

RESOLUTION NO. 2015-15

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXPRESSING ITS SUPPORT FOR THE ESTABLISHMENT OF THE BONTERRA COMMUNITY DEVELOPMENT DISTRICT COMPRISING OF 109.86 ACRES, MORE OR LESS, HAVING EXTERNAL BOUNDARIES AS DEPICTED IN THE MAP ATTACHED AS EXHIBIT 2 TO THE PETITION TO ESTABLISH THE BONTERRA COMMUNITY DEVELOPMENT DISTRICT FOR CONSIDERATION BY MIAMI-DADE COUNTY ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1" AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, petitioner, Hialeah Communities, LLC, a Florida limited liability company, seeks to establish the Bonterra Community Development District within the geographic boundaries of the City of Hialeah and Miami-Dade County; and

WHEREAS, pursuant to advertised notice, the City conducted a public hearing to determine if the City would support or object to the establishment of the Bonterra Community Development District by ordinance of the Board of Miami-Dade County Commissioners; and

WHEREAS, the City of Hialeah finds that it is in the best interest of the community and its residents to support the establishment of the Bonterra Community Development District as a reasonable alternative to the financing, construction, delivery, and long-term operation and management of basic infrastructure servicing the proposed residential development in the annex area; and

WHEREAS, the City of Hialeah finds that the creation of the Bonterra Community Development District allows for sustainable growth within the annex area alleviating the burden on taxpayers for long-term financial planning of capital infrastructure to accommodate projected growth in the area;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

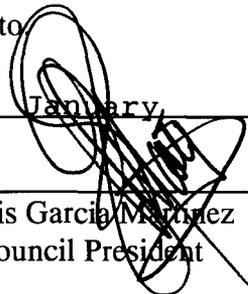
Section 2: The City Council of the City of Hialeah, Florida hereby expresses its support for the establishment of the Bonterra Community Development District ("District") comprising of

109.86 acres, more or less, having external boundaries as depicted in the map as attached hereto and made a part hereof as Exhibit "1" subject to the following conditions:

1. Any material amendments or modifications to the Petition on file with the City shall be submitted for review and approval of the City within 30 days of such amendments or modifications.
2. Upon establishment of the District, the District shall provide the City all current names and addresses of the district professional manager, attorney, bond counsel, developer representative, and members and chair of the board of supervisors or directors of the District, including any future changes to the names and addresses provided.
3. Restrictions contained in the proposed plat.
4. Compliance with all land use, zoning, permitting, licensing, covenant community laws, rules and regulations adopted by the City of Hialeah.

Section 3: This resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

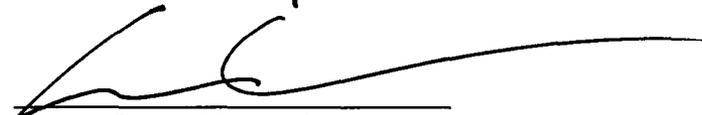
PASSED AND ADOPTED this 27 day of January, 2015.


Isis Garcia Martinez
Council President

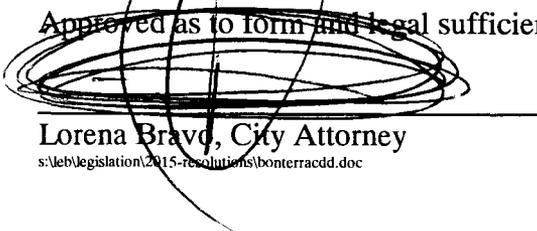
Attest:

Approved on this 30 day of JANUARY, 2015.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena Bravo, City Attorney

s:\leb\legislation\2015-resolutions\bonterracdd.doc

Resolution was adopted by a (7-0) unanimous vote with Councilmembers, Caragol, Casáls-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

**PETITION TO ESTABLISH
BONTERRA COMMUNITY DEVELOPMENT DISTRICT**

Date: December, 2014

**PETITION TO ESTABLISH BONTERRA
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Hialeah Communities, LLC, a Florida limited liability company (“Petitioner”), petitions Miami-Dade County, Florida (“County”), pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes and the Miami-Dade Home Rule Charter, to adopt an ordinance to establish a Uniform Community Development District (“District”) and to designate the land area for which the District would manage and finance basic service delivery and states as follows:

1. **Petitioner and Authorized Agent:** Petitioner is a Florida limited liability company with principal offices at 401 East Las Olas Boulevard, Suite 800, Fort Lauderdale, Florida 33301. Copies of all correspondence and official notices should also be sent to the authorized agent for the Petitioner:

Dennis E. Lyles, Esq.
Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
515 E. Las Olas Boulevard, Sixth Floor
Fort Lauderdale, Florida 33301
Phone: 954-764-7150 / Fax: 954-764-7279
Email: dlyles@bclmr.com

2. **District Location and Description:** The land area to be included in the District comprises approximately 109.86 gross acres more or less. A map showing the location of the land area to be included in the District is attached hereto as **Exhibit 1**. All of the land within the proposed District is located in the City of Hialeah, Florida. A metes and bounds legal description of the external boundaries of the District is attached hereto as **Exhibit 2**.

3. **District Impact:** There is no property within the external boundaries of the District which will not be part of the District. The impact of creating the District on

the parcels adjacent to the District should be positive, in that the facilities provided by the District and maintenance of same should result in an aesthetically pleasing surrounding area with beneficial infrastructure while not detrimentally affecting anyone outside the District. In addition, any potential establishment costs to the City of Hialeah or Miami-Dade County, the establishing entity, will be nominal.

4. **Property Owners Consent:** Attached hereto as **Exhibit 3**, is documentation constituting written consent to the establishment of the District by the owners of the real property to be included in and serviced by the District.

5. **Initial Governing Board:** The five (5) persons designated to serve as the initial members of the board of supervisors of the District, who shall serve in that office until replaced by elected members, as provided in Section 190.006, Florida Statutes Amended, are named in **Exhibit 4** attached hereto.

6. **District Name:** The proposed name of the District is Bonterra Community Development District.

7. **Water and Sewer Lines:** The major trunk water mains, sewer interceptors and outfalls currently in existence to serve the District are identified on **Exhibit 5** attached hereto.

8. **Timetables and Construction Costs:** The proposed timetables and related estimates of cost to construct the District services and facilities, based upon available data, are attached hereto as **Exhibits 6** and **7**, respectively.

The Petitioner intends that the District will finance (i) stormwater management system, (ii) water distribution system, (iii) wastewater collection system, (iii) roadway improvements (off-site), and (iv) wetlands mitigation. The stormwater management system will be owned and maintained by the District. The water distribution system and the

wastewater collection system will be owned and maintained by the City of Hialeah. The off-site roadway improvements will be owned and maintained by the City of Hialeah, and/or Miami-Dade County, and/or the District.

9. **Zoning Designation; Future Land Use:** The land within the District is zoned Residential Development District, namely, RH-1 (one family district), R-4 (Townhouse), RH-3-M (multiple family district) and R-3-MM (multiple family district). The zoning approval for project within the District is attached hereto as **Exhibit 8**. The future general distribution, location and extent of the public and private land uses proposed within the District are shown on **Exhibit 9**. These proposed land uses are consistent with the state comprehensive plan and the City of Hialeah Comprehensive Plan, which designates the land within the District as low medium density residential.

10. **Statement of Estimated Regulatory Costs:** The statement of estimated regulatory costs of the granting of this Petition and the establishment of the District pursuant thereto is attached hereto as **Exhibit 10**.

11. **Rights to be Granted the District:** Petitioner hereby requests that the District be granted the right to exercise all powers provided for in Sections 190.012(1) and (2)(a) and (d), Florida Statutes.

12. **Disclosure Requirements:** The Petitioner undertakes on behalf of the District that the Petitioner and the District will provide full disclosure of information relating to the public financing and maintenance of improvements to real property to be undertaken by the District as required by Section 190.009, Florida Statutes, as amended and as required as a condition of the creation of the District by the Board of County Commissioners of Miami-Dade County.

13. **Reasons for the Establishment of the District:** The property within the District is amenable to operating as an independent special district for the following reasons:

a) Establishment of the district and all land uses and services planned within the proposed District are consistent with applicable elements or portions of the effective Miami-Dade County Comprehensive Master Plan.

b) The area of land within the District is part of a unified plan of development. The land encompassing the District is of sufficient size and is sufficiently compact and contiguous to be developed as one functional interrelated community.

c) The community development services of the District will be compatible with the capacity and use of the existing local and regional community development services and facilities.

d) The District will be the best alternative available for delivering community development services to the area to be served because the District provides a governmental entity for delivering those services and facilities in a manner that does not financially impact persons residing outside of the District.

14. **Resolution of Support from the City of Hialeah:** A Resolution of the City of Hialeah City Council supporting the establishment of the District is attached as **Exhibit 11.**

WHEREFORE, Petitioner respectfully requests Miami-Dade County to:

A. Schedule a public hearing to consider this Petition pursuant to the uniform procedures set forth in Section 190.005(2)(b) and (1)(d), Florida Statutes.

B. Grant the Petition and adopt an ordinance to establish the District and designate the land area to be serviced by the District, pursuant to Sections 190.005(2), Florida Statutes.

Respectfully submitted this, day of , 2014.

