

February 15, 2024

Robin Reinhart  
Agenda Coordinator  
Planning and Zoning Division  
Development Services Department  
1653 Blaise Drive  
Brooksville, FL 34601

**Re:   *Petition to Establish the Springside Community Development District***

Dear Ms. Reinhart:

Enclosed for filing please find the *Petition to Establish the Springside Community Development District* ("Petition"). We will be contacting you shortly to work through any procedural or logistical issues relating to the Petition and its processing Hernando County. If you need additional copies of the Petition, please contact me and we will provide them.

Thank you in advance for your assistance and I look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jere Earlywine', with a long horizontal stroke extending to the left.

Jere Earlywine

Enclosure

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA

PETITION TO ESTABLISH A COMMUNITY DEVELOPMENT DISTRICT

Petitioner, Diamond Developing of Florida, Inc. ("Petitioner"), hereby petitions the Board of County Commissioners of Hernando County, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, to establish a Community Development District ("District") with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located entirely within the Hernando County, Florida, and covers approximately 78.69 acres of land, more or less. **Exhibit 1** depicts the general location of the project. The site is generally located south of Siam Dr, west of Nocklyn Rd, north of Elgin Blvd, and east of Mariner Blvd. The sketch and metes and bounds descriptions of the external boundary of the proposed District is set forth in **Exhibit 2**.

2. Excluded Parcels. There are no parcels within the external boundaries of the proposed District which are to be excluded from the District.

3. Landowner Consents. Petitioner has obtained written consent to establish the proposed District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, Florida Statutes. Consent to the establishment of a community development district is contained in **Exhibit 3**.

4. Initial Board Members. The five (5) persons designated to serve as initial members of the Board of Supervisors of the proposed District are Darren Williamson, Debbie Grubbs, Danial Williamson, Tammi Jo Fernandez, Deborah Ricciardi. All of the listed person are citizens of the United States and residents of the State of Florida.

5. Name. The proposed name of the District is the Springside Community Development District.

6. Major Water and Wastewater Facilities. **Exhibit 4** shows the existing and proposed major trunk water mains and sewer connections serving the lands within and around the proposed District.

7. District Facilities and Services. **Exhibit 5** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and install, as well as the estimated costs of construction. At present, these improvements are estimated to be made, acquired, constructed and installed in three (3) phases over an two (2) year period from 2024 – 2026. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

8. Existing and Future Land Uses. The existing use of the lands within the proposed District is vacant. The future general distribution, location and extent of the public and private land uses within and adjacent to the proposed District by land use plan element are shown in **Exhibit 6**. These proposed land uses are consistent with the Hernando Comprehensive Plan.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agents. The Petitioner is authorized to do business in the State of Florida. The Petitioner has designated Jere Earlywine as its authorized agent. See **Exhibit 8** - Authorization of Agent. Copies of all correspondence and official notices should be sent to:

Jere L. Earlywine, Esquire  
Florida Bar No.155527  
[Jere.Earlywine@KutakRock.com](mailto:Jere.Earlywine@KutakRock.com)  
KUTAK ROCK, LLP  
107 W. College Avenue  
Tallahassee, Florida 32301

11. This petition to establish the Springside Community Development District should be granted for the following reasons:

a. Establishment of the proposed District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the Hernando County Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the proposed District will prevent the general body of taxpayers in Hernando County from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the proposed District. The proposed District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the proposed District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the proposed District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the proposed District will



provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the proposed District's services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Board of County Commissioners of Hernando County, Florida to:

a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;

b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;

c. consent to the District exercise of certain additional powers to finance, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: (1) parks and facilities for indoor and outdoor recreational, cultural and educational uses; and (2) security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, each as authorized and described by Section 190.012(2), Florida Statutes; and

d. grant such other relief as may be necessary or appropriate.

[CONTINUED ON THE FOLLOWING PAGE]



RESPECTFULLY SUBMITTED, this 5<sup>th</sup> day of February, 2024.

