



Rizzetta & Company

# **Summer Woods Community Development District**

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**Board of Supervisors' Meeting  
September 14, 2021**

**District Office:  
9428 Camden Field Parkway  
Riverview, FL 33578**

**[www.summerwoodscdd.org](http://www.summerwoodscdd.org)**

## **SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT**

Trevesta Clubhouse, 6210 Trevesta Place, Palmetto, Florida 34221

<b>Board of Supervisors</b>	Jim Harvey Troy Simpson Candice Smith Greg Meath Adam Painter	Chairman Vice Chairman Assistant Secretary Assistant Secretary Assistant Secretary
<b>District Manager</b>	Taylor Nielsen	Rizzetta & Company, Inc.
<b>District Counsel</b>	Jere Earlywine	KE Law Group
<b>District Engineer</b>	Matt Morris	Morris Engineering

**All cellular phones must be placed on mute while in the meeting room.**

The Audience Comment portion of the agenda is where individuals may make comments on matters that concern the District. Individuals are limited to a total of three (3) minutes to make comments during this time.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/hearing/workshop is asked to advise the District Office at least forty-eight (48) hours before the meeting/hearing/workshop by contacting the District Manager at (239) 936-0913. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) 1-800-955-8770 (Voice), who can aid you in contacting the District Office.

A person who decides to appeal any decision made at the meeting/hearing/workshop with respect to any matter considered at the meeting/hearing/workshop is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

**SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT**  
**DISTRICT OFFICE • 9428 CAMDEN FIELD PARKWAY, RIVERVIEW, FLORIDA 33578**  
**MAILING OFFICE • 3434 COLWELL AVE STE 200 • TAMPA, FLORIDA 33614**  
[www.SummerWoodsCDD.org](http://www.SummerWoodsCDD.org)

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September 10, 2021

Board of Supervisors  
**Summer Woods Community  
Development District**

**REVISED AGENDA**

Dear Board Members:

The special meeting of the Board of Supervisors of Summer Woods Community Development District will be held on **Monday, September 14, 2021 at 9:00 a.m.** at the Trevesta Clubhouse, 6210 Trevesta Place, Palmetto, Florida 34221. The following is the agenda for this meeting:

- 1. CALL TO ORDER/ROLL CALL**
- 2. PUBLIC COMMENT**
- 3. BUSINESS ITEMS**
  - A. Public Hearing on O&M Assessments for Boundary Amendment Parcel
    1. Presentation of Affidavits of Publication and Mailing.....Tab 1
    2. Presentation of Adopted FY 21/22 Budget and Assessment Roll.....Tab 2
    3. Public Hearing
    4. Equalization of Assessments
  - B. Consideration of Resolution 2021-16, Approving O&M Assessments for Boundary Amendment Parcel.....Tab 3
  - C. Public Hearing on Debt Assessments for Parcel 4A
    1. Presentation of Affidavits of Publication and Mailing.....Tab 4
    2. Presentation of Engineer's Report .....Tab 5
    3. Presentation of Assessment Report.....Tab 6
    4. Public Hearing
    5. Equalization of Assessments
  - D. Consideration of Resolution 2021-17, Approving Debt Assessments for Parcel 4A.....Tab 7
  - E. Consideration of Notice of Boundary Amendment.....Tab 8
  - F. Public Hearing on Debt Assessments for Assessment Area Three
    1. Presentation of Affidavits of Publication and Mailing.....Tab 9
    2. Presentation of Engineer's Report .....Tab 10
    3. Presentation of Assessment Report.....Tab 11
    4. Public Hearing
    5. Equalization of Assessments
  - G. Consideration of Resolution 2021-18, Approving Debt Assessments for Assessment Area Three.....Tab 12
  - H. Consideration of Authorization for Notice of Boundary Amendment and Special Assessments.....Tab 13
  - I. Consideration of Resolution 2021-19, Delegation Award.....Tab 14
  - J. Consideration of Acquisition Agreement.....Tab 15

- K. Discussion of Special Meeting to Finalize Assessments and Approve Final Bond Pricing
- L. Consideration of Environmental Services Agreement Proposal.....USC
- M. Ratification of Construction Requisitions 4-10.....Tab 16
- N. Consideration of RFP for Street Lights.....Tab 17
- O. Consideration of RFP for Landscaping.....Tab 18
- 4. STAFF REPORTS**
  - A. District Counsel
  - B. District Engineer
  - C. District Manager
- 5. SUPERVISOR REQUESTS AND COMMENTS**
- 6. ADJOURNMENT**

We look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 533-2950.

Very truly yours,

*Taylor Nielsen*

Taylor Nielsen  
District Manager

cc: Jere Earlywine, KE Law Group

## RESOLUTION 2021-16

### [AMENDMENT TO 2021/2022 O&M ASSESSMENT RESOLUTION TO INCLUDE BOUNDARY AMENDMENT PARCEL]

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION 2021-11 AND MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2021/2022; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS, INCLUDING BUT NOT LIMITED TO PENALTIES AND INTEREST THEREON; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Summer Woods Community Development District ("**District**") is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

**WHEREAS**, the District is located in Manatee County, Florida ("**County**"); and

**WHEREAS**, the District previously adopted Resolution 2021-11 imposing special assessment to fund the District's budget ("**Adopted Budget**") for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("**Fiscal Year 2021/2022**"), attached hereto as **Exhibit "A,"** and

**WHEREAS**, effective August 11, 2021, the Board of County Commissioners for Manatee County, Florida enacted Ordinance 21-30 amending the District's boundaries to include additional lands ("**Boundary Amendment Parcel**"); and

**WHEREAS**, as noted in Resolution 2021-11, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

**WHEREAS**, the provision of such services, facilities, and operations is a benefit to lands within the District, including the Boundary Amendment Parcel; and

**WHEREAS**, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District, including the Boundary Amendment Parcel; and

**WHEREAS**, it is in the best interests of the District to amend Resolution 2021-11 and proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget, and upon the Boundary Amendment Parcel;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT:**

**SECTION 1. BENEFIT & ALLOCATION FINDINGS FOR BOUNDARY AMENDMENT PARCEL.** The provision of the services, facilities, and operations as described in **Exhibit "A"** confers a special and peculiar benefit to

the Boundary Amendment Parcel, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the Boundary Amendment Parcel is shown in **Exhibits "A" and "B,"** and is hereby found to be fair and reasonable.