Hialeah Communities, LLC, a Florida limited liability company

By: *K. Lawrence Gragg*

Print Name: K. LAWRENCE GRAGG

Title: VP

EXHIBIT 1
LOCATION SKETCH

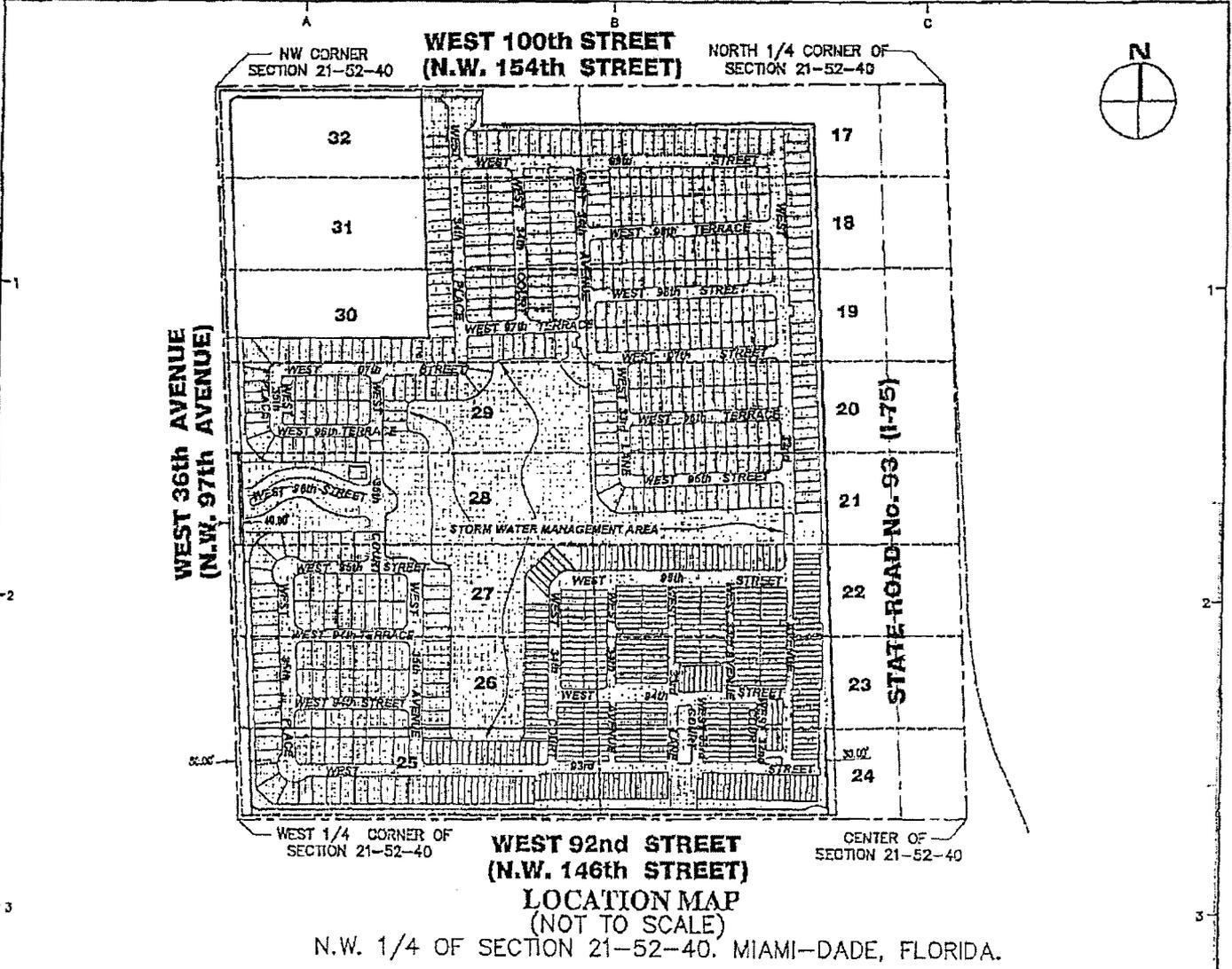
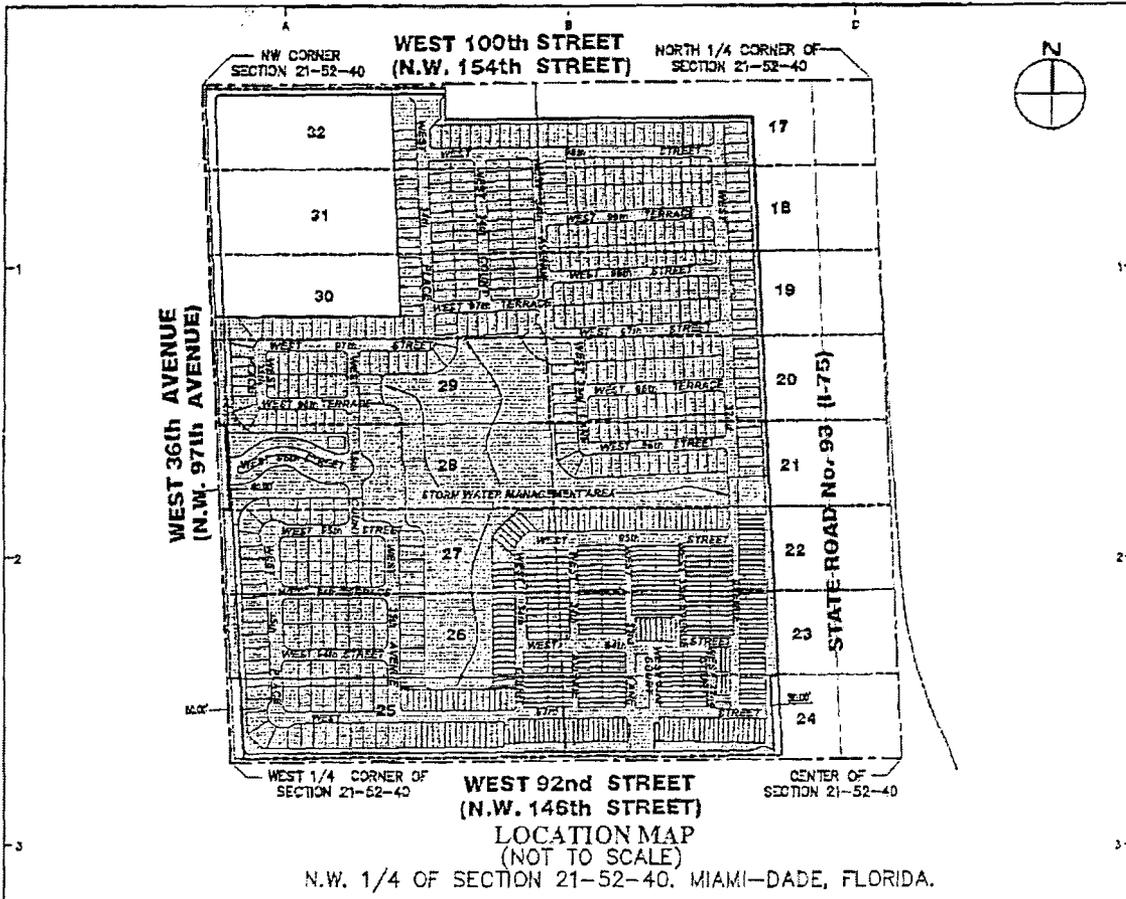


EXHIBIT 2
METES AND BOUNDS DESCRIPTION



SURVEYOR'S NOTES:

- 1) -This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) -Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 3) -There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will be made to determine recorded instruments, if any affecting this property.
- 4) -North arrow direction and Bearings shown hereon are based on assumed value of N02°37'55"W; along the West Line of N.W. 1/4 of Section 21, Township 52 South, Range 40 East, as shown on the Section Sheet thereof of the Public Records of Miami-Dade County, Florida.
- 5) -The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) -No title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

SURVEYOR'S CERTIFICATE:

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION of the real property described hereon. I further certify that this sketch was prepared in accordance with the applicable provisions of Chapter 5J-17 (Formerly 61G17-6), Florida Administrative Code.

Ford, Armenteros & Fernandez, Inc. L.B. 6557
 Date: OCTOBER 15, 2014.
 Revision:

Omar Armenteros, P.S.M., For the Firm
 Professional Surveyor and Mapper
 State of Florida, Registration No.3679

BONTERRA / CDD BOUNDARY				
	FORD, ARMENTEROS & FERNANDEZ, INC. 1950 N.W. 94th AVENUE, 2nd FLOOR MIAMI, FLORIDA 33172 PH. (305) 477-8472 FAX (305) 470-2805			
	TYPE OF PROJECT:	SKETCH AND LEGAL DESCRIPTION		
	SHEET NAME:	LOCATION MAP AND SURVEYOR'S NOTES		
	PREPARED FOR:	CC DEVCO, LLC		
DRAWN BY:	E.R.	DATE:	10-15-2014	
DATE CHECKED BY:		SCALE:	N/A	
DRAWN BY:		PROJECT No:	07A022-1000	
			<div style="font-size: 2em; font-weight: bold;">1</div> of 3 SHEETS	

LEGAL DESCRIPTION

Tracts 17, 18, 19, 20, 21, 22, 23, 24, less all Right-of-Way of Record and less Right-of-Way for State Road 93 (I-75), and Tracts 25, 26, 27, 28, 29, 30, 31 and 32, less all Right-of-Way of Record, of FLORIDA FRUIT LAND'S COMPANY SUBDIVISION NO. 1, according to the Plat thereof as recorded in Plat Book 2, Page 17, of the Public Records of Miami -Dade County, Florida, lying in Section 21, Township 52 South, Range 40 East and being more particularly described as follows:

Commence at the Northwest corner of said Section 21, thence N89°34'43"E, along the North line of said Section 21, for a distance of 15.01 feet; thence S02°37'55"E along a line 15.00 feet East of and parallel with the West line of the Northwest 1/4 of said Section 21, for a distance of 15.01 feet to the POINT OF BEGINNING of the hereinafter described parcel of land; thence N89°34'43"E along a line 15.00 feet South of and parallel with the North line of the Northwest 1/4 of said Section 21, for a distance of 954.40 feet, the next five (5) courses and distances being along the Right-of-Way line of State Road No. 93 (I-75) as shown on the F.D.O.T. Right-of-Way map Section 87075-2401, Sheet 1 thru 9; 1) thence S00°25'17"E for a distance of 125.00 feet ; 2) thence N89°34'43"W for a distance of 1203.20 feet; 3) thence S02°35'43"E for a distance of 2171.78 feet; 4) thence S89°36'25"W for a distance of 30.02 feet; 5) thence S02°35'43"E for a distance of 315.26 feet to its intersection with a line 15.00 feet North of and parallel with the South line of the Northwest 1/4 of said Section 21; thence S89°36'40"W along the last described line, for a distance of 2086.19 feet to its intersection with a line 50.00 feet East of and parallel with the West line of the Northwest 1/4 of said Section 21, said line also being the Easterly line of a 50.00 feet Right-of-Way dedication as recorded in Official Records Book 28042, page 1650 of the Public Records of Miami-Dade County, Florida; thence N02°37'55"W along the last described line for a distance of 315.11 feet to its intersection with the North line of said Tract 25; thence S89°36'25"W, along said North line for a distance of 35.03 feet to its intersection with a line 15.00 feet East of and parallel with the West line of the Northwest 1/4 of said Section 21; thence N02°37'55"W along the last described line for a distance of 660.25 feet to its intersection with the South line of said Tract 28; thence N89°35'56"E, along said South line of Tract 28 for a distance of 25.02 feet to its intersection with a line 40.00 feet East of and parallel with the West line of the Northwest 1/4 of said Section 21, said line also being the Easterly line of a 5.00 feet Right-of-Way dedication as recorded in Official Records Book 15247, page 2357 of the Public Records of Miami-Dade County, Florida; thence N02°37'55"W along the last described line for a distance of 330.13 feet to its intersection with the North line of said Tract 28; thence S89°35'41"W, along the North line of said Tract 28 for a distance of 25.02 feet to its intersection with the said line 15.00 feet East of and parallel with the West line of the Northwest 1/4 of said Section 21; thence N02°37'55"W, along the last described line for a distance of 1305.49 feet to the POINT OF BEGINNING.

LESS the North 903.00 feet of the West 748.00 feet of the N.W. 1/4 of said Section 21, Township 52 South, Range 40 East, Miami-Dade County, Florida.

Containing 4,785,778.21 S.F. or 109.86 Acres more or less.

