto as Exhibit "F" and made a part hereof is a statement of the estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.
8. That attached hereto as Exhibit "G" is the Board Resolution requesting to contact the boundaries of the District by excluding the area described on Exhibit "B."
9. That attached hereto as Exhibit "H" is a list of the current District Board members.
10. That following the proposed contraction of the District's boundaries, (i) the property within the District will not be inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan; (ii) the property comprising the District will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community; (iii) the District will continue to present the best alternative available for delivering the community development facilities and services to the property that will be served by the District; (iv) the community development facilities and services of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and (v) the property comprising the District will be amenable to separate special-district government.
11. That all statements contained within this Petition are true and correct.

WHEREFORE, Petitioner, the Board of Supervisors of the Fontainebleau Lakes Community Development District, hereby respectfully requests the Commission to:

1. Direct its staff to notice, as soon as practicable, a local public non-emergency hearing pursuant to the requirements of Section 190.046(1)(b) of the Act to consider whether to grant the petition for the contraction of the District's boundaries and to amend the Ordinance establishing the District to reflect the new boundaries of the District.
2. Grant the petition and enact an ordinance pursuant to applicable law amending the Ordinance establishing the District to reflect the new boundaries of the District.

RESPECTFULLY SUBMITTED this 10th day of October, 2011

FONTAINBLEAU LAKES
COMMUNITY DEVELOPMENT
DISTRICT

By: [Signature]

Name: Marta A. Cruz

Title: Chair person

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 10th day of Oct, 2011 by Marta A. Cruz, the Chairperson of the BOARD OF SUPERVISORS OF FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT, who is personally known to me [] ~~or has produced~~ _____ as identification.

[Signature]
Notary Public

Lydia Cabrera
Typed, printed or stamped name of Notary Public

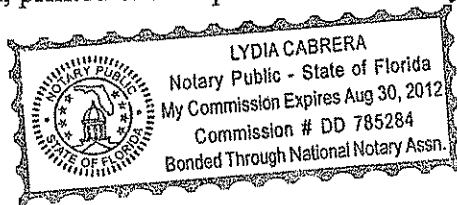


EXHIBIT "A"

EXISTING DISTRICT BOUNDARIES

ALL OF FONTAINEBLEAU WEST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 166, AT PAGE 45 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

ALL OF FONTAINELEAU EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 168, AT PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

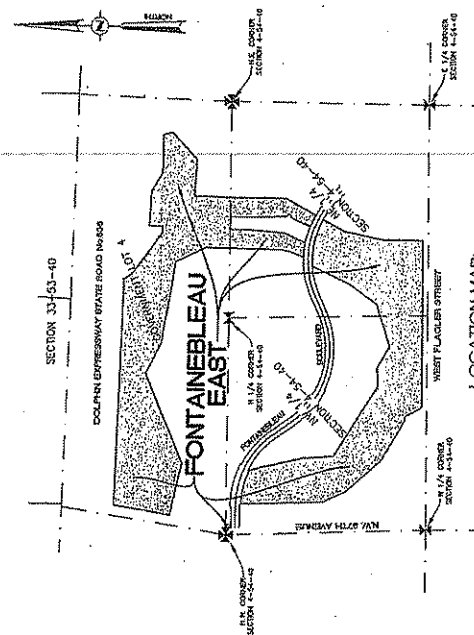
ALL OF SAID LANDS CONTAIN A TOTAL AREA OF APPROXIMATELY 272.12 ACRES

FONTAINEBLEAU EAST

A REPLAT OF TRACTS 1, 2, 3, 4 AND 7 OF FONTAINEBLEAU PARK SUBDIVISION SECTION ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN P.B. 90, PG. 96, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A SUBDIVISION OF A PORTION OF THE NW 1/4 OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST, TOWNSHIP 53 SOUTH, RANGE 40 EAST AND SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST, ALL LYING IN GOVERNMENT LOT 4 AND SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST MIAMI-DADE COUNTY, FLORIDA

PULICE LAND SURVEYORS, INC.

PREPARED BY
SEN HILL ROAD
SUNNYSIDE, FLORIDA 33281
TELEPHONE 544-99-077 FAX 544-99-078
INCORPORATED IN FLORIDA
NOVEMBER, 2000



LOCATION MAP:
THE SUBJECT LOT 4 EXTENDING THROUGH 34 SOUTH AND 34 SOUTH
AND GOVERNMENT LOT 4 EXTENDING THROUGH 34 SOUTH AND 34 SOUTH
MIAMI-DADE COUNTY, FLORIDA
PAGE: 1 OF 2

NOTICE: THIS MAP WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, ON 11/14/00. THE BOARD OF COUNTY COMMISSIONERS HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE PLAT ACT AND THE PLAT ACT RULES AND REGULATIONS. THE BOARD OF COUNTY COMMISSIONERS HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE PLAT ACT AND THE PLAT ACT RULES AND REGULATIONS.

SURVEYORS CERTIFICATION

I, the undersigned, being a duly licensed and sworn surveyor in the State of Florida, do hereby certify that the above plat and map were prepared by me or under my direct supervision and that I am a duly licensed and sworn surveyor in the State of Florida. I am a duly licensed and sworn surveyor in the State of Florida.

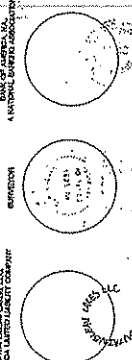
DATE: 11/14/00

SIGNED: [Signature]

STATE OF FLORIDA

MIAMI-DADE COUNTY

NOVEMBER 14, 2000



PLAT BOOK PAGE 2661
168
SHEET 1 OF 10 SHEETS

CONVEYANCE PLAT RESTRICTIONS

THE GREAT RECORDS AS SHOWN HEREON, BY DEEDS, DEEDS AND DEEDS, SHALL BE THE EXCLUSIVE AND UNLIMITED PROPERTY OF THE STATE OF FLORIDA.

MIAMI-DADE COUNTY PLAT RESTRICTIONS

THE STATE OF FLORIDA, BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE PLAT ACT AND THE PLAT ACT RULES AND REGULATIONS.

MIAMI-DADE COUNTY APPROVALS

THE PLAT WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, ON 11/14/00. THE BOARD OF COUNTY COMMISSIONERS HAS REVIEWED THE MAP AND HAS DETERMINED THAT THE MAP IS IN ACCORDANCE WITH THE PLAT ACT AND THE PLAT ACT RULES AND REGULATIONS.