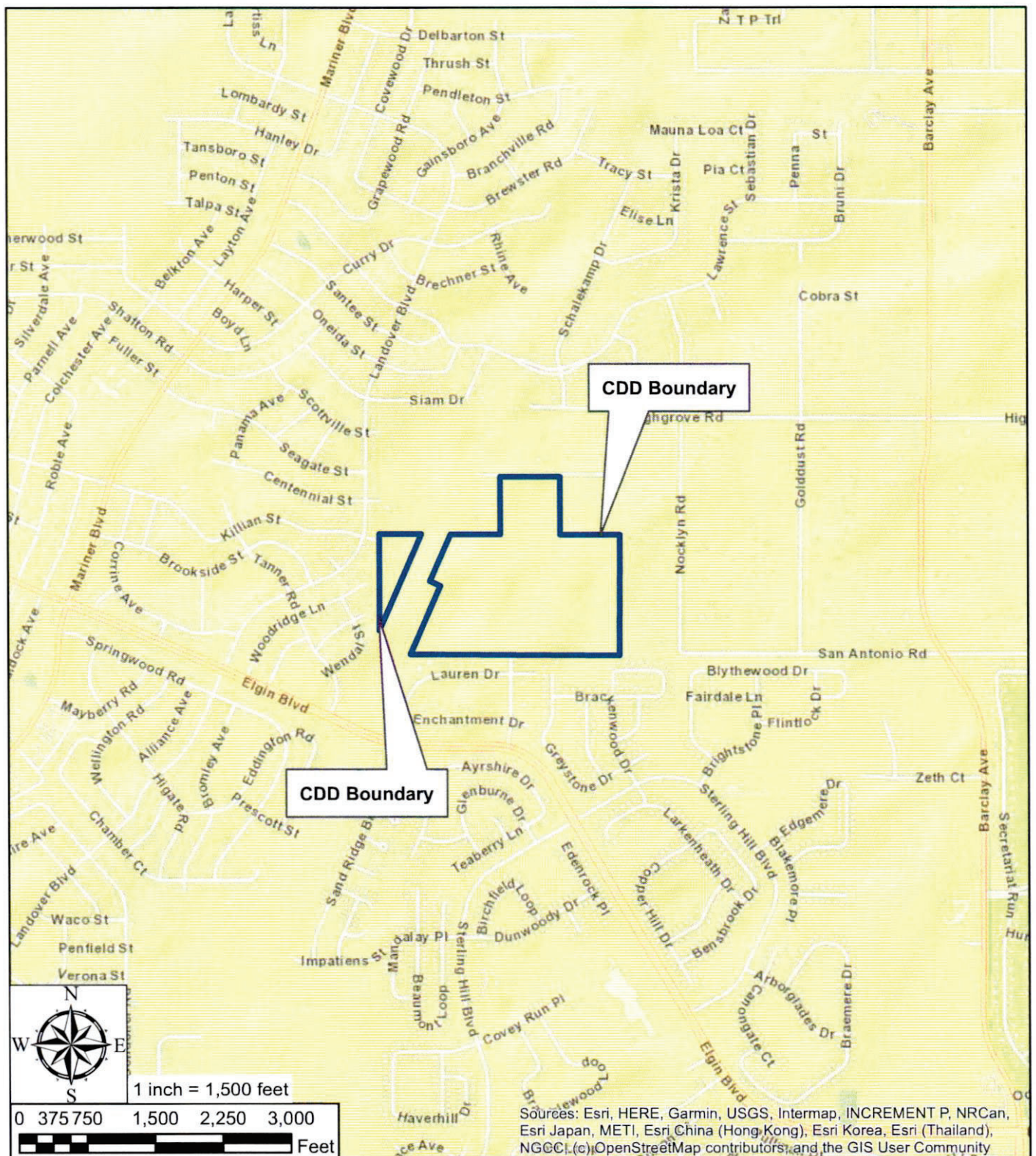
**KUTAK ROCK LLP**



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Jere L. Earlywine, Esquire  
Florida Bar No. 155527  
[Jere.Earlywine@KutakRock.com](mailto:Jere.Earlywine@KutakRock.com)  
(850) 528-6152 (telephone)  
Bennett Davenport, Esquire  
Florida Bar No. 1039354  
(904) 599-4864 (telephone)  
[Bennett.Davenport@KutakRock.com](mailto:Bennett.Davenport@KutakRock.com)  
KUTAK ROCK LLP  
107 W. College Avenue  
Tallahassee, Florida 32301