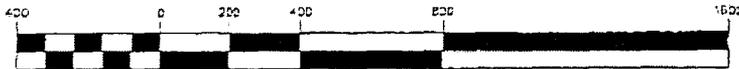
BONTERRA / CDD BOUNDARY



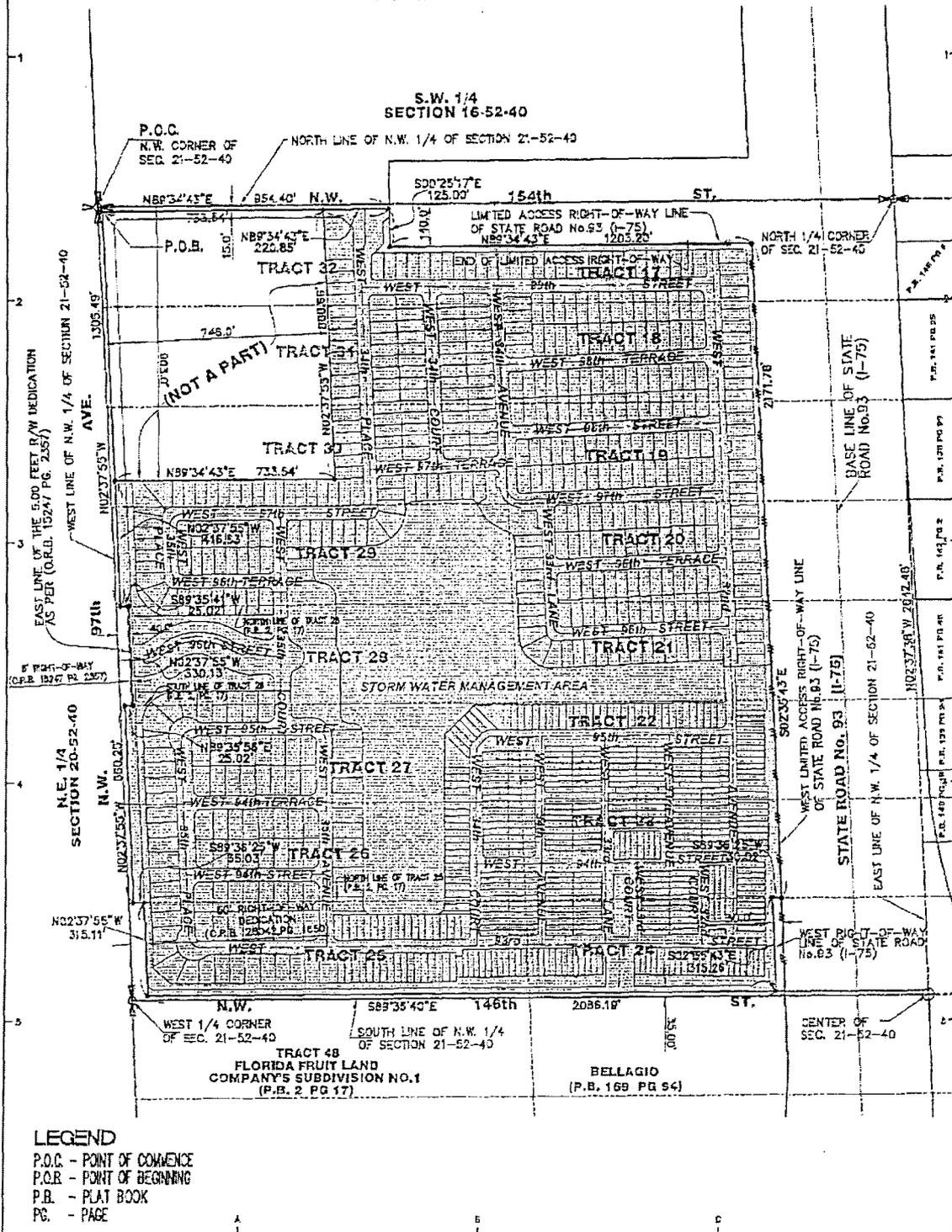
FORD, ARMENTEROS & FERNANDEZ, INC.
 1950 N.W. 94th AVENUE, 2nd FLOOR
 MIAMI, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 475-2865

TYPE OF PROJECT				SKETCH AND LEGAL DESCRIPTION	
SUBJECT NAME				LEGAL DESCRIPTION TO ACCOMPANY SKETCH	
PREPARED FOR				CC DEVCO, LLC	
DRAWN BY	E.R.	DATE	10-15-2014	SHEET	2
ENG. CHECKED BY		SCALE	N/A		
CHECKED BY		PROJECT NO.	C7AC82-1000		
					OF 3 SHEETS

GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.



LEGEND
 P.O.C. - POINT OF COMMENCEMENT
 P.O.B. - POINT OF BEGINNING
 P.B. - PLAT BOOK
 PG. - PAGE

BONTERRA / CDD BOUNDARY



FORD, ARMENTEROS & FERNANDEZ, INC.
 1959 N.W. 94th AVENUE, 2nd FLOOR
 MIAMI, FLORIDA 33172
 PH. (305) 477-6472
 FAX (305) 470-2805

TYPE OF PLAT		SKETCH AND LEGAL DESCRIPTION	
SHEET NAME		SKETCH TO ACCOMPANY EASEMENT LEGAL DESCRIPTION	
PREPARED FOR		CC DEVCO, LLC	
DRAWN BY	E.R.	DATE	10-15-2014
ENG. CHECKED BY		SCALE	1" = 400'
CHECKED BY		PROJECT NO.	07A082-1000
			3 OF 3 SHEETS

EXHIBIT 3

**AFFIDAVITS OF OWNERSHIP AND CONSENT
BONTERRA COMMUNITY DEVELOPMENT DISTRICT**

**AFFIDAVIT OF OWNERSHIP AND CONSENT
BONTERRA COMMUNITY DEVELOPMENT DISTRICT**

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

On this 1st day of December, 2014, personally appeared before me, K. Lawrence Gragg, an officer duly authorized to administer oaths and take acknowledgements, who, after being duly sworn, deposes and says:

1. Affiant is the Vice-President of Hialeah Communities, LLC (the "Company").
2. The Company is the owner of the following described property, to wit:

See Exhibit "A" attached hereto (the "Property")

3. Affiant hereby represents that he has full authority to execute all documents and instruments on behalf of the Company, including the Petition before the Board of County Commissioners of Miami-Dade County, Florida, to adopt an ordinance to establish the Bonterra Community Development District (the "Proposed CDD").

4. The Property constitutes a portion of the real property to be included in the Proposed CDD.

5. Affiant, on behalf of the Company, hereby consents to the establishment of the Proposed CDD.

FURTHER AFFIANT SAYETH NOT.

K. Lawrence Gragg
as VP of HIALEAH COMMUNITIES, LLC

Subscribed and sworn to before me this 1st day of December, 2014, by K. Lawrence Gragg, who personally appeared before me, and is personally known.

Notary: Marilyn Garbett
Print Name: MARILYN GARBETT
Notary Public, State of Florida

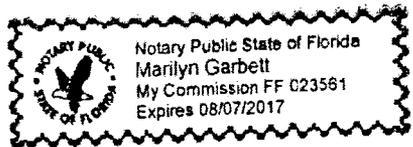


Exhibit "A" to Affidavit

Legal description of Property

Tract 17, in Section 21, Township 52 South, Range 40 East, of FLORIDA FRUIT LAND COMPANY'S PLAT, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

LESS

A portion of Tract 17, in Section 21, Township 52 South, Range 40 East, of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 21, Township 52 South, Range 40 East; thence run North 89° 34' 46" East, along the North line of the Northwest Quarter of said Section 21 for 1962.61 feet to the Point of Beginning of the herein described parcel of land; thence continue North 89° 34' 46" East, along the North line of the Northwest Quarter of said Section 21 for 575.83 feet to the Northeast corner of said Northwest Quarter; thence run South 02° 39' 05" East, along the East line of the said Northwest Quarter for 330.34 feet to an Intersection with the South line of said Tract 17; thence run South 89° 35' 03" West along the South line of said Tract 17 for 470.64 feet; thence run North 02° 37' 10" West for 190.19 feet; thence run South 89° 34' 46" West for 210.75 feet; thence run North 00° 25' 14" West for 140.00 feet to the Point of Beginning

TOGETHER WITH all rights of Ingress, egress, light, air, and view between the remaining portion of Tract 17 and any facility constructed on the above described property.

AND LESS

A portion of Tract 17 in Section 21, Township 52 South, Range 40 East, of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Section 21, Township 52 South, Range 40 East; thence run North 89° 34' 46" East, along the North line of the Northwest Quarter of said Section 21 for 1319.22 feet to a point of Intersection with the West line of said Tract 17, said point being the Point of Beginning of the herein described parcel of land; thence continue North 89° 34' 46" East, along the North line of the Northwest Quarter of said Section 21 for 643.39 feet; thence run South 00° 25' 14" East for 140.00 feet; thence run South 89° 34' 46" West for 637.95 feet to an Intersection with the aforementioned West line of said Tract 17; thence run North 02° 36' 44" West along the last described West line for 140.11 feet to the Point of Beginning.

**AFFIDAVIT OF OWNERSHIP AND CONSENT
BONTERRA COMMUNITY DEVELOPMENT DISTRICT**

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

On this 2nd day of December, 2014, personally appeared before me, Bruce S. Parker an officer duly authorized to administer oaths and take acknowledgements, who, after being duly sworn, deposes and says:

6. Affiant is the Vice-President of Bonterra Single Family Real Estate, LLC (the "Company").

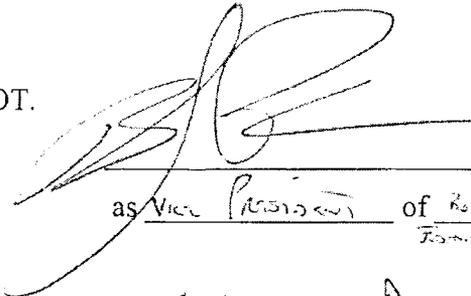
7. The Company is the owner of the following described property, to wit:
See Exhibit "A" attached hereto (the "Property")

8. Affiant hereby represents that he has full authority to execute all documents and instruments on behalf of the Company, including the Petition before the Board of County Commissioners of Miami-Dade County, Florida, to adopt an ordinance to establish the Bonterra Community Development District (the "Proposed CDD").

9. The Property constitutes a portion of the real property to be included in the Proposed CDD.

10. Affiant, on behalf of the Company, hereby consents to the establishment of the Proposed CDD.

FURTHER AFFIANT SAYETH NOT.


as Vice President of Bonterra Single Family Real Estate, LLC

Subscribed and sworn to before me this 2nd day of Dec, 2014, by Bruce S. Parker, who personally appeared before me, and is personally known.