**SECTION 2. ASSESSMENT IMPOSITION ON BOUNDARY AMENDMENT PARCEL.** Pursuant to Chapters 190 and 197, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the Boundary Amendment Parcel and in accordance with **Exhibits "A" and "B."** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the "maximum rate" authorized by law for operation and maintenance assessments.

The Board finds and determines that operations and maintenance assessments shall immediately attach to all platted and sold lots (as set forth in **Exhibits "A" and "B"**), and further that operations and maintenance assessments shall also attach to any lots sold during Fiscal Year 2021/2022 at the time of sale, and as evidenced by an estoppel letter prepared by the District's Manager. All unsold lots owned by the developer do not receive the same level of benefit as sold lots and, accordingly, such lots shall not receive an operations and maintenance assessment for Fiscal Year 2021/2022. Instead, any unfunded portion of the District's Adopted Budget (above and beyond the operations and maintenance assessment that attach to sold lots) shall be funded pursuant to a deficit funding agreement to be entered into between the District and the project developer.

**SECTION 3. COLLECTION AND ENFORCEMENT; PENALTIES; INTEREST.** Section 3 of Resolution 2021-11 continues to govern the collection and enforcement of the District's assessments for Fiscal Year 2021/2022, as amended to include the Boundary Amendment Parcel, and as presented in the **Exhibits A and B** attached hereto.

**SECTION 4. ASSESSMENT ROLL.** The Assessment Roll, attached to this Resolution as **Exhibit "B,"** is hereby certified for collection. That portion of the Assessment Roll which includes the Tax Roll Property is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

**SECTION 5. ASSESSMENT ROLL AMENDMENT.** The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

**SECTION 6. CONFLICTS.** This Resolution is intended to be read in harmony with Resolution 2021-11, which except as expressly set forth herein remains in full force and effect.

**SECTION 7. SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

**SECTION 8. EFFECTIVE DATE.** This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

**SUMMER WOODS COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary / Assistant Secretary

By: \_\_\_\_\_

Its: \_\_\_\_\_

**Exhibit A:** Budget

**Exhibit B:** Assessment Roll (Uniform Method)

Assessment Roll (Direct Collect)

**RESOLUTION 2021-17**

**[SECTION 170.08 RESOLUTION FOR  
ASSESSMENT AREA TWO – 2021 PROJECT AREA, PHASE 4A]**

**A RESOLUTION AMENDING RESOLUTIONS 2020-05 AND 2021-09 TO  
LEVY AND IMPOSE ASSESSMENTS ON PARCEL 4A AND SECURE THE  
REPAYMENT OF THE PREVIOUSLY ISSUED ASSESSMENT AREA TWO -  
2021 PROJECT BONDS; AND PROVIDING FOR A RECORDED NOTICE,  
SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the Summer Woods Community Development District (“**District**”) is a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS**, on March 12, 2020, the District’s Board of Supervisors (“**Board**”) adopted, after notice and a public hearing, Resolution 2020-05, relating to the imposition, levy, collection and enforcement of debt service special assessments (“**Assessments**”), which were levied in order to secure the issuance of future bonds and to fund the District’s capital improvement plan within what is known as Assessment Area Two;<sup>1</sup> and

**WHEREAS**, in May of 2021, the District issued its \$3,290,000 Special Assessment Bonds, Series 2021 (Assessment Area Two – 2021 Project) (“**Assessment Area Two – 2021 Project Bonds**”), and further adopted Resolution 2021-09, which supplemented Resolution 2020-05, to levy a portion of the Assessments (“**Assessment Area Two – 2021 Project Assessments**”) on lands within the Assessment Area Two – 2021 Project Area; and

**WHEREAS**, in connection with the issuance of the Assessment Area Two – 2021 Project Bonds, the District anticipated that the Board of County Commissioners of Manatee County, Florida would later adopt an ordinance amending the District’s boundaries to include a boundary amendment parcel (“**Boundary Amendment Parcel**”); and

**WHEREAS**, in such event, the District would levy the Assessment Area Two – 2021 Project Assessments on what is known as “**Parcel 4A**” of the Boundary Amendment Parcel to secure the Assessment Area Two – 2021 Project Bonds; and

**WHEREAS**, Parcel 4A is described in **Exhibit 1** attached hereto; and

**WHEREAS**, on August 5, 2021, and in anticipation of the Boundary Amendment, the District adopted Resolution 2021-14 and declared its intent to undertake, install, plan, establish, construct or reconstruct, enlarge or extend, equip, acquire, operate, and/or maintain the 2021 Project and otherwise levy the Assessment Area Two – 2021 Project Assessments on Parcel 4A to secure the Area Two – 2021 Project Bonds; and

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<sup>1</sup> All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in Resolution 2020-05 and/or Resolution 2021-09, as applicable.



**WHEREAS**, effective August 11, 2021, the Board of County Commissioners for Manatee County, Florida enacted Ordinance 21-30 amending the District's boundaries to include the Boundary Amendment Parcel, which includes Parcel 4A; and

**WHEREAS**, on September 14, 2021, and as declared in Resolution 2021-14, and after providing both published and mailed notice as required by law, and after hearing any comments and testimony provided at a public hearing held on that day, the District now desires to confirm and levy the Assessment Area Two – 2021 Project Assessments on Parcel 4A to secure the repayment of the Assessment Area Two – 2021 Project Bonds;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF  
THE SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT AS  
FOLLOWS:**

1. **AUTHORITY FOR THIS RESOLUTION; INCORPORATION OF RECITALS.** This Resolution is adopted pursuant to the provisions of Florida law, including without limitation Chapters 170, 190 and 197, *Florida Statutes*. The recitals stated above are incorporated herein and are adopted by the Board as true and correct statements.