Attorneys for Petitioner



**EXHIBIT 1.0: Location Map**

## **Springside Community Development District Diamond Developing, LLC**

Sec/Twn/Rng  
04/23S/18E

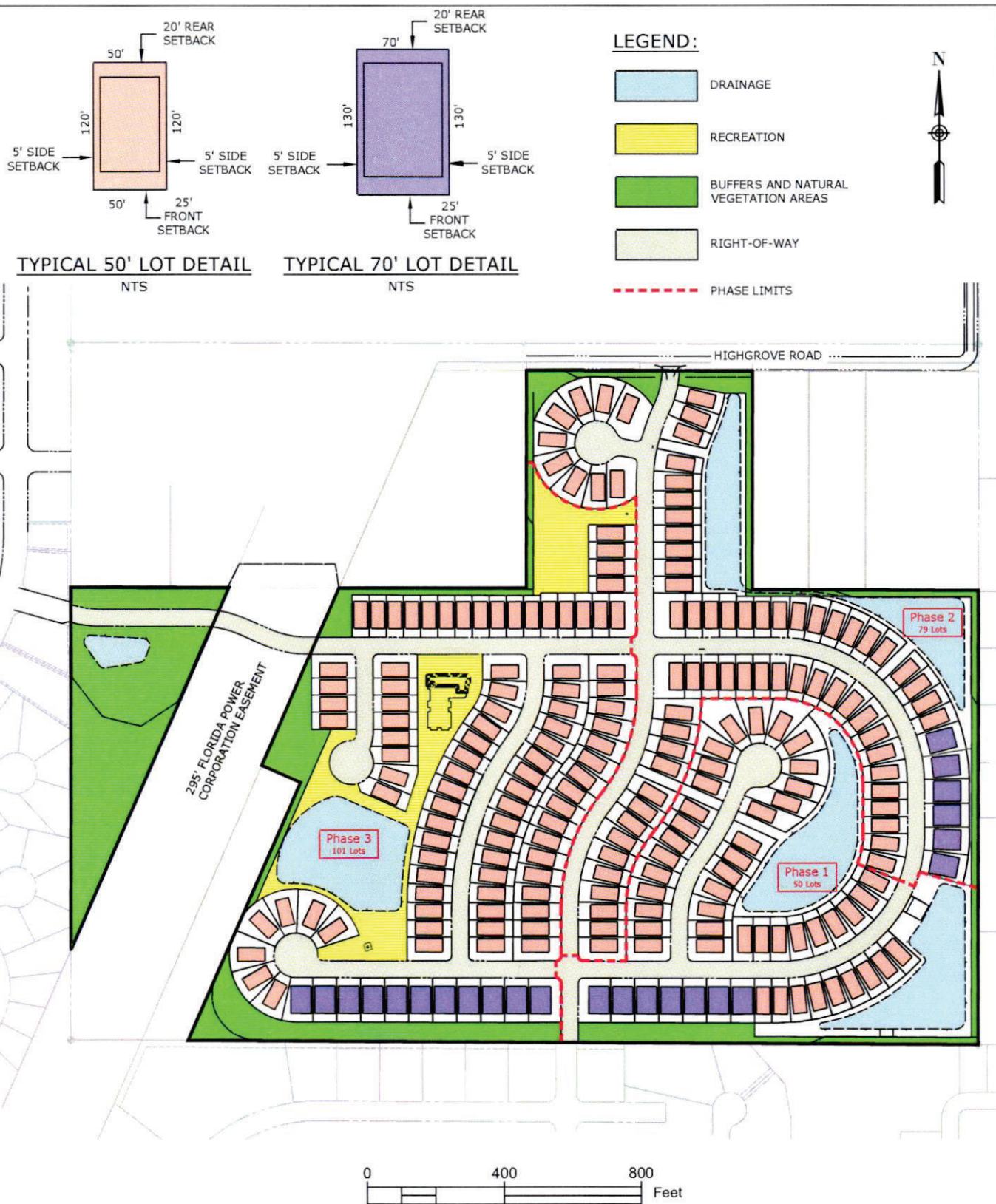
Document Path: M:\2023 Projects\23034 Diamond Developing\_VanGogh-Springside Grove\ENG\GIS\GIS(23034)1.mxd

# **Coastal**

Engineering  
Planning  
Surveying  
Environmental  
Traffic  
Transportation  
Construction Management

engineering associates, inc.