Notary: Lisa C. Cathell
Print Name: Lisa C. Cathell
Notary Public, State of Florida

LISA C. CATHELL
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # EE836783
EXPIRES 9/19/2016
BONDED THRU 1-588-NOTARY

Exhibit "A" to Affidavit

Legal description of Property

A portion of Tracts 21, 22, 23, 24, 25, 27, and 28, "FLORIDA FRUIT LAND'S COMPANY SUBDIVISION N: 1", according to the Plat thereof as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida; Lying in Section 21, Township 52 South, Range 40 East. More particularly described as follows:

Commence at the Northwest corner of said Section 21, thence run S02°37'55"E, along the West line of said Section 21, for a distance of 1605.55 feet; thence run N87°22'05"E for a distance of 50.00 feet to a point on a line 50.00 feet East and parallel with said West line of Section 21, this point also being the POINT OF BEGINNING of the hereinafter described parcel of land; thence S02°37'55"E, along said parallel line for a distance of 977.33 feet to a point of curvature of a circular curve to the left, concave to the Northeast; thence Southeasterly, along the arc of said curve, having for its elements a radius of 25.00 feet, through a central angle of 57°45'26" for an arc distance of 38.29 feet to a point of tangency, said point also being on a line 35.00 feet North and parallel with the South line of the N.W 1/4 of said Section 21; thence N89°35'40"E, along said parallel line for a distance of 2052.16 feet, the next three (3) courses and distances being along the Westery Right-of-Way line of State Road No. 93 (I-75) as shown on the F.D.O.T. Right-of-Way map, Section 87075-2401, Sheet 1 thru 9; 1) thence N02°35'43"W for a distance of 295.24 feet; 2) thence N89°35'25"E for a distance of 30.02 feet; 3) thence N02°35'43"W for a distance of 779.10 feet; thence S57°24'17"W for a distance of 154.00 feet; thence S02°35'43"E for a distance of 100.50 feet to a point of curvature of a circular curve to the right, concave to the West; thence Southwesterly, along the arc of said curve, having for its elements a radius of 978.00 feet, through a central angle of 01°04'41" for an arc distance of 18.40 feet to a point of non-tangency; thence S89°35'40"W for a distance of 834.55 feet to a point of curvature of a circular curve to the left, concave to the Southeast; thence Southwesterly, along the arc of said curve, having for its elements a radius of 5.00 feet, through a central angle of 45°00'00" for an arc distance of 3.93 feet to a point of tangency; thence S44°35'40"W for a distance of 138.97 feet to a point of curvature of a circular curve to the left, concave to the Southeast; thence Southwesterly, along the arc of said curve, having for its elements a radius of 5.00 feet, through a central angle of 45°00'00" for an arc distance of 3.93 feet to a point of tangency; thence S00°23'20"E for a distance of 566.74 feet to a point of curvature of a circular curve to the right, concave to the Northwest; thence Southwesterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of 90°00'00" for an arc distance of 47.12 feet to a point of tangency; thence S89°35'40"W for a distance of 208.69 feet to a point of curvature of a circular curve to the right, concave to the Northeast; thence Northwesterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of 90°00'00" for an arc distance of 47.12 feet to a point of tangency; thence N00°23'20"W for a distance of 580.00 feet to a point of curvature of a circular curve to the left, concave to the Southwest; thence Northwesterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of 19°28'15" for an arc distance of 10.20 feet to a point of non-tangency; thence S89°35'40"W for a distance of 104.45 feet to a point on the arc of a circular curve to the left, concave to the Southwest, a radial line from said point bears S65°42'54"W; thence Northwesterly along the arc of said curve, having for its elements a radius of 69.00 feet, through a central angle of 65°35'14" for an arc distance of 79.01 feet to a point of tangency; thence S89°35'40"W for a distance of 58.20 feet to a point of curvature of a circular curve to the right, concave to the Northeast; thence Northwesterly, along the arc of said curve, having for its elements a radius of 15.00 feet, through a central angle of 90°00'00" for an arc distance of 23.55 feet to a point of tangency; thence N00°23'20"W for a distance of 76.10 feet; thence S89°35'40"W for a distance of 515.85 feet to the POINT OF BEGINNING.

Less and except that portion of Tract 25 of said Section 21, lying within the above described parcel.

Containing 1,475,361.13 Square Feet or 33.87 Acres more or less.

**AFFIDAVIT OF OWNERSHIP AND CONSENT
BONTERRA COMMUNITY DEVELOPMENT DISTRICT**

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

On this 2nd day of December, 2014, personally appeared before me, Bruce S. Parker an officer duly authorized to administer oaths and take acknowledgements, who, after being duly sworn, deposes and says:

11. Affiant is the Vice-President of Bonterra Single Family, TIC, LLC (the "Company").

12. The Company is the owner of the following described property, to wit:

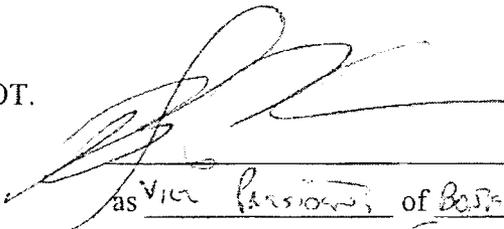
See Exhibit "A" attached hereto (the "Property")

13. Affiant hereby represents that he has full authority to execute all documents and instruments on behalf of the Company, including the Petition before the Board of County Commissioners of Miami-Dade County, Florida, to adopt an ordinance to establish the Bonterra Community Development District (the "Proposed CDD").

14. The Property constitutes a portion of the real property to be included in the Proposed CDD.

15. Affiant, on behalf of the Company, hereby consents to the establishment of the Proposed CDD.

FURTHER AFFIANT SAYETH NOT.



as Vice President of Bonterra Single Family TIC, LLC

Subscribed and sworn to before me this 2nd day of Dec, 2014, by Bruce S. Parker, who personally appeared before me, and is personally known.

Notary: Lisa C. Cathell
Print Name: Lisa C. Cathell
Notary Public, State of Florida

LISA C. CATHELL
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # EE836783
EXPIRES 9/19/2016
BONDED THRU 1-888-NOTARY1

Exhibit "A" to Affidavit

Legal description of Property

A portion of Tracts 20, 21, 22, 26, 27, 28, 29 and 30, "FLORIDA FRUIT LAND'S COMPANY SUBDIVISION N. 1", according to the Plat thereof as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida; Lying in Section 21, Township 52 South, Range 40 East. More particularly described as follows:

Commence at the Northwest corner of said Section 21, thence run $S02^{\circ}37'55''E$, along the West line of said Section 21, for a distance of 1353.94 feet; thence run $N87^{\circ}22'05''E$ for a distance of 50.00 feet to a point on a line 50.00 feet East and parallel with said West line of Section 21, this point also being the POINT OF BEGINNING of the hereinafter described parcel of land; thence $N89^{\circ}34'43''E$ for a distance of 456.17 feet; thence $N00^{\circ}25'17''W$ for a distance of 75.00 feet; thence $N89^{\circ}34'43''E$ for a distance of 48.00 feet; thence $N00^{\circ}25'17''W$ for a distance of 35.00 feet; thence $N89^{\circ}34'43''E$ for a distance of 107.90 feet; to a point on the arc of a circular curve to the right, concave to the Northeast, a radial line from said point bears $N23^{\circ}22'10''E$; thence Northwesterly along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of $66^{\circ}12'33''$ for an arc distance of 34.57 feet to a point of tangency; thence $N00^{\circ}25'17''W$ for a distance of 55.55 feet to a point of curvature of a circular curve to the right, concave to the Southeast; thence Northeasterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of $90^{\circ}00'00''$ for an arc distance of 47.12 feet to a point of tangency; thence $N89^{\circ}34'43''E$ for a distance of 155.18 feet to a point of curvature of a circular curve to the left, concave to the Northwest; thence Northeasterly, along the arc of said curve, having for its elements a radius of 123.00 feet, through a central angle of $87^{\circ}35'24''$ for an arc distance of 168.14 feet to a point of reverse curvature of a circular curve to the right, concave to the Southeast; thence Northeasterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of $85^{\circ}27'57''$ for an arc distance of 44.75 feet to a point of tangency; thence $N87^{\circ}24'17''E$ for a distance of 183.90 feet to a point of curvature of a circular curve to the right, concave to the Southwest; thence Southeasterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of $69^{\circ}45'50''$ for an arc distance of 36.53 feet to a point of reverse curvature of a circular curve to the left, concave to the Northeast; thence Southeasterly, along the arc of said curve, having for its elements a radius of 155.00 feet, through a central angle of $49^{\circ}21'33''$ for an arc distance of 133.53 feet to a point of reverse curvature of a circular curve to the right, concave to the Southwest; thence Southeasterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of $69^{\circ}35'43''$ for an arc distance of 36.44 feet to a point of tangency; thence $S02^{\circ}35'43''E$ for a distance of 329.97 feet to a point of curvature of a circular curve to the left, concave to the Northeast; thence Southeasterly, along the arc of said curve, having for its elements a radius of 80.00 feet, through a central angle of $48^{\circ}58'16''$ for an arc distance of 68.38 feet to a point of tangency; thence $S51^{\circ}33'59''E$ for a distance of 34.48 feet to a point of curvature of a circular curve to the left, concave to the Northeast; thence Southeasterly, along the arc of said curve, having for its elements a radius of 80.00 feet, through a central angle of $41^{\circ}04'44''$ for an arc distance of 57.29 feet to a point of tangency; thence $N87^{\circ}24'17''E$ for a distance of 574.49 feet; thence $S02^{\circ}35'43''E$ for a distance of 12.00 feet; thence $N87^{\circ}24'17''E$ for a distance of 3.50 feet; thence $S02^{\circ}35'43''E$ for a distance of 112.12 feet to a point of curvature of a circular curve to the right, concave to the West; thence Southwesterly, along the arc of said curve, having for its elements a radius of 978.00 feet, through a central angle of $01^{\circ}04'41''$ for an arc distance of 18.49 feet to a point of non-tangency; thence $S89^{\circ}36'40''W$ for a distance of 834.55 feet to a point of curvature of a circular curve to the left, concave to the Southeast; thence Southwesterly, along the arc of said curve, having for its elements a radius of 5.00 feet, through a central angle of $45^{\circ}00'00''$ for an arc distance of 3.93 feet to a point of tangency; thence $S44^{\circ}36'40''W$ for a distance of 138.97 feet to a point of curvature of a circular curve to the left, concave to the Southeast; thence Southwesterly, along the arc of said curve, having for its elements a radius of 5.00 feet, through a central angle of $45^{\circ}00'00''$ for an arc distance of 3.93 feet to a point of tangency; thence $S00^{\circ}23'20''E$ for a distance of 550.79 feet; thence $S59^{\circ}36'25''W$ along the South line of said Tract 26, for a distance of 258.69 feet; thence $N00^{\circ}23'20''W$ for a distance of 564.07 feet to a point of curvature of a circular curve to the left, concave to the Southwest; thence Northwesterly, along the arc of said curve, having for its elements a radius of 30.00 feet, through a central angle of $19^{\circ}28'16''$

for an arc distance of 10.20 feet to a point of non-tangency; thence $S89^{\circ}36'40''W$ for a distance of 104.45 feet to a point on the arc of a circular curve to the left, concave to the Southwest, a radial line from said point bears $S65^{\circ}12'54''W$; thence Northwesterly along the arc of said curve, having for its elements a radius of 69.00 feet, through a central angle of $65^{\circ}35'14''$ for an arc distance of 79.01 feet to a point of tangency; thence $S89^{\circ}36'40''W$ for a distance of 58.20 feet to a point of curvature of a circular curve to the right, concave to the Northeast; thence Northwesterly, along the arc of said curve, having for its elements a radius of 15.00 feet, through a central angle of $90^{\circ}00'00''$ for an arc distance of 23.56 feet to a point of tangency; thence $N00^{\circ}23'20''W$ for a distance of 76.10 feet; thence $S89^{\circ}36'40''W$ for a distance of 515.85 feet to its intersection with said line 50.00 feet East and parallel with the West line of said Section 21; thence $N02^{\circ}37'55''W$ for a distance of 252.62 feet to the POINT OF BEGINNING.