2. **AMENDMENTS.** Resolutions 2020-05 and 2021-09 are hereby amended such that the Assessment Area Two – 2021 Project Area now includes Parcel 4A, as described in **Exhibit 1**. Accordingly, all of the findings and terms of Resolutions 2020-05 and 2021-09 that apply to Assessment Area Two – 2021 Project Area now apply to Parcel 4A, as though the Assessment Area Two – 2021 Project Assessments were originally levied and imposed on Parcel 4A.

3. **ASSESSMENT NOTICE.** Consistent with Resolution 2021-09, District Staff is directed to evidence satisfaction of the Annexed Land Conditions by filing a *Notice of Boundary Amendment and Special Assessments* in the public records of Manatee County, Florida.

4. **SEVERABILITY.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

5. **CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

6. **EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**APPROVED** and **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

**SUMMER WOODS COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary

**EXHIBIT 1:** Description of Parcel 4A

\_\_\_\_\_  
Chairperson

## RESOLUTION 2021-18

### [MASTER ASSESSMENT AREA THREE ASSESSMENT RESOLUTION]

A RESOLUTION MAKING CERTAIN FINDINGS; AUTHORIZING A CAPITAL IMPROVEMENT PLAN FOR ASSESSMENT AREA THREE; ADOPTING AN ENGINEER'S REPORT; PROVIDING AN ESTIMATED COST OF IMPROVEMENTS; ADOPTING AN ASSESSMENT REPORT; EQUALIZING, APPROVING, CONFIRMING AND LEVYING DEBT ASSESSMENTS ON ASSESSMENT AREA THREE; ADDRESSING THE FINALIZATION OF SPECIAL ASSESSMENTS; ADDRESSING THE PAYMENT OF DEBT ASSESSMENTS AND THE METHOD OF COLLECTION; PROVIDING FOR THE ALLOCATION OF DEBT ASSESSMENTS AND TRUE-UP PAYMENTS; ADDRESSING GOVERNMENT PROPERTY, AND TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE AND FEDERAL GOVERNMENT; AUTHORIZING AN ASSESSMENT NOTICE; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

**WHEREAS**, the Summer Woods Community Development District ("**District**") is a local unit of special-purpose government established by ordinance of the Board of County Commissioners of Manatee County, Florida, and existing under and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*, as amended ("**Act**"); and

**WHEREAS**, the District has previously indicated its intention to construct certain types of improvements and to finance such improvements through the issuance of bonds, notes or other specific financing mechanisms, which bonds, notes or other specific financing mechanisms would be repaid by the imposition of special assessments on benefited property within the District; and

**WHEREAS**, the District's Board of Supervisors ("**Board**") has noticed and conducted a public hearing pursuant to Chapters 170, 190 and 197, *Florida Statutes*, relating to the imposition, levy, collection and enforcement of such assessments, and now desires to adopt a resolution imposing and levying such assessments as set forth herein.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT AS FOLLOWS:**

1. **AUTHORITY.** This Resolution is adopted pursuant to Chapters 170, 190 and 197, *Florida Statutes*, including without limitation, Section 170.08, *Florida Statutes*. The recitals stated above are incorporated herein; are adopted by the Board as true and correct statements; and are further declared to be findings made and determined by the Board.

2. **FINDINGS.** The Board further finds and determines as follows:

#### ***The Capital Improvement Plan***

- a. The District is authorized by Chapter 190, *Florida Statutes*, to finance, fund, plan, establish, acquire, install, equip, operate, extend, construct, or reconstruct roadways,

sewer and water distribution systems, stormwater management/earthwork improvements, landscape, irrigation and entry features, conservation and mitigation, street lighting and other infrastructure projects and services necessitated by the development of, and serving lands within, the District; and

- b. On August 5, 2021, and pursuant to Section 170.03, *Florida Statutes*, among other laws, the Board adopted Resolution 2021-13 ("**Declaring Resolution**"), and in doing so determined to undertake a capital improvement plan to install, plan, establish, construct or reconstruct, enlarge, equip, acquire, operate and/or maintain the District's infrastructure improvements planned for the District's capital improvement plan known as the "Assessment Area Three Project" (or "**Project**"); and
- c. The Project is described in the Declaring Resolution and the *Fourth Supplemental Engineer's Report*, dated August 5, 2021 ("**Engineer's Report**," attached hereto as **Exhibit A** and incorporated herein by this reference), and the plans and specifications for the Project are on file in the offices of the District Manager at c/o Rizzetta & Company, Inc., 9428 Camden Field Parkway, Riverview, Florida 33578, (813)533-2950 ("**District Records Office**"); and

#### ***The Debt Assessment Process***

- d. Also as part of the Declaring Resolution, the Board expressed an intention to issue bonds, notes or other specific financing mechanisms in one or more series ("**Bonds**") to provide a portion of the funds needed for the Project, and further declared its intention to defray the whole or any part of the expense of the Project by levying one or more special assessment liens ("**Assessment Area Three Assessments**," or "**Assessments**") on specially benefited property within the District as described in **Exhibit B** (the boundaries of which assessment area are described in **Exhibit C**) ("**Assessment Area Three**"); and
- e. The Declaring Resolution was adopted in compliance with the requirements of Section 170.03, *Florida Statutes*, and prior to the time it was adopted, the requirements of Section 170.04, *Florida Statutes*, had been met; and
- f. As directed by the Declaring Resolution, said Declaring Resolution was published as required by Section 170.05, *Florida Statutes*, and a copy of the publisher's affidavit of publication is on file with the Secretary of the District; and
- g. As directed by the Declaring Resolution, the Board caused to be made a preliminary assessment roll as required by Section 170.06, *Florida Statutes*; and
- h. As required by Section 170.07, *Florida Statutes*, and as part of the Declaring Resolution, the Board fixed the time and place of a public hearing at which owners of the property to be assessed and other persons interested therein could appear before the Board and be heard as to (i) the propriety and advisability of making the improvements, (ii) the cost thereof, (iii) the manner of payment therefore, and (iv) the amount thereof to be assessed against each specially benefited property or parcel, and the Board further authorized publication of notice of such public hearing and individual mailed notice of such public hearing in accordance with Chapters 170, 190, and 197, *Florida Statutes*; and