DATE: 11/14/00

SIGNED: [Signature]

STATE OF FLORIDA

MIAMI-DADE COUNTY

NOVEMBER 14, 2000

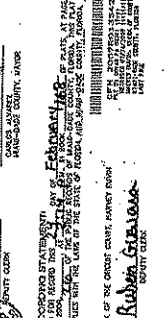


EXHIBIT 'B'

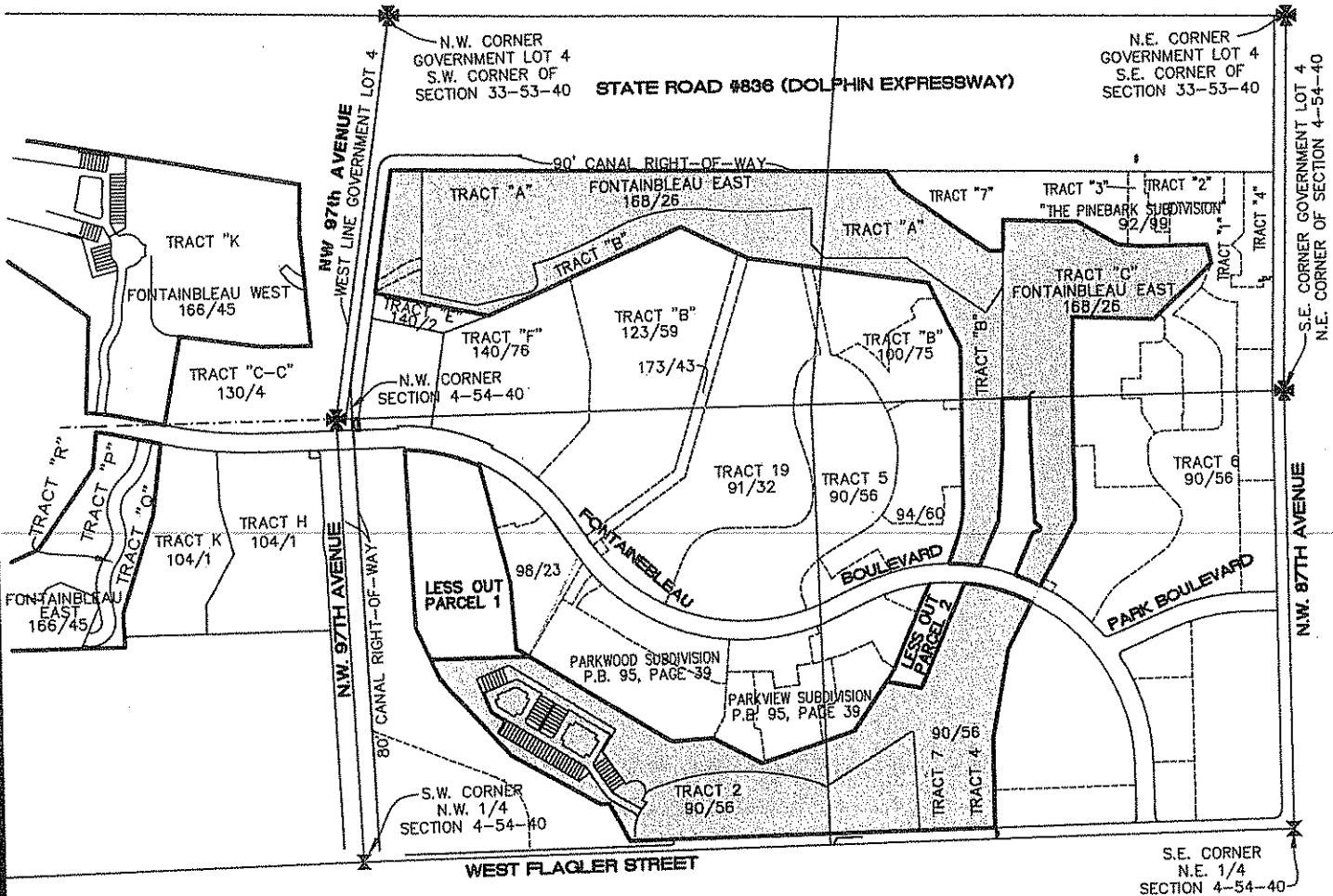


SKETCH
BY
PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



NOTES:

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) O.R.B. DENOTES: OFFICIAL RECORDS BOOK.

FILE: SHOMA GROUP
SCALE: NOT TO SCALE
ORDER NO.: 53990B
DATE: 10/6/11
AREA TO BE REMOVED FROM DISTRICT BOUNDARIES
MIAMI-DADE COUNTY, FLORIDA
FOR: FONTAINEBLEAU EAST

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

[Signature]
 JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 STATE OF FLORIDA

15

EXHIBIT "B"



SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

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LEGAL DESCRIPTION: AREA TO BE REMOVED FROM THE DISTRICT BOUNDARIES

ALL OF FONTAINEBLEAU EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS THE FOLLOWING TWO (2) PORTIONS OF TRACT "D" OF SAID FONTAINEBLEAU EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGIN AT THE MOST WESTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT 23, "FONTAINEBLEAU PARK SUBDIVISION SECTION NINE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 94, PAGE 35 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 01°36'14" WEST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST WESTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1075.92 FEET AND A CENTRAL ANGLE OF 24°07'28" AN ARC DISTANCE OF 453.02 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEAST LINE OF SAID TRACT "D"; THENCE SOUTH 13°19'53" EAST ON SAID LINE 705.34 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 03°48'16" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 391.86 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 57°56'57" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 88.71 FEET; THENCE NORTH 90°00'00" WEST 578.90 FEET TO THE INTERSECTION WITH A WESTERLY LINE OF SAID TRACT "D"; THENCE NORTH 24°13'40" WEST ON A WEST LINE OF SAID TRACT "D" 202.95 FEET; THENCE NORTH 02°06'50" WEST ON THE MOST WESTERLY NORTHWEST LINE OF SAID TRACT "D" 1046.28 FEET TO THE POINT OF BEGINNING.
CONTAINING 621,765 SQUARE FEET (14.2738 ACRES).

PARCEL 2

BEGINNING AT THE MOST EASTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT "A", "PARKSIDE SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 102, PAGE 60 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 04°19'27" EAST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST EASTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1090.92 FEET, A CENTRAL ANGLE OF 11°06'07" AN ARC LENGTH OF 211.38 FEET; THENCE SOUTH 24°37'46" WEST ALONG A LINE PARALLEL WITH AND 193.69 FEET SOUTHEASTERLY OF A WEST LINE OF SAID TRACT "D" 664.42 FEET; THENCE NORTH 78°30'01" WEST 215.56 FEET TO THE INTERSECTION WITH A WEST LINE OF SAID TRACT "D"; THENCE NORTH 34°51'44" EAST ON SAID WEST LINE 91.36 FEET TO A CORNER OF SAID TRACT "D"; THENCE NORTH 24°37'46" EAST ON SAID WEST LINE 539.64 FEET TO THE POINT OF BEGINNING.
CONTAINING 126,368 SQUARE FEET (2.9010 ACRES).