Containing 858,783.45 Square Feet or 19.74 Acres more or less.

EXHIBIT 4

INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS

Name: Carolina Herrera

Address: 730 NW 107 Avenue, 3rd Floor, Miami, FL 33172

Name: Teresa Baluja

Address: 730 NW 107 Avenue, 3rd Floor, Miami, FL 33172

Name: Harold Eisenacher

Address: 135 San Lorenzo Avenue, Suite 750, Coral Gables, FL 33146

Name: Bruce Parker

Address: 400 East Las Olas Blvd., Suite 800, Fort Lauderdale, FL 33301

Name: Manuel Echezarreta

Address: 1950 NW 94th Avenue, 2nd Floor, Doral, Florida. 33172

All of the initial members of the Board of Supervisors are residents of the State of Florida and citizens of the United States.

EXHIBIT 5

MAJOR TRUNK WATER MAINS, SEWER INTERCEPTORS AND OUTFALLS

NW 97TH AVENUE

NW 154TH STREET

I-75 RIGHT OF WAY

NW 146TH STREET

EXIST. 16" WM
EXIST. FM

EXIST. 30" WM
EXIST. 24" FM
EXIST. 10" WM

LAKE

EXISTING WATER MAINS AND SEWER

NTS

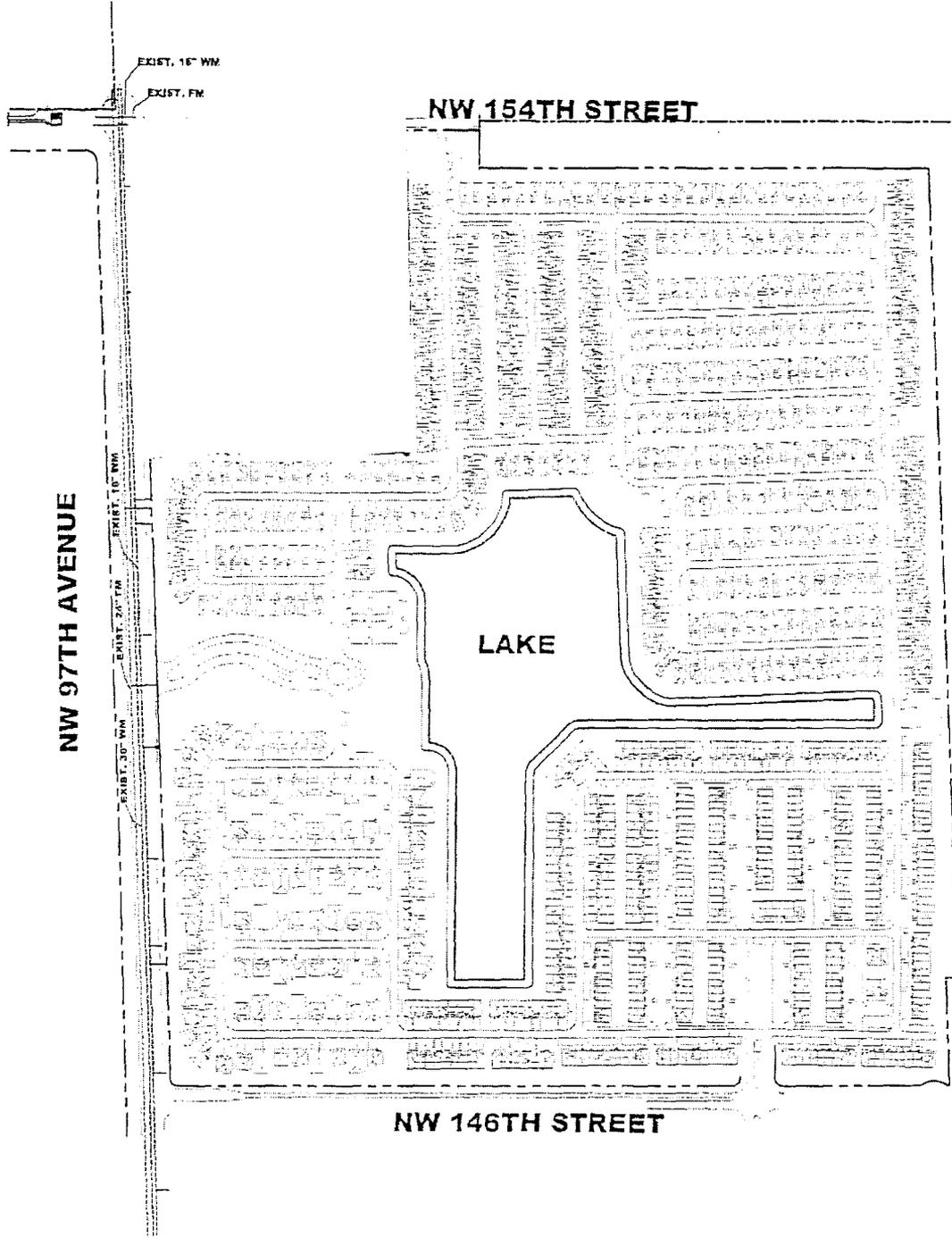
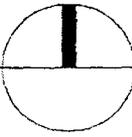


EXHIBIT 6

PROPOSED TIMETABLE FOR CONSTRUCTION OF DISTRICT IMPROVEMENTS

	<u>Start Date</u>	<u>Completion Date</u>
Stormwater Management System	January 2015	June 2016
Water Distribution System	February 2015	June 2016
Wastewater Collection System	February 2015	June 2016
Roadway Improvements (off-site)	April 2015	June 2017
Wetlands Mitigation	January 2015	June 2016

EXHIBIT 7

ESTIMATED COSTS OF DISTRICT IMPROVEMENTS

	<u>Costs:</u>
Stormwater Management System	\$ 3,686,000
Water Distribution System	\$ 3,477,000
Wastewater Collection System	\$ 3,023,000
Roadway Improvements (off-site)	\$ 2,133,000
Wetlands Mitigation	\$ 508,000
Total Estimated Costs:	\$12,827,000

EXHIBIT 8
ZONING APPROVAL

ORDINANCE NO 2014-39

ORDINANCE REZONING 151.85 ACRES OF LAND FROM GU (INTERIM DISTRICT) TO RESIDENTIAL DEVELOPMENT DISTRICT, HAVING A MINIMUM OF 25% DEVELOPED AS RH-1 (ONE FAMILY DISTRICT), A MINIMUM OF 20% AND A MAXIMUM OF 30% DEVELOPED AS R-4 (TOWNHOUSE), A MAXIMUM OF 20% DEVELOPED AS RH-3M (MULTIPLE FAMILY DISTRICT, 8 TO 14 UNITS PER NET ACRE), AND A MAXIMUM OF 10% DEVELOPED AS RH-3-MM (MULTIPLE FAMILY DISTRICT, 15 TO 24 UNITS PER NET ACRE); SUBSTITUTING THE REQUIREMENTS OF THE RESIDENTIAL DEVELOPMENT DISTRICT BY APPROVING THE SITE PLAN DATED MAY 13, 2014 AND PATTERN BOOK, AS AMENDED, PREPARED BY PASCUAL PEREZ KILIDDJIAN & ASSOCIATES, ARCHITECTS AND PLANNERS, AND BY APPROVING THE LANDSCAPE PLAN DATED MARCH 24, 2014, AS AMENDED, PREPARED BY MICHAEL J. PETROW AND ASSOCIATES, INC.; GRANTING A VARIANCE TO ALLOW A TEMPORARY WAIVER OF PLAT, PROVIDED THAT THE PROPERTY IS REPLATTED WITHIN 18 MONTHS FROM THE GRANT OF THE WAIVER; REAFFIRMING THE OBLIGATION TO PAY THE CITY THE SUM OF \$994,614 TO BE USED FOR ROADWAY IMPROVEMENTS; AND REPEALING AND RESCINDING HIALEAH, FLA., ORDINANCE 06-52 (SEPTEMBER 12, 2006); PROPERTY LOCATED ON A VACANT PARCEL OF LAND SOUTH OF NORTHWEST 154 STREET, NORTH OF NORTHWEST 146 STREET, EAST OF NW 97 AVENUE AND WEST OF THE I-75 EXPRESSWAY, HIALEAH, FLORIDA. REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of May 28, 2014 recommended approval of this ordinance; and

ORDINANCE NO. 2014-39

Page 2

WHEREAS, the petitioner has proffered community standards that are acceptable to the City, which will be provided to all prospective purchasers of residential units and which future purchasers shall agreed to be bound thereby; and

WHEREAS, the petitioner has proffered a declaration of covenants running with the land, to be recorded in the county land records, setting forth restrictions that limit the number of units that may provide for extended family living quarters such that there is no additional increase to density, increase demands on parking and protect neighborhood stability, property values and the single-family residential appearance of the neighborhood, to which the City accepts;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby accepts the proffered community standards and restrictions on units providing for extended family living quarters for the Residential Development District described herein and hereby incorporated by reference within this ordinance. Any future amendments to the proffered community standards, which are accepted and approved by the City, shall not require an amendment to this ordinance.

Section 2: The City of Hialeah, Florida hereby rezones 151.85 acres of land from GU (Interim District) to Residential Development District, having a minimum of 25% developed as RH-1 (One Family District), a minimum of 20% and a maximum of 30% developed as R-4 (Townhouse), maximum of 20% developed as RH-3-M (Multiple Family District, 8 to 14 units per net acre) and a maximum of 10% developed as R-3-MM (Multiple Family District, 15 to 24 units per net acre); hereby substitutes the requirements of the Residential Development District by approving the Site Plan dated May 13, 2014 and Pattern Book, as amended, prepared by Pascal Perez Kiliddjian & Associates, Architects and Planners, and by approving the Landscape Plan dated March 24, 2014, as amended, prepared by Michael J. Petrow & Associates, Inc.; hereby grant a variance

city may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 6: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 7: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 24 day of June, 2014.



Isis Garcia Martinez
Council President

Attest:

Approved on this 02 day of JULY, 2014.



Marbelys Rubio, Acting City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena E. Bravo, Acting City Attorney

Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Cásals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".

ORDINANCE NO. 2014-39

Page 5

Exhibit A

Tract 17: Tract 17, In Section 21, Township 52 South, Range 40 East, of FLORIDA FRUIT LAND COMPANY'S PLAT, according to the Plot thereof, as recorded in Plot Book 2, Page 17, of the Public Records of Miami-Dade County, Florida.