- i. Notice of the scheduled public hearing was given by publication and also by mail as required by Sections 170.07 and 197.3632, *Florida Statutes*, and affidavits as to such publication and mailings are on file in the office of the Secretary of the District; and

***Equalization Board Additional Findings***

- j. On September 14, 2021, and at the time and place specified in the Declaring Resolution, the Board conducted such public hearing and heard and considered all complaints and testimony as to the matters described above; the Board further met as an “Equalization Board;” and the Board has made such modifications in the preliminary assessment roll as it deems necessary, just and right in the making of the final assessment roll; and
- k. Having considered the estimated costs of the Project, the estimated financing costs and all comments and evidence presented at such public hearing, the Board further finds and determines that:
  - i. It is necessary to the public health, safety and welfare and in the best interests of the District that: (1) the District provide the Project as set forth in the Engineer’s Report; (2) the cost of such Project be assessed against the lands specially benefited by such Project, and within the Assessment Area Three; and (3) the District issue Bonds, including the Bonds, to provide funds for such purposes pending the receipt of such Assessments; and
  - ii. The provision of said Project, the levying of the Assessments, and the sale and issuance of the Bonds, and any refunding of the Bonds, serve a proper, essential, and valid public purpose and are in the best interests of the District, its landowners and residents; and
  - iii. The estimated costs of the Project are as specified in the Engineer’s Report and Assessment Report (defined below), and the amount of such costs is reasonable and proper; and
  - iv. The Project benefits all developable property within the Assessment Area Three; and
  - v. It is reasonable, proper, just and right to assess the cost of such Project against the properties specially benefited thereby in the Assessment Area Three, using the method determined by the Board and set forth in the *Master Special Assessment Allocation Report - Assessment Area Three*, dated August 5, 2021, and as supplemented by the *Final Supplemental Special Assessment Allocation Report, Special Assessment Bonds, Series 2021 (Assessment Area Three Project)*, dated \_\_\_\_\_, 2021 (together, “**Assessment Report**”), which are attached hereto as **Exhibit B** and incorporated herein by this reference), which results in the Assessments, set forth on the final assessment roll; and
  - vi. Generally speaking, and pursuant to the terms of **Exhibit A** and **Exhibit B**, the Project benefits all developable property within Assessment Area Three; the

benefits from the Project, and the 2020 Project, are at least in the amount of the Assessments; the Assessments are fairly and reasonably allocated across all benefitted lands within the Assessment Area Three; and

- vii. It is in the best interests of the District that the Assessments be paid and collected as herein provided; and
- viii. In order to provide funds with which to pay the costs of the Project, which are to be assessed against the benefitted properties, pending the collection of the Assessments, it is necessary for the District to issue Bonds, and any refunding bonds related thereto.

3. **AUTHORIZATION FOR PROJECT; ADOPTION OF ENGINEER'S REPORT.** The Engineer's Report identifies and describes the infrastructure improvements to be financed in part with the District's Bonds, including the Bonds, and sets forth the costs of the Project. The District hereby confirms that the Project serves a proper, essential, and valid public purpose. The use of the Engineer's Report in connection with the sale of the Bonds is hereby authorized, approved and ratified, and the proper officers, employees and/or agents of the District are hereby authorized and directed to take such further action as may be necessary or desirable to cause the same to be made.

4. **ESTIMATED COST OF IMPROVEMENTS.** The total estimated costs of the Project, and the costs to be paid by the Assessments, on all specially benefitted property are set forth in **Exhibits A and B**, respectively, hereto.

5. **ADOPTION OF ASSESSMENT REPORT.** The Assessment Report setting forth the allocation of the Assessments to the benefitted lands within the Assessment Area Three is hereby approved, adopted, and confirmed. The District ratifies its use in connection with the sale of the Bonds.

6. **EQUALIZATION, APPROVAL, CONFIRMATION AND LEVY OF DEBT ASSESSMENTS.** The Assessments imposed on the parcels specially benefitted by the Project within Assessment Area Three, all as specified in the final assessment roll set forth in **Exhibit B**, attached hereto, are hereby equalized, approved, confirmed and levied. Immediately following the adoption of this Resolution, the lien of the Assessments as reflected in **Exhibit B**, attached hereto, shall be recorded by the Secretary of the District in the District's "**Improvement Lien Book**." The Assessments levied against each respective parcel shown on such final assessment roll and interest, costs, and penalties thereon, as hereafter provided, shall be and shall remain a legal, valid and binding first liens on such parcel, coequal with the lien of all state, county, district, municipal or other governmental taxes and superior in dignity to all other liens, titles, and claims.

- a. ***Supplemental Assessment Resolutions for Bonds.*** The lien for the Assessments established hereunder shall be inchoate until the District issues Bonds. In connection with the issuance of any particular series of the Bonds, the District may adopt, without the need for further public hearing, a supplemental assessment resolution establishing specific Assessments, in one or more separately enforceable Assessment liens, securing such Bonds. Such subsequent resolutions shall be adopted at a noticed meeting of the District, and shall set forth the actual amounts financed, costs of issuance, expected costs of collection, and the total amount of the assessments pledged to that issue, which amount shall be consistent with the lien imposed by this Resolution. Among other things,

the supplemental assessment resolutions may provide for the issuance of multiple series of Bonds each secured by one or more different assessment areas within an assessment area.

- b. **Refunding Bonds.** The liens for the Assessments established hereunder shall secure the District's future Bonds, and any refundings thereof.
- c. **Adjustments to Debt Assessments.** The District may, by subsequent resolution, adjust the acreage assigned to particular parcel identification numbers listed on the final assessment roll to reflect accurate apportionment of acreage amongst individual parcel identification numbers. The District may make any other such acreage and boundary adjustments to parcels listed on the final assessment roll as may be necessary and in the best interests of the District, as determined by the Board by subsequent resolution. Any such adjustment in the assessment roll shall be consistent with the requirements of law.
- d. **Impact Fees.** Section 8 of the *Acquisition and Advanced Funding Agreement (Assessment Area Three Project)* shall govern the District's payment of certain impact fees/service connection fees from the Bond proceeds, and the use of any credits related thereto.