TOTAL LAND CONTAINING 5,660,1640 SQUARE FEET (129.9395 ACRES) MORE OR LESS.

FILE: SHOMA GROUP

SCALE: N/A

ORDER NO.: 53990B

DATE: 10/6/11

AREA TO BE REMOVED FROM DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST AND WEST

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

EXHIBIT 'C'

SKETCH AND LEGAL DESCRIPTION

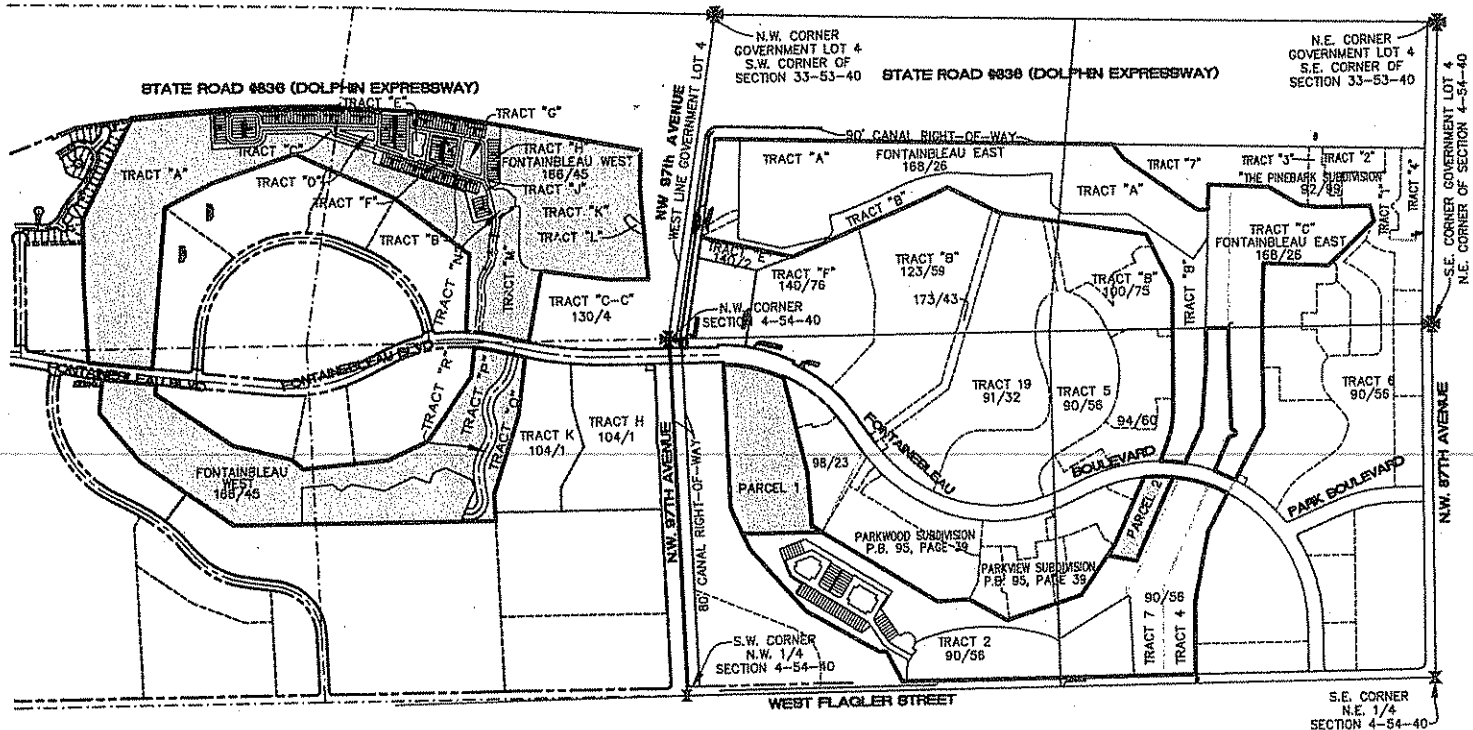
BY

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TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



NOTES:

- 1) BEARINGS ARE BASED ON THE MOST WESTERLY NORTHWEST LINE OF TRACT "D" BEING S02°06'50"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) R DENOTES: RADIUS
- 5) CA DENOTES: CENTRAL ANGLE
- 6) A DENOTES: ARC LENGTH
- 7) O.R.B. DENOTES: OFFICIAL RECORDS BOOK

FILE: SHOMA GROUP

SCALE: NOT TO SCALE

ORDER NO.: 53990C

DATE: 10/6/11

NEW DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST AND WEST

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

[Signature]
 JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 STATE OF FLORIDA

17

EXHIBIT "C"



SKETCH AND LEGAL DESCRIPTION

BY

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LEGAL DESCRIPTION: NEW DISTRICT BOUNDARIES

ALL OF FONTAINEBLEAU WEST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 166, PAGE 45 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

THE FOLLOWING TWO (2) PARCELS OF LAND IN FONTAINEBLEAU EAST, AS RECORDED IN PLAT BOOK 168, PAGE 26 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGIN AT THE MOST WESTERLY NORTHWEST CORNER OF TRACT "D" OF SAID PLAT OF FONTAINEBLEAU EAST, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT 23, "FONTAINEBLEAU PARK SUBDIVISION SECTION NINE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 94, PAGE 35 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 01°36'14" WEST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST WESTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1075.92 FEET AND A CENTRAL ANGLE OF 24°07'28" AN ARC DISTANCE OF 453.02 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEAST LINE OF SAID TRACT "D"; THENCE SOUTH 13°19'53" EAST ON SAID LINE 705.34 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 03°48'16" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 391.86 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 57°56'57" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 88.71 FEET; THENCE NORTH 90°00'00" WEST 578.90 FEET TO THE INTERSECTION WITH A WESTERLY LINE OF SAID TRACT "D"; THENCE NORTH 24°13'40" WEST ON A WEST LINE OF SAID TRACT "D" 202.95 FEET; THENCE NORTH 02°06'50" WEST ON THE MOST WESTERLY NORTHWEST LINE OF SAID TRACT "D" 1046.28 FEET TO THE POINT OF BEGINNING.
CONTAINING 621,765 SQUARE FEET (14.2738 ACRES).