**LEGAL DESCRIPTION:**

As provided with the Commitment of Title Insurance issued by First American Title Insurance Company, File No. 1062-5199176, Dated January 25, 2021 at 8:00AM.

**TRACT NO. 11:**

Commencing at the Southeast corner of the North 1/2 of the southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; go thence North 89°54'28" West, along the South line of the aforesaid North 1/2, a distance of 990.00 feet to the Point of Beginning; thence continue North 89°54'28" West, a distance of 330.00 feet; thence North 00°06'16" East, a distance of 664.87 feet; thence South 89°57'29" East, a distance of 330.00 feet; thence South 00°06'16" West, a distance of 665.16 feet to the Point of Beginning, LESS the Northerly 25 feet thereof for road right-of-way. [SHOWN AS "(L1)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

**TRACT NO. 12:**

Commencing at the Southeast corner of the North 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; go thence North 89°54'28" West, along the South line of the aforesaid North 1/2, a distance of 660.00 feet to the Point of Beginning; thence continue North 89°54'28" West, a distance of 330.00 feet; thence North 00°06'16" East, a distance of 665.16 feet; thence South 89°57'29" East, a distance of 330.00 feet; thence South 00°06'16" West, a distance of 665.45 feet to the Point of Beginning, LESS the Northerly 25 feet for road right-of-way. [SHOWN AS "(L2)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

**PARCEL I:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows: From the Southeast corner of said Section 4, run North 89°36'19" West, 2,650.33 feet along the South line of Section 4; thence North 00°13'54" East, 1,326.15 feet to the Point of Beginning; thence South 89°42'45" East, 463.66 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement; thence South 23°46'43" West, 475.00 feet along said easement; thence 221.22 feet along the arc of a curve to the right, radius of 199.00 feet, chord North 34°22'28" West, 210.01 feet; thence 248.77 feet along the arc of a curve to the left, having a radius of 199.00 feet, chord North 38°20'28" West, 232.89 feet; thence North 74°09'15" West, 9.78 feet; thence North 00°13'54" East, 78.34 feet to the Point of Beginning. [SHOWN AS "(L3)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

**PARCEL II:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows: From the Southeast corner of said Section 4, run North 00°17'54" East, 590.00 feet along the East line of Section 4 to the Point of Beginning; thence North 89°36'19" West, 1,465.63 feet; thence 426.66 feet along the arc of a curve to the right, radius 1,000.00 feet, chord North 77°54'48" West, 423.43 feet; thence North 66°13'17" West, 247.24 feet to the Southeasterly line of a 295.00 foot Florida Power Corporation easement; thence North 23°46'43" East, 603.22 feet along said line; thence South 89°42'45" East, 1,866.55 feet to the East line of Section 4; thence South 00°17'54" West, 741.10 feet along the East line of Section 4 to the Point of Beginning. [SHOWN AS "(L4)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

**PARCEL III:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows:

From the Southeast corner of said Section 4 as a Point of Beginning, run North 89°36'19" West, 2,442.85 feet along the South line of Section 4 to the Southeasterly line of a 295.00 foot Florida Power Corporation easement; thence North 23°46'43" East, 843.19 feet along said line; thence South 66°13'17" East, 247.24 feet, thence 426.66 feet along the arc of a curve to the left, radius 1,000.00 feet, chord South 77°54'48" East, 423.43 feet; thence South 89°36'19" East, 1,465.63 feet to the East line of Section 4; thence South 00°17'54" West, 590.00 feet along the East line of Section 4 to the Point of Beginning. [SHOWN AS "(L5)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