7. **FINALIZATION OF DEBT ASSESSMENTS.** When the Project has been constructed or otherwise provided to the satisfaction of the Board, the Board shall adopt a resolution accepting the same and determining the actual costs (including financing costs) thereof, as required by Sections 170.08 and 170.09, *Florida Statutes*. Pursuant to Section 170.08, *Florida Statutes*, the District shall credit to each Assessment the difference, if any, between the Assessment as hereby made, approved and confirmed and the actual costs incurred in completing the applicable Project. In making such credits, no credit shall be given for bond, note or other specific financing mechanism costs, capitalized interest, funded reserves or bond or other discounts. Such credits, if any, shall be entered in the Improvement Lien Book.

8. **PAYMENT OF DEBT ASSESSMENTS AND METHOD OF COLLECTION.**

- a. **Payment.** Each of the Assessments may be paid in not more than thirty (30) yearly installments of principal and interest – beginning upon the issuance of the Bonds (and after taking into account any capitalized interest periods), provided, however, that the Board shall at any time make such adjustments by resolution, and at a noticed meeting of the Board, to that payment schedule as may be necessary and in the best interests of the District to account for changes in long and short term debt as actually issued by the District.
- b. **Prepayment.** Any owner of property subject to the Assessments may, at its option, prepay the entire amount of each Assessment any time, or a portion of the amount of each Assessment up to two times, plus applicable interest, attributable to the property subject to Assessments owned by such owner. Prepayment of Assessments does not entitle the property owner to any discounts for early payment. If authorized by the applicable supplemental trust indenture, the District may grant a discount equal to all or a part of the payee's proportionate share of the cost of the Project, consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the Project upon payment in full of any Assessment during such period prior to the time such financing costs are incurred as may be specified by the District.

- c. **Uniform Method; Alternatives.** The District may elect to use the method of collecting Assessments authorized by Sections 197.3632 and 197.3635, *Florida Statutes* (“**Uniform Method**”). The District has heretofore taken all required actions to comply with Sections 197.3632 and 197.3635, *Florida Statutes*. Such Assessments may be subject to all of the collection provisions of Chapter 197, *Florida Statutes*. Notwithstanding the above, in the event the Uniform Method of collecting its Assessments is not available to the District in any year, or if determined by the District to be in its best interests, and subject to the terms of any applicable trust indenture, the Assessments may be collected as is otherwise permitted by law. In particular, the District may, in its sole discretion, collect Assessments by directly billing landowners and enforcing said collection in any manner authorized by law. Any prejudgment interest on delinquent assessments that are directly billed shall accrue at the applicable rate of any bonds or other debt instruments secured by the Assessments. The decision to collect Assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect Assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.
- d. **Uniform Method Agreements Authorized.** For each year the District uses the Uniform Method, the District shall enter into an agreement with the County Tax Collector who may notify each owner of a lot or parcel within the District of the amount of the special assessment, including interest thereon, in the manner provided in Section 197.3635, *Florida Statutes*.
- e. **Re-amortization.** Each Assessment lien shall be subject to re-amortization where the applicable series of Bonds is subject to re-amortization pursuant to the applicable trust indenture and where the context allows.

**9. ALLOCATION OF DEBT ASSESSMENTS; APPLICATION OF TRUE-UP PAYMENTS.**

- a. At such time as parcels of land, or portions thereof, are included in a plat or site plan, it shall be an express condition of the lien established by this Resolution that, prior to County approval, any and all plats or site plans for any portion of the lands within the District, as the District’s boundaries may be amended from time to time, shall be presented to the District Manager for review. As parcels of land, or portions thereof, are included in a plat or site plan, the District Manager shall review the plat or site plan and cause the Assessments securing each series of Bonds to be reallocated to the units being included in the plat or site plan and the remaining property in accordance with **Exhibit B**, and cause such reallocation to be recorded in the District’s Improvement Lien Book.
- b. Pursuant to the Assessment Report, attached hereto as **Exhibit B**, and which terms are incorporated herein, there may be required from time to time certain true-up payments. When a plat or site plan is presented to the District, the District Manager shall review the plat or site plan to determine whether, taking into account the plat or site plan, there is a net shortfall in the overall principal amount of assessments reasonably able to be assigned to benefitted lands within Assessment Area Three. Such determination shall be made based on the language in this Resolution and/or the tests or other methods set forth in **Exhibit B** (if any). If the overall principal amount of assessments reasonably

cannot be assigned, or is not reasonably expected to be assigned, as set forth in more detail in and subject to the terms of **Exhibit B** (or any supplemental resolution and report, as applicable), to the platted and site planned lands as well as the undeveloped lands, then a debt reduction payment (“**True-Up Payment**”) in the amount of such shortfall shall become due and payable that tax year by the landowner(s) of record of the land subject to the proposed plat or site plan and of the remaining undeveloped lands, in addition to any regular assessment installment. The District’s review shall be limited solely to this function and the enforcement of the lien established by this Resolution. In the event a True-Up Payment is due and unpaid, the lien established herein for the True-Up Payment amount shall remain in place until such time as the True-Up Payment is made. The District shall record all True-Up Payments in its Improvement Lien Book.