PARCEL 2

BEGINNING AT THE MOST EASTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT "A", "PARKSIDE SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 102, PAGE 60 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 04°19'27" EAST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST EASTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1090.92 FEET, A CENTRAL ANGLE OF 11°06'07" AN ARC LENGTH OF 211.38 FEET; THENCE SOUTH 24°37'46" WEST ALONG A LINE PARALLEL WITH AND 193.69 FEET SOUTHEASTERLY OF A WEST LINE OF SAID TRACT "D" 664.42 FEET; THENCE NORTH 78°30'01" WEST 215.56 FEET TO THE INTERSECTION WITH A WEST LINE OF SAID TRACT "D"; THENCE NORTH 34°51'44" EAST ON SAID WEST LINE 91.36 FEET TO A CORNER OF SAID TRACT "D"; THENCE NORTH 24°37'46" EAST ON SAID WEST LINE 539.64 FEET TO THE POINT OF BEGINNING.
CONTAINING 126,368 SQUARE FEET (2.9010 ACRES).

TOTAL LAND CONTAINING 6,193,430 SQUARE FEET (142.1816 ACRES) MORE OR LESS.

FILE: SHOMA GROUP

SCALE: N/A

ORDER NO.: 53990C

DATE: 10/6/11

NEW DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST AND WEST

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

EXHIBIT "D"

**EVIDENCE OF WRITTEN CONSENT OF OWNER
TO REMOVAL OF PROPERTY WITHIN THE EXTERNAL BOUNDARIES
OF FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT**

On this _____ day of _____, 2011 personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, Masoud Shojaee and Pedro Martin (the "Affiants"), who after being duly sworn, deposes and says:

1. Affiants, are the co-managers of Fontainbleau Lakes, LLC., a Florida limited liability company (the "Company")
2. The Company is the fee title owner of the following described property, to wit:

See Exhibit "1" attached hereto (the "Property").

3. Affiants hereby represent that they have full authority to execute all documents and instruments on behalf of the Company.
4. The Property consists of approximately 129.931 acres of real property located in unincorporated Miami-Dade County, Florida.
5. Affiants, on behalf of the Company, as the fee simple owner of the Property in the capacity described above, hereby gives its full consent to the removal of the Property from within the external boundaries of the Fontainbleau Lakes Community Development District.

[Execution Pages to Follow]

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of October, 2011.

FONTAINBLEAU LAKES, LLC, a
Florida limited liability company

By: _____

Name: Masoud Shojaee

Title: Co-Manager

By: _____

Name: Pedro Martin

Title: Co-Manager

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 5th day of October, 2011, by Masoud Shojaee and Pedro Martin as Co-Managers of Fontainbleau Lakes, LLC., a Florida limited liability company on behalf of the company. He/she is personally known to me or produced _____ as identification.

Notary Public

Lydia Cabrera
Typed, printed or stamped name of Notary Public

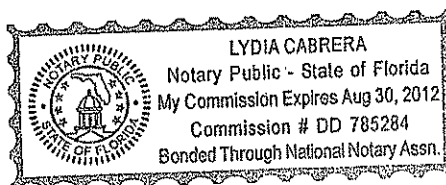


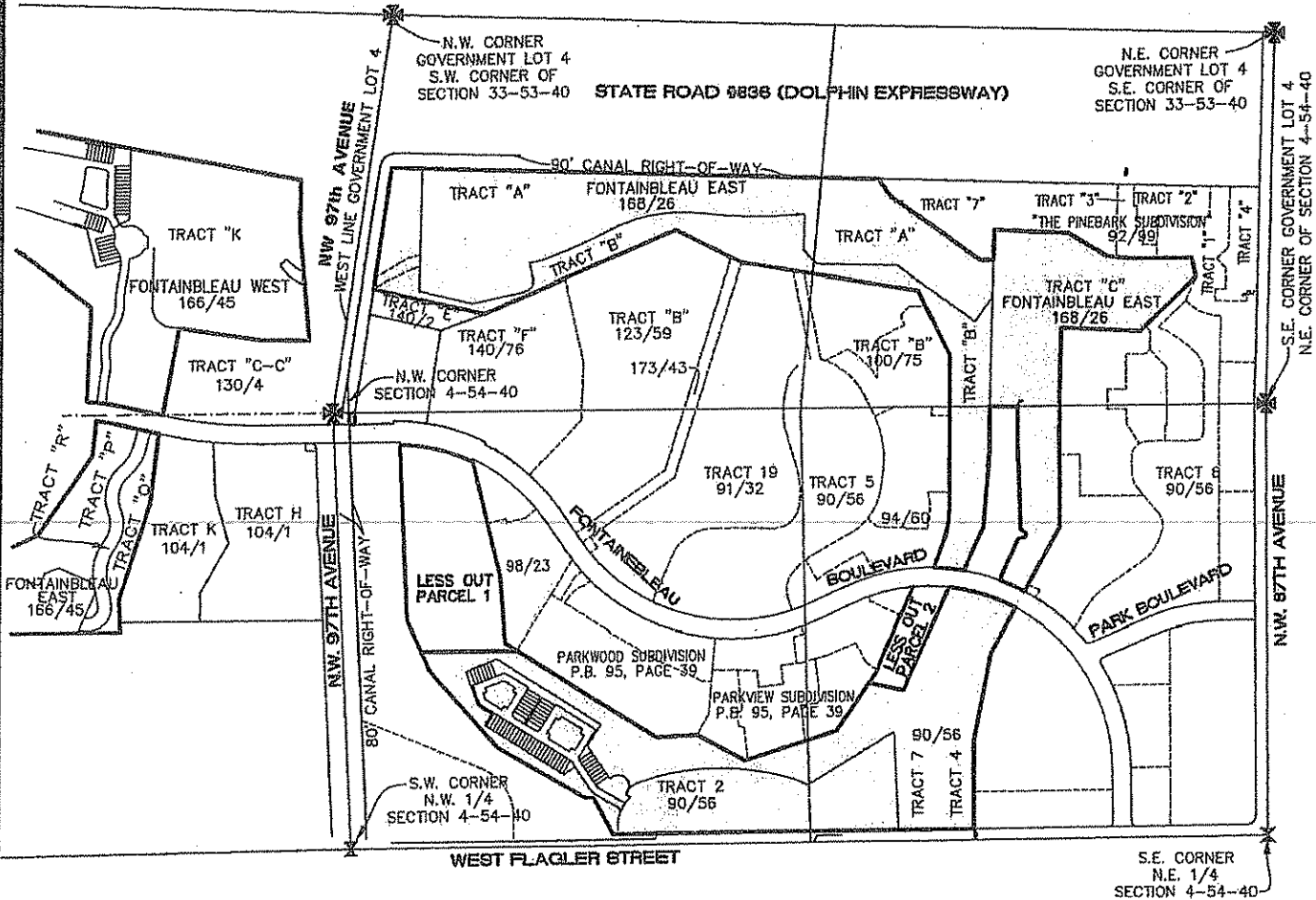
Exhibit "1"



SKETCH
BY
PULICE LAND SURVEYORS, INC.
5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351



TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



NOTES:

- 1) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 2) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) O.R.B. DENOTES: OFFICIAL RECORDS BOOK.