LESS

A portion of Tract 17, In Section 21, Township 52 South, Range 40 East, of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Commence at the Northwest corner of said Section 21, Township 52 South, Range 40 East: thence run North 89' 34' 46' East, along the North line of the Northwest Quarter of said Section 21 for 675.83 feet to the Northeast corner of sold Northwest Quarter; thence run South 02' 39' 05' East, along the East line of the sold Northwest Quarter for 330.34 feet to an intersection with the South line of sold Tract 17; thence run South 89' 35' 03' West along the South line of said Tract 17 for 470.64 feet; thence run North 02' 37' 10' West for 190.19 feet; thence run South 89' 34' 46' West for 210.75 feet; thence run North 00' 25' 14' West for 140.00 feet to the Point of Beginning

TOGETHER WITH all rights of Ingress, egress, light, air, and view between the remaining portion of Tract 17 and any facility constructed on the above described property.

AND LESS

A portion of Tract 17 In Section 21, Township 52 South, Range 40 East, of FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public Records of Miami-Dade County, Florida being more particularly described as follows:

Commence at the Northwest corner of said Section 21, Township 52 South, Range 40 East; thence run North 89' 34' 46' East, along the North line of the Northwest Quarter of said Section 21 for 1319.22 feet to a point of intersection with the West line of said Tract 17, said point being the Point of Beginning of the herein described parcel of land; thence continue North 89' 34' 46' East, along the North line of the Northwest Quarter of said Section 21 for 643.39 feet; thence run South 00' 25' 14' East for 140.00 feet; thence run South 89' 34' 46' West for 637.95 feet to an Intersection with the aforementioned West line of said Tract 17; thence run North 02' 38' 44' West along the last described West line for 140.11 feet to the Point of Beginning.

Tracts 18, 19, 20, 21, 22, 23, 24, less I-75 Right - of - way, AND Tracts 26, 27, 28, 29, 30, 31 and 32, FLORIDA FRUITLAND'S COMPANY SUBVISION, according to the Plat thereof as recorded on Plat Book 2, Page 17, of the Public Records of Miami - Dade County, Florida; Lying in Section 21, Township 52 South, Range 40 East.

Commence at the Northwest corner of said Section 21, thence run North 89' 34' 43' East, along the North line of said Section 21, for 15.01 feet, to the Point of Beginning; thence continue North 89' 34' 43' East for 955.15 feet; thence run South 00' 25' 14' East 140.00 feet; thence run North 89' 34' 43' East for 354.40 feet; thence run South 02' 37' 47' East for 190.11 feet; thence run North 89' 34' 58' East for 848.62 feet to a point in the West right of way of said I-75; thence run South 02' 35' 30' East along the West line of said I-75, for 2,311.83 feet to the South line of Tract 24; thence run South 89' 36' 40' West along the South line of said Tract 24, for 847.10 feet, to the Southwest corner of said Tract 24; thence run North 02' 37' 47' West, along the West line of said Tract 24, for 330.22 feet to the Southeast corner of Tract 26; thence run South 89' 36' 25' West along the South line of said Tract 26, for 1,304.09 feet to a point, this point is 15.00

ORDINANCE NO. 2014-39

Page 6

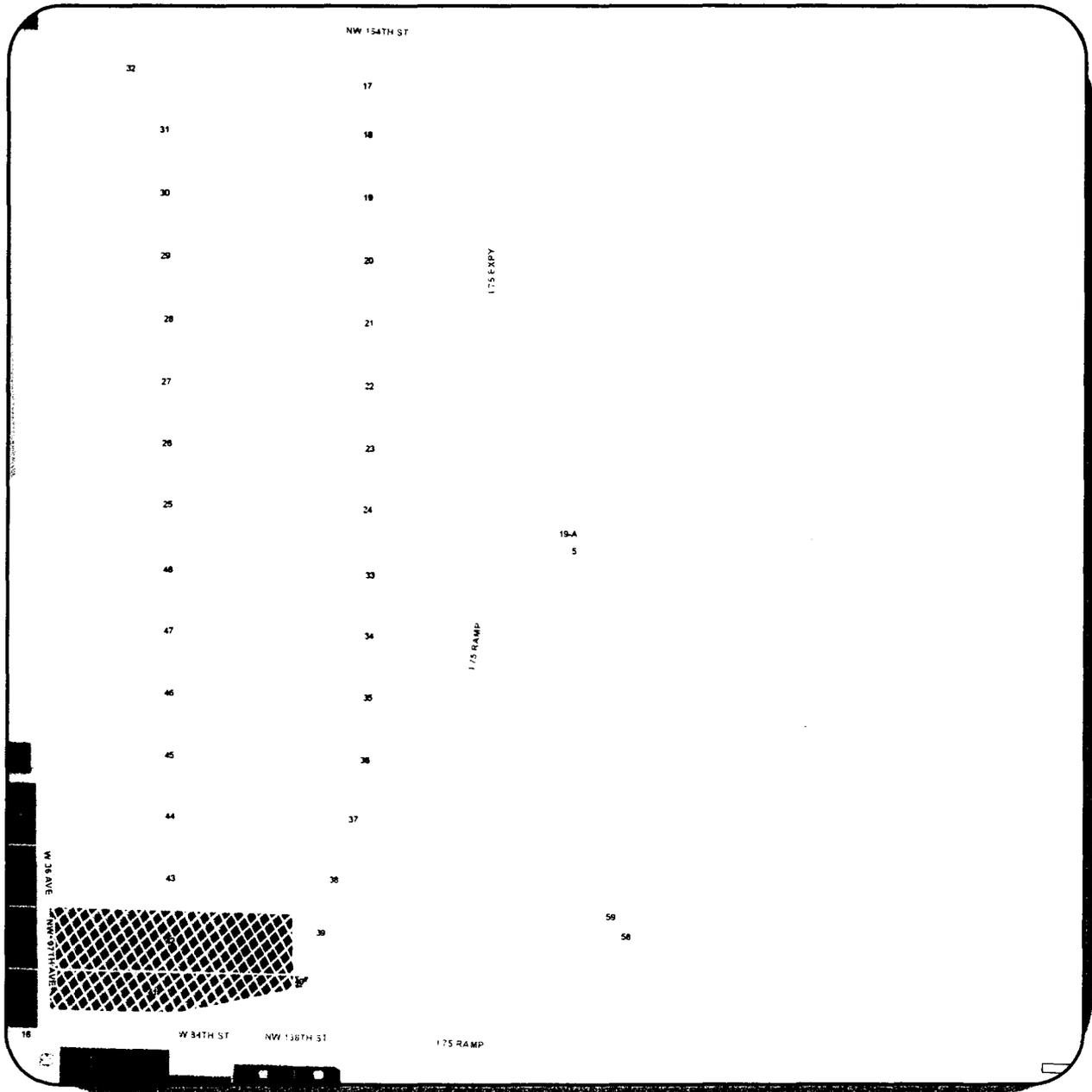
feet East of the West line of said Section 21; thence run North 02° 37' 55" West along a line 15.00 feet East and parallel to the West line of said Section 21, for 2,310.87 feet, to the Point of Beginning.

Less Right of Way of Record for West 100th Street, West 36th Avenue and West 92nd Street.

Tract 25

All of Tract 25, In Section 21, Township 53 South, Range 40 East, a subdivision of Florida Fruit Lands Company's Subdivision No.1, according to the Plat thereof, as recorded in Plat Book 2, Page 17, of the Public records of Miami-Dade County, Florida; Less and Except that portion of Tract 25, In the Northwest one-quarter (N.W. ¼) of Section 21, Township 52 South, Range 40 East, Florida Fruit Lands Company's Subdivision No.1, according to Plat 2, Page 17, of the Public Records of Miami-Dade County, Florida, lying within the West 50.00 feet of the Northwest one - quarter (N.W. ¼) of said Section 21, Township 52 South, Range 40 East, as conveyance to Miami-Dade County, Florida for public right - of - way in Official Records Book 26042, Page 1650.

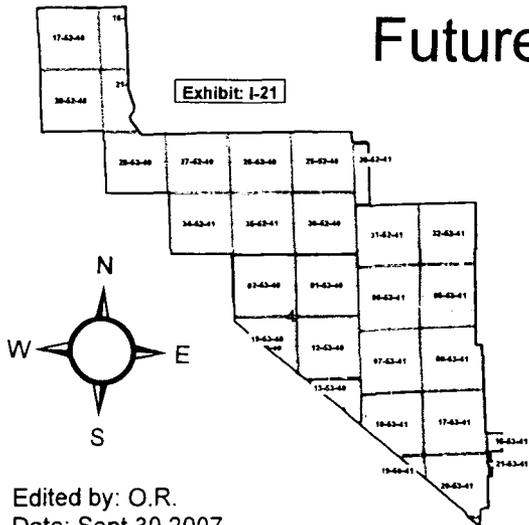
EXHIBIT 9
FUTURE LAND USE



Future Land Use Plan

Hialeah Comprehensive Plan 2015, Hialeah, FL

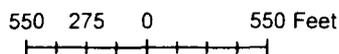
Block/Tract
Lots
Water



Land Use Legend

- | | |
|-----------------------------|------------------------------|
| COMMERCIAL | OPS |
| COMMERCIAL RECREATION | Recreation / Open Space |
| Central Business District | Residential (High Density) |
| Commercial | Residential (Low Density) |
| INDUSTRIAL | Residential (Medium Density) |
| Kennels | Residential Office |
| Low Med Density Residential | TRANSPORTATION & UTILITIES |
| Major Institutions | Unincorporated |

Edited by: O.R.
Date: Sept 30 2007



SEC 21
Annexation

EXHIBIT 10

STATEMENT OF ESTIMATED REGULATORY COSTS

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form **Bonterra Community Development District** (“District”). The District comprises approximately 109.86 gross acres of land located within the City of Hialeah (the “City”), Miami-Dade County (the “County”), and State of Florida (the “State”). The limitations on the scope of this SERC are explicitly set out in Section 190.002 (2) (d), Florida Statutes as follows:

“That the process of establishing such a 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.”

1.2 Overview of the Bonterra Community Development District

The District is designed to provide community infrastructure, services, and facilities along with their operations and maintenance to the Bonterra Community Development District. Bonterra Community Development District will encompass approximately 109.86 gross acres.

The Development plan for the proposed lands within the District includes the construction of approximately 858 residential units consisting of single family homes, villas and townhomes. All are authorized for inclusion within the District. A Community Development District (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDDs provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure 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, e.g., the county in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as the Bonterra CDD. The scope of this SERC is limited to evaluating the consequences of approving the proposal to establish the CDD.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541 (2), a statement of estimated regulatory costs must contain:

- (a) An economic analysis showing whether the rule directly or indirectly; 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; 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 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 agency¹, 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.
- (d) 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 rule. 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.
- (e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes. (The City of Hialeah is not defined as a small city and Miami-Dade County is not defined as a small county for 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 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 rule.

¹ For the purposes of this SERC, the term “agency” means the County and the term “rule” means the ordinance(s) which the County will enact in connection with the creation of the District.

2.0 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

It is unlikely the creation of the District will meet any of the triggers in Section 120.541(2)(a). The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0.

3.0 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.