- c. In connection with any true-up determination, affected landowner(s) may request that such true-up determination be deferred because the remaining undeveloped lands are able to support the development of all of the originally planned units within Assessment Area Three. To support the request, the affected landowner(s) shall provide the following evidence for the District’s consideration: a) proof of the amount of entitlements remaining on the undeveloped lands within the Assessment Area Three, b) a revised overall development plan showing the number and type of units reasonably planned for the remainder of the development of Assessment Area Three, c) evidence of allowable zoning conditions that would enable those entitlements to be placed in accordance with the revised development plan for Assessment Area Three, and d) documentation prepared by a licensed engineer that shows the feasibility of implementing the proposed development plan for Assessment Area Three. Any deferment shall be in the District’s reasonable discretion. Prior to any decision by the District not to impose a True-Up Payment, a supplemental methodology shall be produced demonstrating that there will be sufficient Assessments to pay debt service on the Bonds and the District will conduct new proceedings under Chapter 170, *Florida Statutes* upon the advice of District Counsel.
- d. The foregoing is based on the District's understanding that the community would be developed with the type and number of units set forth in **Exhibit B**, on the developable acres. However, more than the stated number of units may be developed. In no event shall the District collect Assessments pursuant to this Resolution in excess of the total debt service related to the Project, including all costs of financing and interest. The District recognizes that such things as regulatory requirements and market conditions may affect the timing and scope of the development in the District. If the strict application of the true-up methodology to any assessment reallocation pursuant to this paragraph would result in Assessments collected in excess of the District's total debt service obligations for the Project, the Board may by resolution take appropriate action to equitably reallocate the Assessments.

**10. GOVERNMENT PROPERTY; TRANSFERS OF PROPERTY TO UNITS OF LOCAL, STATE, AND FEDERAL GOVERNMENT.** Real property owned by units of local, state, and federal governments, or similarly exempt entities, shall not be subject to the Assessments without specific consent thereto. If at any time, any real property on which Assessments are imposed by this Resolution is sold or otherwise transferred to a unit of local, state, or federal government (without consent of such governmental unit to the imposition of Assessments thereon), or similarly exempt entity, all future unpaid Assessments for such



tax parcel shall become due and payable immediately prior to such transfer without any further action of the District.

**11. ASSESSMENT NOTICE.** The District's Secretary is hereby directed to record a general Notice of Assessments in the Official Records of Manatee County, Florida, which shall be updated from time to time in a manner consistent with changes in the boundaries of the District.

**12. SEVERABILITY.** If any section or part of a section of this Resolution is declared invalid or unconstitutional, the validity, force and effect of any other section or part of a section of this Resolution shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section of this Resolution is wholly or necessarily dependent upon the section or part of a section so held to be invalid or unconstitutional.

**13. CONFLICTS.** All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, superseded and repealed.

**14. EFFECTIVE DATE.** This Resolution shall become effective upon its adoption.

**[CONTINUED ON NEXT PAGE]**

**APPROVED** and **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

**SUMMER WOODS COMMUNITY DEVELOPMENT  
DISTRICT**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairperson

**Exhibit A:** *Fourth Supplemental Engineer's Report*, dated August 5, 2021

**Exhibit B:** *Master Special Assessment Allocation Report - Assessment Area Three*, dated August 5, 2021, and *Final Supplemental Special Assessment Allocation Report, Special Assessment Bonds, Series 2021 (Assessment Area Three Project)*, dated \_\_\_\_\_, 2021

**Exhibit C:** Description of Assessment Area Three

**Exhibit D:** Maturities and Coupon of Bonds, Sources and Uses of Funds for Bonds, and Annual Debt Service Payment Due on Bonds

**Exhibit A:**

*Fourth Supplemental Engineer's Report, dated August 5, 2021*

**Exhibit B:**

*Master Special Assessment Allocation Report - Assessment Area Three*, dated August 5, 2021, and as supplemented by the *Final Supplemental Special Assessment Allocation Report, Special Assessment Bonds, Series 2021 (Assessment Area Three Project)*, dated \_\_\_\_\_, 2021

**Exhibit C:**

Description of Assessment Area Three

**Exhibit D:**

Maturities and Coupon of Bonds, Sources and Uses of Funds for Bonds, and Annual Debt Service  
Payment Due on Bonds

## **RESOLUTION NO. 2021-19**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT (THE “DISTRICT”) AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$8,500,000 SUMMER WOODS COMMUNITY DEVELOPMENT DISTRICT, SPECIAL ASSESSMENT BONDS, SERIES 2021 (ASSESSMENT AREA THREE PROJECT) (THE “BONDS”) TO FINANCE CERTAIN PUBLIC INFRASTRUCTURE WITHIN A PORTION OF ASSESSMENT AREA THREE WITHIN THE DISTRICT; DETERMINING THE NEED FOR A NEGOTIATED LIMITED OFFERING OF THE BONDS AND PROVIDING FOR A DELEGATED AWARD OF SUCH BONDS; APPOINTING THE UNDERWRITER FOR THE LIMITED OFFERING OF THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT WITH RESPECT TO THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL TRUST INDENTURE AND AUTHORIZING THE USE OF THAT CERTAIN MASTER TRUST INDENTURE DATED MAY 1, 2018 GOVERNING THE BONDS; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM; APPROVING THE EXECUTION AND DELIVERY OF A FINAL LIMITED OFFERING MEMORANDUM; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT, AND APPOINTING A DISSEMINATION AGENT; APPROVING THE APPLICATION OF BOND PROCEEDS; AUTHORIZING CERTAIN MODIFICATIONS TO THE ASSESSMENT METHODOLOGY REPORT AND ENGINEER’S REPORT; PROVIDING FOR THE REGISTRATION OF THE BONDS PURSUANT TO THE DTC BOOK-ENTRY ONLY SYSTEM; AUTHORIZING THE PROPER OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF THE BONDS; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the Summer Woods Community Development District (the “District”) is a local unit of special-purpose government organized and existing in accordance with the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, as amended (the “Act”), created by Ordinance No. 11-13, duly enacted by the Board of County Commissioners of Manatee County, Florida, on September 1, 2011 and effective September 6, 2011; and

**WHEREAS**, the District was created for the purpose of delivering certain community development services and facilities within and outside its jurisdiction; and

**WHEREAS**, the Board of Supervisors of the District (herein, the “Board”) has previously adopted Resolution No. 2012-11 on October 24, 2011 (the “Initial Bond Resolution”),

pursuant to which the District authorized the issuance of not to exceed \$35,000,000 of its special assessment bonds to be issued in one or more series to finance all or a portion of the District's capital improvement program; and

**WHEREAS**, any capitalized term used herein and not otherwise defined shall have the meaning ascribed to such term in the Initial Bond Resolution; and