FILE: SHOMA GROUP

SCALE: NOT TO SCALE

ORDER NO.: 53990B

DATE: 10/6/11

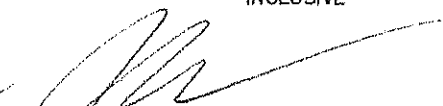
AREA TO BE REMOVED FROM DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE


 JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 STATE OF FLORIDA

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SKETCH AND LEGAL DESCRIPTION
 BY
PULICE LAND SURVEYORS, INC.
 5381 NOB HILL ROAD
 SUNRISE, FLORIDA 33351



TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
 E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870

LEGAL DESCRIPTION: AREA TO BE REMOVED FROM THE DISTRICT BOUNDARIES

ALL OF FONTAINEBLEAU EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS THE FOLLOWING TWO (2) PORTIONS OF TRACT "D" OF SAID FONTAINEBLEAU EAST BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGIN AT THE MOST WESTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT 23, "FONTAINEBLEAU PARK SUBDIVISION SECTION NINE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 94, PAGE 35 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 01°36'14" WEST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST WESTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1075.92 FEET AND A CENTRAL ANGLE OF 24°07'28" AN ARC DISTANCE OF 453.02 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEAST LINE OF SAID TRACT "D"; THENCE SOUTH 13°19'53" EAST ON SAID LINE 705.34 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 03°48'16" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 391.86 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 57°56'57" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 88.71 FEET; THENCE NORTH 90°00'00" WEST 578.90 FEET TO THE INTERSECTION WITH A WESTERLY LINE OF SAID TRACT "D"; THENCE NORTH 24°13'40" WEST ON A WEST LINE OF SAID TRACT "D" 202.95 FEET; THENCE NORTH 02°06'50" WEST ON THE MOST WESTERLY NORTHWEST LINE OF SAID TRACT "D" 1046.28 FEET TO THE POINT OF BEGINNING.
 CONTAINING 621,765 SQUARE FEET (14.2738 ACRES).

PARCEL 2

BEGINNING AT THE MOST EASTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT "A", "PARKSIDE SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 102, PAGE 60 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 04°19'27" EAST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST EASTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1090.92 FEET, A CENTRAL ANGLE OF 11°06'07" AN ARC LENGTH OF 211.38 FEET; THENCE SOUTH 24°37'46" WEST ALONG A LINE PARALLEL WITH AND 193.69 FEET SOUTHEASTERLY OF A WEST LINE OF SAID TRACT "D" 664.42 FEET; THENCE NORTH 78°30'01" WEST 215.56 FEET TO THE INTERSECTION WITH A WEST LINE OF SAID TRACT "D"; THENCE NORTH 34°51'44" EAST ON SAID WEST LINE 91.36 FEET TO A CORNER OF SAID TRACT "D"; THENCE NORTH 24°37'46" EAST ON SAID WEST LINE 539.64 FEET TO THE POINT OF BEGINNING.
 CONTAINING 126,368 SQUARE FEET (2.9010 ACRES).

TOTAL LAND CONTAINING 5,660,1640 SQUARE FEET (129.9395 ACRES) MORE OR LESS.

FILE: SHOMA GROUP

SCALE: N/A

ORDER NO.: 53990B

DATE: 10/6/11

AREA TO BE REMOVED FROM DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST AND WEST

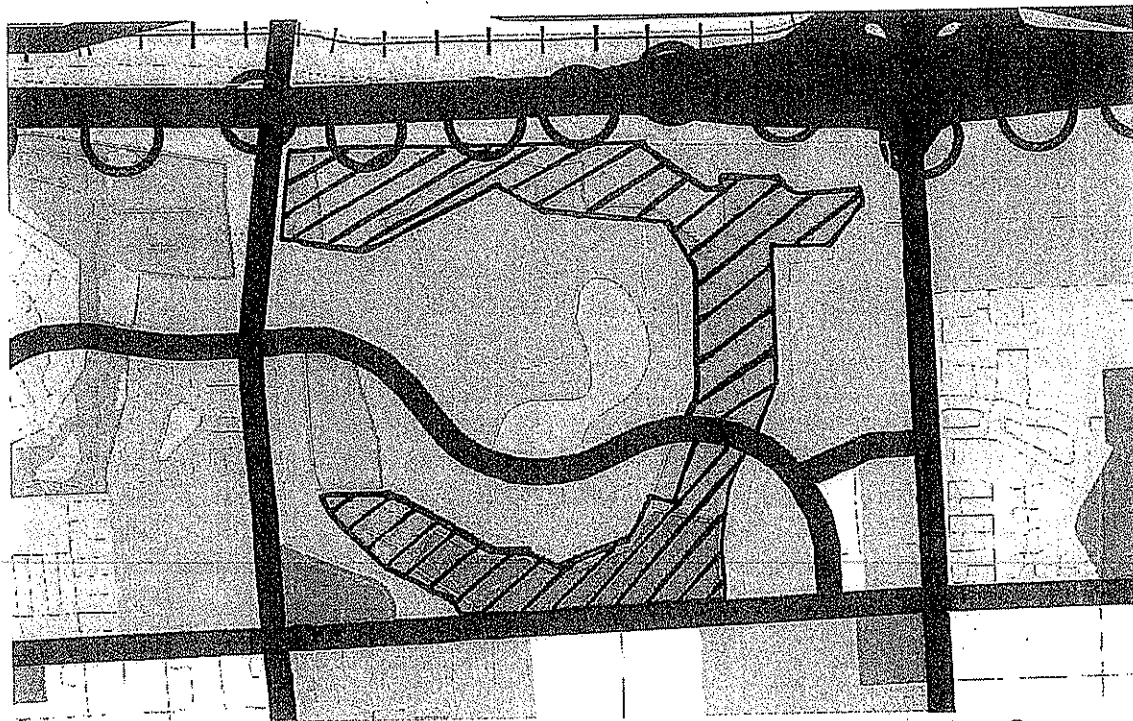
SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

22

EXHIBIT "E"

DESIGNATION OF THE FUTURE GENERAL DISTRIBUTION, LOCATION,
AND EXTENT OF PUBLIC AND PRIVATE USES OF LAND PROPOSED FOR
THE AREA TO BE REMOVED WITHIN THE DISTRICT



ADOPTED 2015-2025 LAND USE PLAN
FOR MIAMI-DADE COUNTY, FLORIDA


SUBJECT PROPERTY

The future land use map of the Miami-Dade County Comprehensive Plan designates the land area within the legal description of the land to be removed from the District as "Medium Density Residential," "Parks and Recreation," and "Business and Office."