As noted above, the Bonterra Community Development District is a residential community designed for up to 858 residential units. Formation of the District would put all of these areas under the jurisdiction of the District. Prior to platting, and sale of any units, all of the land owned by the Developer and any other landowner will also be under the jurisdiction of the District. It is not anticipated that anyone outside the District would be affected by the rule creating the District; although, the State, the County, and the City would be required to comply with the rule.

4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed formation of the District. The District as proposed will encompass under 1,000 acres, therefore the County is the establishing entity under 190.005 (1) F.S. The costs to review the record of the local hearing, the transcript of the hearing, and the resolutions adopted by the local general purpose government will be offset by the filing fee required under 190.005 (1), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the proposed 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 169.412, Florida Statutes, the proposed District must pay an annual fee to the State of Florida Department of Community Affairs, which offsets such costs.

City of Hialeah and Miami-Dade County

The proposed land for the District is in the City of Hialeah, which is within Miami-Dade County, Florida. The City and the County and their staff may process and analyze the petition, conduct public hearings with respect to the petition, and vote upon the petition to establish the District. These activities will absorb some resources. The cost to produce the record of the County hearing, the transcript of the hearing, and the ordinance adopted by the County will be offset by the filing fee required under 190.005(1) (b), F.S.

These costs to the City and to the County are modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, potential costs are offset by the required filing fee. Finally, local governments routinely process similar petitions for land uses and zoning charges that are far more complex than is the petition to establish a community development district.

The annual costs to the County because of the establishment of the District are also minimal. The proposed 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.

4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. 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 any 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 unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs are 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 the proposed District may provide. The roadway improvements (offsite), stormwater management system, water distribution and wastewater collection systems, wetlands mitigation, and related incidental costs, which include earthworks and landscaping, as described in Table 1, will be funded by the District.

Table 1. Bonterra Community Development District Proposed Facilities and Services

FACILITY	FUNDED BY	OWNERSHIP	O&M
Stormwater Management	CDD	CDD	CDD
Water Distribution System	CDD	City	City
Wastewater Collection System	CDD	City	City
Roadway Improvements (Offsite)	CDD	City/MDC/CDD	City/MDC/CDD
Wetlands Mitigation	CDD	CDD	CDD

Key: CDD=Bonterra Community Development District, City=City of Hialeah, MDC=Miami-Dade County, O&M=Operations and Maintenance.

The petitioner has estimated the design and development costs for providing the capital facilities and outlined in Table 2. The cost estimates are shown in Table 2 below. Total design and development costs for these facilities are estimated to be approximately \$12,827,000. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non ad valorem assessments levied on all properties in the District that may benefit from the District's capital improvement program as outlined in Table 2.

Prospective future landowners in the District may 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 assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Furthermore, to locate in the District by new property owners is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

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

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

First, those property owners and businesses in the District will receive a higher level of public

services and amenities sooner than would otherwise be the case.

Second, a District 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. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a District is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

Table 2. Cost Estimate for District Facilities

Category	Cost
Stormwater Management	\$ 3,686,000
Water Distribution System	\$ 3,477,000
Wastewater Collection System	\$ 3,023,000
Roadway Improvements (Offsite)	\$ 2,133,000
Wetlands Mitigation	<u>\$ 508,000</u>
Total Projected Costs of Improvements	<u>\$ 12,827,000</u>

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, Florida Statutes.

There will be no impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid all of its contracts. This affords small businesses the opportunity to bid on District work.

The County has an estimated population that is greater than 75,000 according to the 2010 U.S. Census. Therefore the County is not defined as a "small county" according to Section 120.52 (19), Florida Statutes.

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 Developer's Engineer and other professionals associated with the Developer.

8.0 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 rule.

There have been no good faith written proposals submitted to the agency as described in Section 120.541(1)(a), Florida Statutes.

*Prepared by:
Governmental Management Services - South Florida, LLC
November 12, 2014*

Appendix "A"

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
<p>File with the Auditor General, State of Florida Local Government Section, Section 342 Claude Pepper Building, 111 West Madison Street, Tallahassee, Florida 32399-1450</p>			
Annual Financial Audit Report	<p>Section 11.45, Florida Statutes - Definitions; duties; authorities; reports; rules</p> <p>Section 218.39, Florida Statutes - Annual financial audit reports</p>	<p>All special districts with either revenues or expenditures of more than \$100,000</p> <p>All special districts with revenues or expenditures/expenses between \$50,000 and \$100,000 that have not been subjected to a financial audit for the two preceding fiscal years</p> <p>A dependent special district that is a component unit of a county or municipality may provide for an annual financial audit by being included in the county or municipality's audit. The audit must clearly state that the special district is a component unit of the county or municipality.</p>	Due within 45 days after delivery of the audit report to the governmental entity, but no later than nine (9) months after fiscal year end

<p>File with the Department of Economic Opportunity Special District Accountability Program 107 E Madison Street, MSC-400, Tallahassee, Florida 32399-6508</p>			
Creation Documents and Amendments	Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due within 30 days after adoption
Written Status Statement	Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due within 30 days after adoption of creation document
Merger Documents	Chapter 189, Part VII, Florida Statutes - Merger and Dissolution	All special districts must comply	Due within 30 days of the merger effective date
Dissolution Documents	Chapter 189, Part VII, Florida Statutes - Merger and Dissolution	All special districts must comply	Due within 30 days of the dissolution effective date

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
Boundary Map and Amendments	Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due within 30 days after adoption / approval
Special District Fee Invoice (\$175) and Update Form	Section 189.018, Florida Statutes - Fee schedule; Grants and Donations Trust Fund Rule 73C-24.003, Florida Administrative Code - Fee Schedule and Annual Invoicing and Data Updating	All special districts must comply	Due annually by the due date on the Form (mailed to all special districts around October 1)
Registered Agent and Office Initial Designation	Section 189.014, Florida Statutes - Designation of registered office and agent Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due within 30 days after the first governing body meeting
Registered Agent and Office Changes	Section 189.014, Florida Statutes - Designation of registered office and agent Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due upon making the change
Official Internet Website Address	Section 189.069, Florida Statutes - Special district; required reporting of information; web-based public access	All special districts must comply	Due by October 1, 2015. Newly created special districts must comply by the end of the first fiscal year after its creation

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
Disclosure of Public Financing	Section 190.009, Florida Statutes - Disclosure of public financing	All Community Development Districts must comply	Due at all times public financing is imposed

**File with the Department of Financial Services, Bureau of Financial Reporting
Local Government Section
200 East Gaines Street, Tallahassee, Florida 32399-0354**

Annual Financial Report	Section 189.016, Florida Statutes - Reports; budgets; audits Section 218.31, Florida Statutes - Definitions Section 218.32, Florida Statutes - Annual financial reports; local governmental entities	All housing authorities, all independent special districts, and all dependent special districts that are not component units of a local governmental entity must comply	Due annually within 45 days of audit completion but no later than nine (9) months after the fiscal year end; if no audit is required, no later than nine (9) months after the fiscal year end.
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**File with the Department of Financial Services, Bureau of Collateral Management
200 East Gaines Street, Tallahassee, Florida 32399-0354**

Public Depositor Annual Report to the Chief Financial Officer	Section 280.17, Florida Statutes - Requirements for public depositors; notice to public depositors and governmental units; loss of protection	All special districts must comply	Due annually by November 30
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Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
Public Deposit Identification and Acknowledgment Form	Section 280.17, Florida Statutes - Requirements for public depositors; notice to public depositors and governmental units; loss of protection	All special districts must comply	Execute at the time of opening the account and keep on file. Submit only in case of default of the qualified public depository

<p align="center">File with the Florida Department of Management Services, Division of Retirement Bureau of Local Retirement Systems P.O. Box 9000, Tallahassee, Florida 32315-9000</p>			
Actuarial Valuation Report	<p>Section 112.63, Florida Statutes - Actuarial reports and statements of actuarial impact: review</p> <p>Rule Chapter 60T-1, Florida Administrative Code - Scope and Purpose</p>	All special districts with defined benefit retirement plans must comply	Due at least every three years, within 60 days of completion
Additional Actuarial Disclosures	Section 112.664, Florida Statutes - Reporting standards for defined benefit retirement plans or systems	All special districts with defined benefit retirement plans must comply with additional actuarial reporting requirements	Due within 60 days of receipt of certified actuarial reports
Actuarial Impact Statement for Proposed Plan Amendments	<p>Section 112.63, Florida Statutes - Actuarial reports and statements of actuarial impact: review</p> <p>Rule 60T-1.001, Florida Administrative Code - Scope and Purpose</p>	Any special district proposing benefit changes to its defined benefit retirement plan must comply	Due when considering plan changes

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
Defined Contribution Report	Rule 60T-1.006, Florida Administrative Code - Defined Contribution Plans	All special districts with defined contribution plans must comply	Due annually

**File with the Department of Revenue, Property Tax Oversight Program
"TRIM" Compliance Section
P.O. Box 3000, Tallahassee, Florida 32315-3000**

Truth-in-Millage Form DR421	Section 200.068, Florida Statutes - Certification of compliance with this chapter	All special districts that can levy taxes but will not do so during the year must comply	Due annually by November 1
Truth-in-Millage Compliance Package Report	Section 200.068, Florida Statutes - Certification of compliance with this chapter	All special districts levying property taxes must comply	Due no later than 30 days following the adoption of the property tax levy ordinance/resolution.

**File with the Department of State, Division of Library and Information Services
Records and Information Management Program
Mail Station 9E, Tallahassee, Florida 32315-0250**

Annual Records Management Compliance Statement	Florida Statutes and Administrative Code Rules Relating to Archives and Records Management	All Special Districts must comply	Due annually by December 31
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Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
File with the Commission on Ethics Post Office Drawer 15709 Tallahassee, Florida 32317-5709			
Quarterly Gift Disclosure (Form 9)	Section 112.3148, Florida Statutes - Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees. Rule Chapter 34-13, Florida Administrative Code - Gifts and Honoraria Rule Chapter 34-12, Florida Administrative Code - Executive Branch Lobbyist Registration	Everyone required to file Statement of Financial Interests, Form 1 (all "special district local officers" appointed or elected to an independent special district or independent special district's governing body), who accepts a gift worth over \$100 from someone who is not a relative and does not meet the definition of a lobbyist or vendor must report the gift on a Form 9. The Form 9 is due no later than the end of the calendar quarter following the calendar quarter in which the gift is received. Filing requirements do not apply if no gifts were accepted during the calendar quarter.	Due by the last day of the calendar quarter following any calendar quarter in which a reportable gift was received

File with the the Florida Legislature Joint Administrative Procedures Committee 111 W. Madison Street, Tallahassee, Florida 32315-1400			
Agency Rule Report	Section 120.52, Florida Statutes - Definitions Section 120.74, Florida Statutes - Agency review, revision, and report	Certain Special Districts with adopted rules must comply	Due by October 1 of every odd numbered year
Regulatory Plan	Section 120.52, Florida Statutes - Definitions Section 120.74, Florida Statutes - Agency review, revision, and report	Certain Special Districts with adopted rules must comply	Due no later than July 1 of each year