**WHEREAS**, based on the current development plans of the Developer of the lands within the District, and pursuant to Resolution 2018-02 adopted on October 12, 2017, the District determined to create separate and distinct assessment areas designated as "Assessment Area One" and "Assessment Area Three"; and

**WHEREAS**, the Board reserves the right to create other assessment areas within the District; and

**WHEREAS**, the Board finds it necessary to finance a portion of the necessary public infrastructure necessary for the development of a portion of Assessment Area Three; and

**WHEREAS**, the Board hereby determines to issue its Summer Woods Community Development District Special Assessment Bonds, Series 2021 (Assessment Area Three Project) (the "Bonds") in the principal amount of not exceeding \$8,500,000 for the purpose of providing funds to finance a portion of the public infrastructure within Assessment Area Three, specifically, the "Assessment Area Three Project" as described in the District's *Fourth Supplemental Engineer's Report* dated August 5, 2021, as may be amended and supplemented (the "Engineer's Report"); and

**WHEREAS**, the Assessment Area Three Project is hereby determined to be necessary to coincide with the Developer's plan of development; and

**WHEREAS**, the Board hereby finds it necessary to approve the form of and authorize the execution and delivery of a Fifth Supplemental Trust Indenture (the "Fifth Supplemental Indenture" and, together with the herein defined Master Indenture, the "2021 Indenture") both by and between the District and Regions Bank, as trustee (the "Trustee"); and

**WHEREAS**, there has been submitted to this meeting with respect to the issuance and sale of the Bonds and submitted to the Board forms of:

(i) a Bond Purchase Contract with respect to the Bonds by and between FMSbonds, Inc., as the underwriter (the "Underwriter") and the District, together with the form of a disclosure statement attached to the Bond Purchase Contract pursuant to Section 218.385, Florida Statutes, substantially in the form attached hereto as Exhibit A (the "Bond Purchase Contract");

(ii) a Preliminary Limited Offering Memorandum substantially in the form attached hereto as Exhibit B (the "Preliminary Limited Offering Memorandum");



(iii) a Continuing Disclosure Agreement among the District, the dissemination agent named therein and the obligated parties named therein, substantially in the form attached hereto as Exhibit C; and

(iv) the Fifth Supplemental Indenture between the District and the Trustee, substantially in the form attached hereto as Exhibit D.

**WHEREAS**, in connection with the sale of the Bonds, it may be necessary that certain modifications be made to the *Master Special Assessment Allocation Report, Assessment Area Three* and *Preliminary Supplemental Special Assessment Allocation Report, Assessment Area Three (2021 Project)* (collectively, “Assessment Methodology Report”) and the Engineer’s Report to conform such reports to the final terms of the Bonds; and

**WHEREAS**, the proceeds of the Bonds shall also fund a debt service reserve account, pay capitalized interest and pay the costs of the issuance of the Bonds.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the Summer Woods Community Development District (the “Board”), as follows:

**Section 1. Negotiated Limited Offering of Bonds.** The District hereby finds that because of the complex nature of assessment bond financings in order to better time the sale of the Bonds and secure better rates, it is necessary and in the best interest of the District that the Bonds, in the aggregate principal amount of not exceeding \$8,500,000 be sold on a negotiated limited offering basis. The District hereby further finds that it will not be adversely affected if the Bonds are not sold pursuant to competitive sales.

**Section 2. Purpose; Assessment Area Designation.** The District has authorized its capital improvement plan for the parcels comprising Assessment Area Three, as set forth in the Engineer’s Report, and hereby authorizes the financing of a portion of the acquisition and construction of certain public infrastructure benefiting the assessable lands within the District and such lands are hereby designated as the “Assessment Area Three Project Area” within the District by issuing the Bonds to finance a portion of the Assessment Area Three Project. The Assessment Area Three Project includes, but is not limited to, stormwater drainage facilities including related earthwork, water and sewer facilities, undergrounding differential costs of electric utilities, public roadway improvements, landscaping in public rights-of-way including entrance features and related costs, including interests in real property, all as more particularly described in the Engineer’s Report.

**Section 3. Sale of the Bonds.** Except as otherwise provided in the last sentence of this Section 3, the proposal submitted by the Underwriter offering to purchase the Bonds at the purchase price established pursuant to the parameters set forth below and on the terms and conditions set forth in the Bond Purchase Contract (attached hereto as Exhibit A), are hereby approved and adopted by the District in substantially the form presented. Subject to the last sentence of this Section 3, the Chairperson (or, in the absence of the Chairperson, any other member of the Board) is hereby authorized to execute and deliver on behalf of the District, and the Secretary of the District is hereby authorized (if so required) to affix the Seal of the District and attest to the execution of the Bond Purchase Contract in substantially the form presented at

this meeting. The disclosure statements of the Underwriter, as required by Section 218.385, Florida Statutes, to be delivered to the District prior to the execution of the Bond Purchase Contract, a copy of which is attached as an exhibit to the Bond Purchase Contract, will be entered into the official records of the District. The Bond Purchase Contract, in final form as determined by counsel to the District and the Chairperson, may be executed by the District without further action provided that (i) the Bonds mature not later than the statutory permitted period; (ii) the principal amount of the Bonds issued does not exceed \$8,500,000; (iii) the arbitrage yield on the Bonds shall not exceed 4.50%; (iv) if the Bonds are subject to optional redemption which determination will be made on or before the sale date of the Bonds, the first optional call date and redemption price shall be determined prior to the execution of the Purchase Contract; and (v) the purchase price to be paid by the Underwriter for the Bonds is not less than 98% of the par amount of the Bonds issued (exclusive of any original issuance discount).