Exhibit "F"

**FONTAINBLEAU LAKES
COMMUNITY DEVELOPMENT DISTRICT**

Statement of Estimated Regulatory Costs

October 5, 2011

Prepared by:

Jorge L. Navarro, Esq.
The Lasarte Law Firm
3470 N.W. 82nd Avenue, Suite 660
Doral, Florida 33122
305-594-2877 – Tele

&

Special District Services, Inc.
11000 Prosperity Farms Road, Suite 104
Palm Beach Gardens, Florida 33410

561-630-4922 – Tele
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561-630-4923 – Fax

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STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to reduce the boundaries of the Fontainebleau Lakes Community Development District ("District"). The District currently comprises approximately 272.12 acres of land located in the unincorporated area of Miami-Dade Florida and the requested boundary amendment will create a reduction of approximately 129.93 acres; and will leave approximately 142.19 acres in the District boundaries. The limitations on the scope of this SERC are explicitly set out in Section 190.002(2) (d), F.S. (governing District establishment) as follows:

"That the process of reduction in size of the district pursuant to uniform general law shall 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 Fontainebleau Lakes Community Development District

The reduced District is designed to provide district infrastructure, services, and facilities along with their operations and maintenance to a master planned residential development containing 405 residential units within the reduced boundaries of the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (1997), defines the elements a statement of estimated regulatory costs must contain:

(a) 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.

(b) 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 and local revenues.

(c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the ordinance. As used in this paragraph, "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, and the cost of monitoring and reporting.

(d) 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. Miami-Dade County is not defined as a small County for purposes of this requirement.

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

(f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

"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), Florida Statutes."

2.0 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 Fontainebleau Lakes Community Development District upon its reduction in size will serve land that comprises a 142.19+/- acre residential development to be made up of an estimated 405 residential dwelling units. The estimated population of the residential portion of the District is 1,825+/- . The property owners in the District will be individuals, families and companies that may own and operate retail and non-retail related businesses outside the boundaries of the District.

3.0 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 rule, and any anticipated effect on state or local revenues.

There is no state agency promulgating any rule relating to this project that is anticipated to affect state or local revenues.

3.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the adoption of the ordinance to amend the District boundaries continues to result in a previously establishment of a local unit of special purpose government, there will be no enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

There will continue to be only modest costs to various State governmental entities for the continuance of the District. The District as established and in its reduced size will encompass under 1,000 acres, therefore, Miami-Dade County is the establishing entity under 190.005(2), F.S. The modest costs to various State entities to implement and enforce the proposed ordinance to amend the District boundaries relate strictly to the receipt and processing of various reports that the District is required to file with the State

and its various entities. Appendix A lists the reporting requirements. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.412, F.S., the District must pay an annual fee to the State of Florida Department of Community Affairs which offsets such costs.

Miami-Dade County

There will be only modest costs to the County for a number of reasons. First, review of the petition to amend the boundaries of the District does not include analysis of the project itself. Second, the petition to amend the boundaries provides much of the information needed for a staff review. Third, the County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Finally, the County routinely process similar petitions though for entirely different subjects, for land uses and zoning changes that are far more complex than is the petition to amend the boundaries (size reduction) of a community development district.

The annual costs to Miami-Dade County, because of the amended boundaries of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces 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 establishes a monitoring program for this District. However, the Petitioner has included a payment of \$1,500.00 to offset any expenses the County may incur in the processing of this Petition to amend the boundaries, or in the monitoring of this District.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance to amend the boundaries will have no negative impact on state or local revenues. The District in its reduced size will continue as 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.

In this regard it is important to note that the debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any other of local government. In accordance with State law, debts of the District are strictly its own responsibility.

4.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services in the amended boundaries the District may provide.

Table 1

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

Facilities and Services

FACILITY	FUNDED BY	O&M BY	OWNERSHIP BY
Water Distribution System	CDD	County	County
Sanitary Sewer System Lift Stations & Force Main	CDD	County, CDD & HOA	County & CDD
Roadways Improvements	CDD	CDD & HOA	CDD
Stormwater Management System	CDD	CDD & HOA	CDD

The petitioner has provided the costs for providing the capital facilities outlined in Table 1. The cost estimates are shown in Table 2 below. Total costs for those facilities, which have been provided, are estimated to be approximately \$32,887,882.00. The District has issued special assessment bonds to fund the costs of all or a portion of these facilities. These bonds will be repaid through non-ad valorem special assessments levied on all properties in the District that benefit from the District's infrastructure program as outlined in Table 2.

Current and future landowners in the District will be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments for debt service, the District will also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services as needed.

Furthermore, locating in the District by new property owners is completely voluntary. Therefore, all owners and users of the affected property choose to accept the non-ad valorem special assessments by various names and user fees as a tradeoff for the benefits and facilities that the District provides.

A Community Development District ("CDD") provides property owners with the option of having higher levels of facilities and services financed through self-imposed assessments. The District is an alternative means to manage necessary development services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a property association, County provision, or through developer equity and/or bank loans.

In considering these costs it shall be noted that owners of the lands within the amended boundaries of the District will receive three major classes of benefits.

First, landowners in the District will receive a higher long-term sustained level of public services and amenities sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Within the amended boundaries 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 governance which allows District landowners, through landowner voting, to determine the type, quality and expense of District services they receive, provided they meet the County's overall requirements.

Table 2

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

Cost Estimate for District Facilities

Category	Cost Estimates
Water Distribution System	\$1,388,120
Sanitary Sewer System	\$2,023,563
Roadway Improvements	\$9,065,380
Stormwater Management System	\$20,410,819
TOTALS	\$32,887,882.00

Table 3

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

Estimated Construction Timetable For District Facilities

Facility	Completion Date
Water Distribution System	Substantially complete as of 9-30-11
Sanitary Sewer System-Lift Station #1	Fully Operational
Roadway Improvements	Substantially complete as of 9-30-11
Stormwater Management System	Substantially complete as of 9-30-11
Lift Station #2	Fully Operational

5.0 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 no impact on small businesses because of the amended boundaries of the District. The Miami-Dade County has an estimated population in 2010 that is greater than 10,000; therefore, the County is not defined as a "small" County according to Section

120.52, F.S, and there will accordingly be no impact on a small County because of the amended boundaries of the District.