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
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File File with Each Local General-Purpose Government in Which the Special District is Located			
Budget or Tax Levy	Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due if requested by a local governing authority within the special district's boundaries
Public Facilities Initial Report	Section 163.3191, Florida Statutes - Evaluation and appraisal of comprehensive Section 189.08, Florida Statutes - Special district public facilities report	Independent special districts must comply	Due within one year of the special district's creation date
Public Facilities Annual Notice of Any Changes	Section 163.3191, Florida Statutes - Evaluation and appraisal of comprehensive Section 189.08, Florida Statutes - Special district public facilities report	Independent special districts must comply	Annually, contact each local general-purpose government for the due date
Public Facilities Updated Report	Section 189.08, Florida Statutes - Special district public facilities report	Independent special districts must comply	Due every seven years, at least 12 months before the due date that each local general-purpose government must submit its Report to the Department of Economic Opportunity

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
Registered Agent and Office Initial Designation	Section 189.014, Florida Statutes - Designation of registered office and agent Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due within 30 days after the first governing body meeting
Registered Agent and Office Changes	Section 189.014, Florida Statutes - Designation of registered office and agent Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due upon making the change
Regular Public Meeting Schedule	Section 189.015, Florida Statutes - Meetings; notice; required reports Section 189.016, Florida Statutes - Reports; budgets; audits	All special districts must comply	Due quarterly, semiannually, or annually

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
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<p align="center">File with the State Board of Administration Financial Operations 1801 Hermitage Boulevard, Suite 100, Tallahassee, Florida 32308</p>			
Resolution for Investment of Surplus Funds	Section 218.407, Florida Statutes - Local government investment authority	All special districts investing funds with the State Board of Administration or Local Government Trust Fund must comply	Due at the time of investing surplus funds
Financial Statement Disclosure (Disclosure Statement for Participation in the Local Government Surplus Funds Trust Fund Investment Pool)		All special districts investing funds with the State Board of Administration or Local Government Trust Fund must comply	Due before enrolling in the Local Government Investment Pool

<p align="center">File with the State Board of Administration Division of Bond Finance P.O. Box 13300, Tallahassee, Florida 32317-3300</p>			
Advance Notice of Bond Sale	<p>Section 218.38, Florida Statutes - Notice of bond issues required; verification</p> <p>Rules 19A-1.001 - 19A-1.008, Florida Administrative Code - Local Municipal Bond Reporting Procedures</p>	All special districts with bond authority, as applicable, must comply	Due before selling certain general obligation bonds and revenue bonds or closing on any similar long-term debt instruments

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
Bond Information Form/Bond Disclosure Form (BF2003 / 2004A and B)	<p>Section 189.016, Florida Statutes - Reports; budgets; audits</p> <p>Section 218.38, Florida Statutes - Notice of bond issues required; verification</p> <p>Rules 19A-1.001 - 19A-1.008, Florida Administrative Code - Local Municipal Bond Reporting Procedures</p>	All special districts with bond authority, as applicable, must comply (new bond issues only)	Due within 120 days after delivery of general obligation bonds and revenue bonds
Bond Verification Form (BF2005)	<p>Rules 19A-1.001 - 19A-1.008, Florida Administrative Code - Local Municipal Bond Reporting Procedures</p>	All special districts with bond authority, as applicable, must comply	Due within 45 days of the Division of Bond Finance's request
Final Official Statement (Bonds)	<p>Section 218.38, Florida Statutes - Notice of bond issues required; verification</p> <p>Rules 19A-1.001 - 19A-1.008, Florida Administrative Code - Local Municipal Bond Reporting Procedures</p>	All special districts with bond authority, as applicable, must comply	Due within 120 days after delivery of the bonds, if prepared

Appendix "A" continued

Submission Requirement	Statutory/ Rule Reference	Applicable Special Districts	Due Date
IRS Form 8038 (Bonds)	Section 159.345, Florida Statutes - Local agency reporting requirement Section 159.475, Florida Statutes - Authority reporting requirement Section 159.7055, Florida Statutes - Authority reporting requirement	All special districts issuing Industrial Development or Research and Development Bonds must comply	Submit with the Bond Information Form & Official Statement, if any is published

EXHIBIT 11

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HIALEAH
SUPPORTING THE ESTABLISHMENT OF THE DISTRICT**

SENT VIA EMAIL TO: jalvarez@miamiherald.com

January 14, 2015

Jorge Alvarez
The Miami Herald, Northwest Section
7300 N. Kendall Drive, Suite 200
Miami, Florida 33156
[305-376-5301]

Dear Mr. Alvarez:

Please publish the attached Public Notice as a display ad in the **Sunday, January 18, 2015**, edition of **The Miami Herald – Neighbor’s Section – Hialeah**.

The advertisement should be **2/3 page (4 col x 10”) ad, with the header being 18 point type.** Please e-mail proof to cbhernandez@hialeahfl.gov or fax to our office at (305) 883-5814. Should you have any questions, please call Carmen Hernandez at (305) 883-5820.

In order to ensure prompt and proper payment, please forward an itemized bill under Account No. 182359, and notarized proof of publication to the Office of the City Clerk, P.O. Box 110040, Hialeah, FL 33011-0040.

Respectfully,

CITY OF HIALEAH, FLORIDA

Carmen Hernandez
Acting Deputy City Clerk



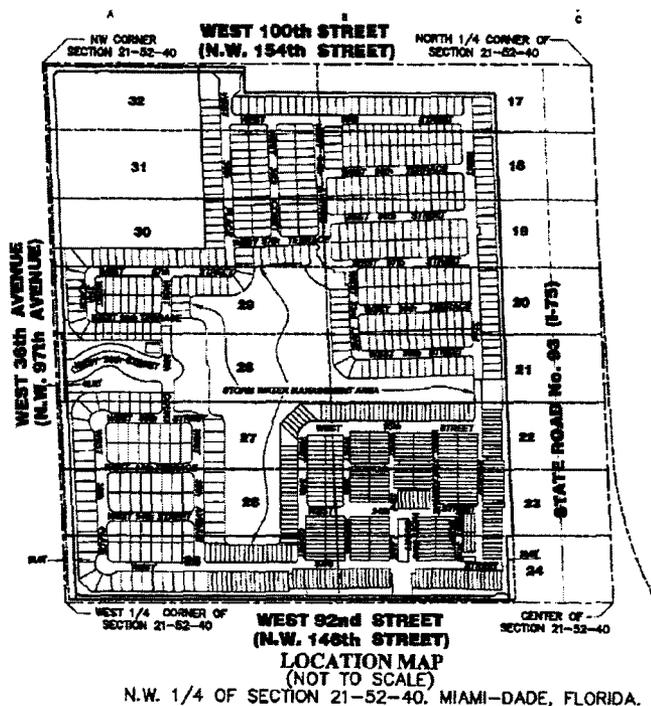
CITY OF HIALEAH
PUBLIC HEARING, JANUARY 27, 2015
NOTICE OF PROPOSED RESOLUTION
IN SUPPORT OF THE ESTABLISHMENT OF THE
BONTERRA COMMUNITY DEVELOPMENT DISTRICT

The Hialeah City Council will consider the following proposed Resolution for adoption at its next regularly scheduled meeting to be held on Tuesday, January 27, 2015 beginning at 7:00 p.m.

All interested parties are invited to participate. The meeting will be held in the Council Chambers, 3rd Floor located at 501 Palm Avenue, Hialeah, FL.

The proposed petition to establish the Bonterra Community Development District for consideration by Miami-Dade County and prepared by Hialeah Communities, LLC, as petitioner, will be available for inspection and copying at the Office of the City Clerk, 3rd Floor, 501 Palm Avenue, Hialeah, during regular business days from 8:30 a.m. to 5:00 p.m.

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXPRESSING ITS SUPPORT FOR THE ESTABLISHMENT OF THE BONTERRA COMMUNITY DEVELOPMENT DISTRICT COMPRISING OF 109.86 ACRES, MORE OR LESS, HAVING EXTERNAL BOUNDARIES AS DEPICTED IN THE MAP ATTACHED AS EXHIBIT 2 TO THE PETITION TO ESTABLISH THE BONTERRA COMMUNITY DEVELOPMENT DISTRICT FOR CONSIDERATION BY MIAMI-DADE COUNTY ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1" AND PROVIDING FOR AN EFFECTIVE DATE.



IF ANY PERSON DECIDES TO APPEAL IN ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK FOR ASSISTANCE NO LATER THAN FIVE (5) DAYS PRIOR TO THE PROCEEDING AT (305) 883-5820; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS, (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE).

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA EXPRESSING ITS SUPPORT FOR THE ESTABLISHMENT OF THE BONTERRA COMMUNITY DEVELOPMENT DISTRICT COMPRISING OF 109.86 ACRES, MORE OR LESS, HAVING EXTERNAL BOUNDARIES AS DEPICTED IN THE MAP ATTACHED AS EXHIBIT 2 TO THE PETITION TO ESTABLISH THE BONTERRA COMMUNITY DEVELOPMENT DISTRICT FOR CONSIDERATION BY MIAMI-DADE COUNTY ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1" AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, petitioner, Hialeah Communities, LLC, a Florida limited liability company, seeks to establish the Bonterra Community Development District within the geographic boundaries of the City of Hialeah and Miami-Dade County; and

WHEREAS, pursuant to advertised notice, the City conducted a public hearing to determine if the City would support or object to the establishment of the Bonterra Community Development District by ordinance of the Board of Miami-Dade County Commissioners; and

WHEREAS, the City of Hialeah finds that it is in the best interest of the community and its residents to support the establishment of the Bonterra Community Development District as a reasonable alternative to the financing, construction, delivery, and long-term operation and management of basic infrastructure servicing the proposed residential development in the annex area; and

WHEREAS, the City of Hialeah finds that the creation of the Bonterra Community Development District allows for sustainable growth within the annex area alleviating the burden on taxpayers for long-term financial planning of capital infrastructure to accommodate projected growth in the area;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City Council of the City of Hialeah, Florida hereby expresses its support for the establishment of the Bonterra Community Development District ("District") comprising of

109.86 acres, more or less, having external boundaries as depicted in the map as attached hereto and made a part hereof as Exhibit "1" subject to the following conditions:

1. Any material amendments or modifications to the Petition on file with the City shall be submitted for review and approval of the City within 30 days of such amendments or modifications.
2. Upon establishment of the District, the District shall provide the City all current names and addresses of the district professional manager, attorney, bond counsel, developer representative, and members and chair of the board of supervisors or directors of the District, including any future changes to the names and addresses provided.
3. Restrictions contained in the proposed plat.
4. Compliance with all land use, zoning, permitting, licensing, covenant community laws, rules and regulations adopted by the City of Hialeah.

Section 3: This resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED AND ADOPTED this ____ day of _____, 2015.

Isis Garcia Martinez
Council President

Attest: Approved on this ____ day of _____, 2015.

Marbelys Fatjo, City Clerk

Mayor Carlos Hernandez

Approved as to form and legal sufficiency:

Lorena Bravo, City Attorney