**Section 4. The Limited Offering Memorandum.** The Limited Offering Memorandum, in substantially the form of the Preliminary Limited Offering Memorandum (as herein defined and subject to the other conditions set forth herein) attached hereto as Exhibit B, with such changes as are necessary to conform to the details of the Bonds and the requirements of the Bond Purchase Contract, is hereby approved. The District hereby authorizes the execution of the Limited Offering Memorandum and the District hereby authorizes the Limited Offering Memorandum, when in final form, to be used in connection with the limited offering and sale of the Bonds. The District hereby authorizes and consents to the use by the Underwriter of a Preliminary Limited Offering Memorandum substantially in the form attached hereto as Exhibit B, in connection with the Limited Offering of the Bonds (the "Preliminary Limited Offering Memorandum"). The final form of a Preliminary Limited Offering Memorandum shall be determined by the Underwriter and the professional staff of the District, with final approval by the Chairperson. The Limited Offering Memorandum may be modified in a manner not inconsistent with the substance thereof and the terms of the Bonds as shall be deemed advisable by the Bond Counsel and counsel to the District, with final approval by the Chairperson. The Chairperson (or, in the absence of the Chairperson, any other member of the Board) is hereby further authorized to execute and deliver on behalf of the District, the Limited Offering Memorandum and any amendment or supplement thereto, with such changes, modifications and deletions as the member of the Board executing the same may deem necessary and appropriate with the advice of Bond Counsel and counsel to the District, with final approval by the Chairperson, such execution and delivery to be conclusive evidence of the approval and authorization thereof by the District. The District hereby authorizes the Chairperson (or, in the absence of the Chairperson, any other member of the Board) to deem "final" the Preliminary Limited Offering Memorandum except for permitted omissions all within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934 and to execute a certificate in that regard.

**Section 5. Details of the Bonds.** The proceeds of the Bonds shall be applied in accordance with the provisions of the Indenture. The Bonds shall mature in the years and in the amounts, bear interest at such rates and be subject to redemption, all as provided in the Indenture. The execution of the Indenture shall constitute approval of such terms as set forth in the Indenture and this Resolution. The maximum aggregate principal amount of the Bonds authorized to be issued pursuant to this Resolution and the Indenture shall not exceed \$8,500,000 with respect to the Bonds.

**Section 6. Continuing Disclosure; Dissemination Agent.** The Board does hereby authorize and approve the execution and delivery of a Continuing Disclosure Agreement by the Chairperson (or, in the absence of the Chairperson, any other member of the Board) substantially in the form presented to this meeting and attached hereto as Exhibit C. The Continuing Disclosure Agreement is being executed by the District and the other parties thereto in order to assist the Underwriter in the marketing of the Bonds and compliance with Rule 15c2-12 of the Securities and Exchange Commission. Rizzetta & Company, Incorporated is hereby appointed the initial dissemination agent.

**Section 7. Authorization of Execution and Delivery of Fifth Supplemental Indenture; Application of Master Indenture.** The District does hereby authorize and approve the execution by the Chairperson (or, in the absence of the Chairperson, the Vice Chairperson or any other member of the Board) and the Secretary to attest and authorize the delivery of the Fifth Supplemental Indenture, between the District and the Trustee. The previously executed Master Trust Indenture dated May 1, 2018, by and between the Issuer and the Trustee (the “Master Indenture”) shall be used with respect to the Bonds. The Master Indenture and Fifth Supplemental Indenture are collectively referred to as the “2021 Indenture.” The 2021 Indenture shall provide for the security of the Bonds and express the contract between the District and the owners of the Bonds. The Fifth Supplemental Indenture shall be substantially in the form attached hereto as Exhibit D and is hereby approved, with such changes therein as are necessary or desirable to reflect the terms of the sale of the Bonds as shall be approved by the Chairperson (or, in the absence of the Chairperson, the Vice Chairperson, or any other member of the Board) executing the same, with such execution to constitute conclusive evidence of such officer’s approval and the District’s approval of any changes therein from the form of the Fifth Supplemental Indenture attached hereto as Exhibit D.

**Section 8. Authorization and Ratification of Prior Acts.** All actions previously taken by or on behalf of District in connection with the issuance of the Bonds are hereby authorized, ratified and confirmed.

**Section 9. Appointment of Underwriter.** The Board hereby formally appoints FMSbonds, Inc., as the Underwriter for the Bonds.

**Section 10. Book-Entry Only Registration System.** The registration of the Bonds shall initially be by the book-entry only system established with The Depository Trust Company.

**Section 11. Assessment Methodology Report.** The Board hereby authorizes any modifications to the Assessment Methodology Report prepared by Rizzetta & Company, Incorporated in connection with the Bonds if such modifications are determined to be appropriate in connection with the issuance of the Bonds.

**Section 12. Engineer’s Report.** The Board hereby authorizes any modifications to the Engineer’s Report in connection with the Bonds if such modifications are determined to be appropriate in connection with the issuance of the Bonds or modifications to the Assessment Area Three Project.

**Section 13. Further Official Action.** The Chairperson, the Vice Chairperson, the Secretary and each member of the Board and any other proper official or member of the professional staff of the District are each hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or desirable for carrying out the transactions contemplated by this Resolution. In the event that the Chairperson, the Vice Chairperson or the Secretary is unable to execute and deliver the documents herein contemplated, such documents shall be executed and delivered by the respective designee of such officer or official or any other duly authorized officer or official of the District herein authorized. The Secretary or any Assistant Secretary is hereby authorized and directed to apply and attest the official seal of the District to any agreement or instrument authorized or approved herein that requires such a seal and attestation.

**Section 14. Severability.** If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

**Section 15. Inconsistent Proceedings.** All resolutions or proceedings, or parts thereof, in conflict with the provisions hereof are to the extent of such conflict hereby repealed or amended to the extent of such inconsistency.

**PASSED** in public session of the Board of Supervisors of the Summer Woods Community Development District, this 14<sup>th</sup> day of September, 2021.

**SUMMER WOODS COMMUNITY  
DEVELOPMENT DISTRICT**

ATTEST:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Assistant Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Chairperson/Vice Chairperson  
Board of Supervisors

**EXHIBIT A**

**FORM OF BOND PURCHASE CONTRACT**

**EXHIBIT B**

**DRAFT COPY OF PRELIMINARY LIMITED OFFERING MEMORANDUM**

**EXHIBIT C**

**FORM OF CONTINUING DISCLOSURE AGREEMENT**

**EXHIBIT D**

**FORM OF FIFTH SUPPLEMENTAL TRUST INDENTURE**

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