6.0 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.

WHEREAS, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

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

WHEREAS, the Board has determined that the proposed reduction would decrease the developable/assessable acreage of the District and would therefore reduce the costs and expenses associated with the construction, acquisition, and maintenance of planned infrastructure improvements and services for the area to be removed; thereby proportionately reducing the cost of public infrastructure to future individual homeowners; and

WHEREAS, in order to seek a boundary amendment 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 boundary amendment 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; 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 desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, Florida Statutes, which processes include the preparation and submission of a petition to Miami-Dade County, Florida, the holding of a local hearing in accordance with Section 190.046(1), Florida Statutes, and such other actions as are necessary in furtherance of the boundary amendment process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT, THAT:

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

SECTION 2. The Board hereby directs the Chairperson or Vice Chairperson, in the absence of the Chairperson; and District Staff to proceed in an expeditious manner, as needed, with the preparation and filing of a petition and related materials with Miami-Dade County, Florida to amend the District's boundaries to contract and exclude the lands described in **Exhibit A**, pursuant to Chapter 190, Florida Statutes, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, Florida Statutes, for the amendment of the District's boundaries.

EXHIBIT "A"

FONTAINEBLEAU LAKES CDD BOUNDARY REDUCTION

LEGAL DESCRIPTION OF AREA (ON EAST SIDE) TO BE REMOVED FROM THE DISTRICT BOUNDARIES

ALL OF FONTAINEBLEAU EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS THE FOLLOWING TWO (2) PORTIONS OF TRACT "D" BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGIN AT THE MOST WESTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT 23, "FONTAINEBLEAU PARK SUBDIVISION SECTION NINE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 94, PAGE 35 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 01DEG36MIN14SEC WEST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST WESTERLY NORTH LINE OF TRACT "D"; AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1075.92 FEET AND A CENTRAL ANGLE OF 24DEG07MIN28SEC AN ARC DISTANCE OF 453.02 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEAST LINE OF SAID TRACT "D"; THENCE SOUTH 13DEG19MIN53SEC EAST ON SAID LINE 705.34 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 03DEG48MIN16SEC EAST ON AN EASTERLY LINE OF SAID TRACT "D" 391.86 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 57DEG56MIN57SEC EAST ON AN EASTERLY LINE OF SAID TRACT "D" 88.71 FEET; THENCE NORTH 90DEG00MIN00SEC WEST 578.90 FEET TO THE INTERSECTION WITH A WESTERLY LINE OF SAID TRACT "D"; THENCE NORTH 24DEG13MIN40SEC WEST ON A WEST LINE OF SAID TRACT "D" 202.95 FEET; THENCE NORTH 02DEG06MIN50SEC WEST ON THE MOST WESTERLY NORTHWEST LINE OF SAID TRACT "D" 1046.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 621,765 SQUARE FEET (14.2738 ACRES)

PARCEL 2

BEGINNING AT THE MOST EASTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT "A", "PARKSIDE SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 102 PAGE 60 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 04DEG19MIN27SEC; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST EASTERLY LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1090.92 FEET, A CENTRAL ANGLE OF 11DEG06MIN07SEC AN ARC LENGTH OF 211.38 FEET; THENCE SOUTH 24DEG37MIN46SEC WEST ALONG A LINE PARALLEL WITH AND 193.69 FEET SOUTHEASTERLY OF A WEST LINE OF SAID TRACT "D" 664.42 FEET; THENCE NORTH 78DEG30MIN01SEC WEST 215.56 FEET TO THE INTERSECTION WITH A WEST LINE OF SAID TRACT "D"; THENCE NORTH 34DEG51MIN44SEC EAST ON SAID WEST LINE 91.36 FEET TO A CORNER OF SAID TRACT "D"; THENCE NORTH 24DEG37MIN46SEC EAST ON SAID WEST LINE 539.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 126,368 SQUARE FEET (2.9010 ACRES)

PARCEL 1 AND PARCEL 2 CONTAINS 17.1748 ACRES TOTAL

EAST SIDE LAND AREA REDUCTION CONTAINS APPROXIMATELY 5,659,773 SQUARE FEET (129.931 ACRES)

EXHIBIT "H"

**MEMBERS OF THE BOARD OF SUPERVISORS FOR THE
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT**

1. Marta A. Cruz –Chairperson
2. Raquel Priscila Chong-Vice Chairperson
3. Jennifer Ortiz-Assistant Secretary
4. Lydia Cabrera- Assistant Secretary
5. Orestes Lopez-Recio- Assistant Secretary

EXHIBIT "B" TO THE ORDINANCE

SKETCH AND LEGAL DESCRIPTION

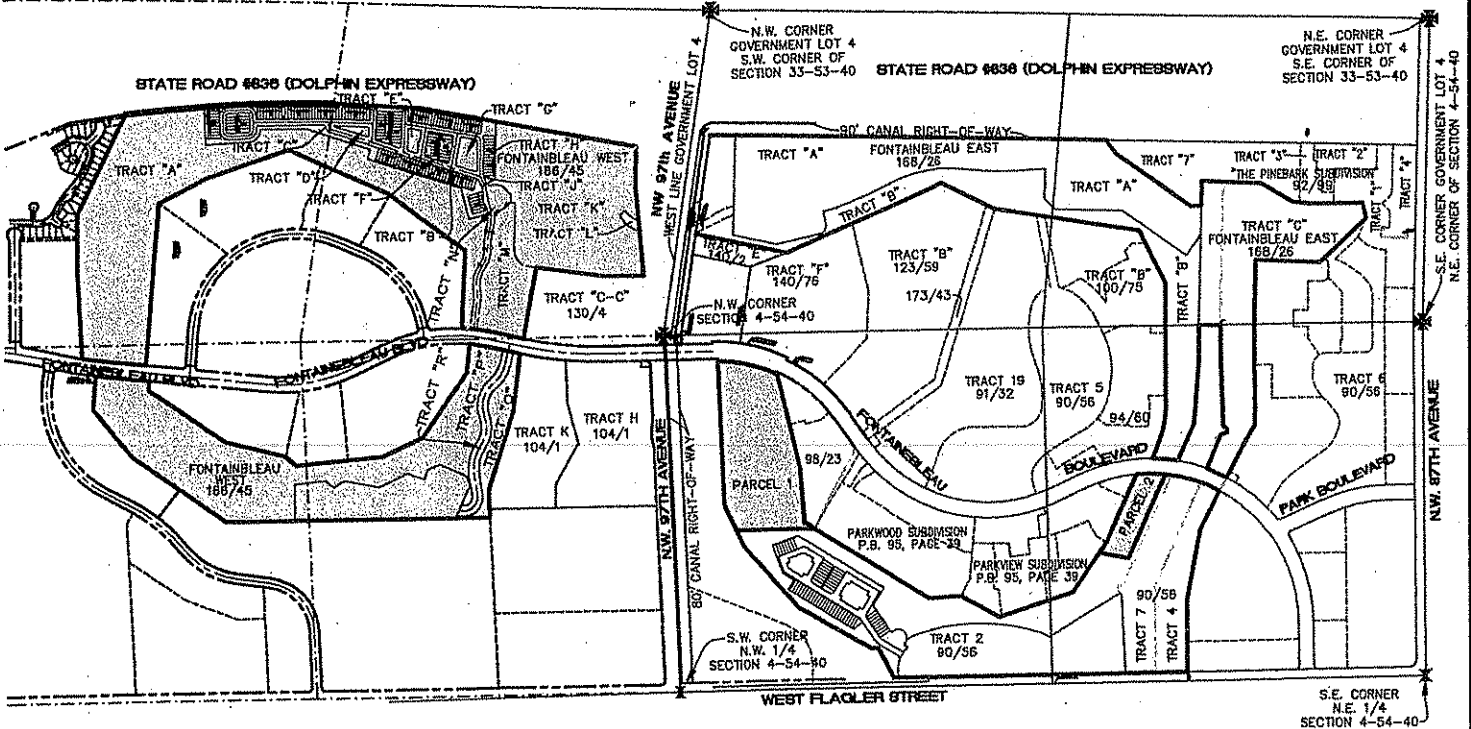
BY

PULICE LAND SURVEYORS, INC.

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NOTES:

- 1) BEARINGS ARE BASED ON THE MOST WESTERLY NORTHWEST LINE OF TRACT "D" BEING S02°06'50"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) R DENOTES: RADIUS
- 5) CA DENOTES: CENTRAL ANGLE
- 6) A DENOTES: ARC LENGTH
- 7) O.R.B. DENOTES: OFFICIAL RECORDS BOOK

FILE: SHOMA GROUP

SCALE: NOT TO SCALE

ORDER NO.: 53990C

DATE: 10/6/11

NEW DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST AND WEST

SHEET 1 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

[Signature]
 JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
 BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
 STATE OF FLORIDA

EXHIBIT "B" TO THE ORDINANCE



SKETCH AND LEGAL DESCRIPTION

BY

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LEGAL DESCRIPTION: NEW DISTRICT BOUNDARIES

ALL OF FONTAINEBLEAU WEST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 166, PAGE 45 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

THE FOLLOWING TWO (2) PARCELS OF LAND IN FONTAINEBLEAU EAST, AS RECORDED IN PLAT BOOK 168, PAGE 26 OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGIN AT THE MOST WESTERLY NORTHWEST CORNER OF TRACT "D" OF SAID PLAT OF FONTAINEBLEAU EAST, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT 23, "FONTAINEBLEAU PARK SUBDIVISION SECTION NINE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 94, PAGE 35 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 01°36'14" WEST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST WESTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1075.92 FEET AND A CENTRAL ANGLE OF 24°07'28" AN ARC DISTANCE OF 453.02 FEET TO THE INTERSECTION WITH THE MOST WESTERLY NORTHEAST LINE OF SAID TRACT "D"; THENCE SOUTH 13°19'53" EAST ON SAID LINE 705.34 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 03°48'16" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 391.86 FEET TO A CORNER OF SAID TRACT "D"; THENCE SOUTH 57°56'57" EAST ON AN EASTERLY LINE OF SAID TRACT "D" 88.71 FEET; THENCE NORTH 90°00'00" WEST 578.90 FEET TO THE INTERSECTION WITH A WESTERLY LINE OF SAID TRACT "D"; THENCE NORTH 24°13'40" WEST ON A WEST LINE OF SAID TRACT "D" 202.95 FEET; THENCE NORTH 02°06'50" WEST ON THE MOST WESTERLY NORTHWEST LINE OF SAID TRACT "D" 1046.28 FEET TO THE POINT OF BEGINNING.
CONTAINING 621,765 SQUARE FEET (14.2738 ACRES).

PARCEL 2

BEGINNING AT THE MOST EASTERLY NORTHWEST CORNER OF SAID TRACT "D" BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD, ALSO BEING A POINT ON THE EAST LINE OF TRACT "A", " PARKSIDE SUBDIVISION", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 102, PAGE 60 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID POINT BEING ON THE ARC OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS POINT BEARS SOUTH 04°19'27" EAST; THENCE EASTERLY ON SAID SOUTHERLY RIGHT-OF-WAY LINE, ON THE MOST EASTERLY NORTH LINE OF TRACT "D" AND ON THE ARC OF SAID CURVE HAVING A RADIUS OF 1090.92 FEET, A CENTRAL ANGLE OF 11°06'07" AN ARC LENGTH OF 211.38 FEET; THENCE SOUTH 24°37'46" WEST ALONG A LINE PARALLEL WITH AND 193.69 FEET SOUTHEASTERLY OF A WEST LINE OF SAID TRACT "D" 664.42 FEET; THENCE NORTH 78°30'01" WEST 215.56 FEET TO THE INTERSECTION WITH A WEST LINE OF SAID TRACT "D"; THENCE NORTH 34°51'44" EAST ON SAID WEST LINE 91.36 FEET TO A CORNER OF SAID TRACT "D"; THENCE NORTH 24°37'46" EAST ON SAID WEST LINE 539.64 FEET TO THE POINT OF BEGINNING.
CONTAINING 126,368 SQUARE FEET (2.9010 ACRES).

TOTAL LAND CONTAINING 6,193,430 SQUARE FEET (142.1816 ACRES) MORE OR LESS.

FILE: SHOMA GROUP

SCALE: N/A

ORDER NO.: 53990C

DATE: 10/6/11

NEW DISTRICT BOUNDARIES

MIAMI-DADE COUNTY, FLORIDA

FOR: FONTAINEBLEAU EAST AND WEST

SHEET 2 OF 2

THIS DOCUMENT IS NEITHER FULL NOR COMPLETE WITHOUT SHEETS 1 AND 2, INCLUSIVE

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