**PARCEL IV:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows:

From the Southeast corner of said Section 4, run North 89°36'19" West, 2,650.33 feet along the South line of Section 4, thence North 00°13'54" East, 261.74 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement and the Point of Beginning; thence North 00°13'54" East, 986.07 feet, thence South 74°09'15" East, 9.78 feet, thence 248.77 feet along the arc of a curve to the right, radius 199.00 feet, chord South 38°20'28" East, 232.89 feet, thence 221.22 feet along the arc of a curve to the left, radius 199.00 feet, chord South 34°22'28" East, 210.01 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement; thence South 23°46'43" West, 685.60 feet along said line to the Point of Beginning. [SHOWN AS "(L6)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]

**EASEMENT**

A 50-foot wide Easement Area for roadway purposes to provide private access across Grantor's fee-owned 295-foot wide electric transmission line right-of-way strip in the South 1/2 of Southeast 1/4 of Section 4, Township 23 South, Range 18 East, said 50-foot wide Easement Area being located across said 295-foot wide right-of-way strip in the area generally Southerly of Grantor's existing Towers No. CC-155 and CLT-154 and being more particularly described as follows:

From the Northwest corner of South 1/2 of Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida, run South 89°54'28" East, along the North boundary of said South 1/2 of Southeast 1/4 of Section 4, for 463.02 feet to its point of intersection with the Westerly line of Grantor's fee owned 295-foot wide electric transmission line right-of-way strip, said point being North 89°54'28" West, 2,189.44 feet from the Northeast corner of said South 1/2 of Southeast 1/4 of Section 4; run thence South 23°32'36" West, along said Westerly right-of-way line, 450.00 feet to the Point of Beginning; thence South 66°27'24" East, on a course perpendicular to said Westerly right-of-way line, 295.00 feet to the Easterly line of said 295.00-foot wide right-of-way strip; thence South 23°32'36" West, along said Easterly right-of-way line, 50.00 feet; thence North 66°27'24" West, parallel to and 50 feet from the aforesaid perpendicular course, 295.00 feet to said Westerly right-of-way line; thence North 23°32'36" East, along said Westerly right-of-way line, 50.00 feet to the Point of Beginning. [SHOWN AS "(L7)" ON THE BOUNDARY AND SECTION MAP AND MAP OF SURVEY]


**LESS AND EXCEPT**

that portion conveyed to Hernando County Water and Sewer District, a public body corporate and politic, by Warranty Deed recorded in Book 3489, Page 724, of the public records of Hernando County, Florida, and being more particularly described as follows:

A parcel of land lying In and being a part of Section 4, Township 23 South, Range 18 East, Hernando County, Florida and being more particularly described as follows:

Commence at the Southeast corner of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; thence N.89°48'26"W. along the South line of said Section 4 a distance of 2307.37 feet to the Point of Beginning; thence continue N.89°48'26"W along said South line a distance of 135.38 feet to a point on the East right-of-way line of Florida Power Corporation; thence N.23°33'36"E. along said East right-of-way line a distance of 878.85 feet; thence leaving said East right-of-way line S.66°26'24"E. a distance of 124.28 feet; thence S.23°33'36"W. parallel to said East right-of-way line a distance of 825.15 feet to the Point of Beginning.

A total of 78.69 acres more or less.

 Engineering Planning Surveying Environmental Traffic Transportation Construction Management engineering associates, inc. 966 Candlelight Boulevard - Brooksville - Florida 34601 (352) 796-9423 - Fax (352) 799-8359 EB-0000142	<b>LEGAL DESCRIPTION EXHIBIT</b>		DATE 11/06/23
	SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT DIAMOND DEVELOPING, LLC		23034
			EXHIBIT <b>2.1</b>

**Consent of Landowner  
to the Establishment of a Community Development District  
[*Proposed Springside Community Development District*]**

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof ("Property").

As an owner of lands that are intended to constitute all or a part of the Community Development District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, Petitioner is required to include the written consent to the establishment of the Community Development District of one hundred percent (100%) of the owners of the lands to be included within the Community Development District.

The undersigned hereby consents to the establishment of a Community Development District that will include the Property within the lands to be a part of the Community Development District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the Community Development District.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the officer executing this instrument.

[SIGNATURE PAGE TO FOLLOW]




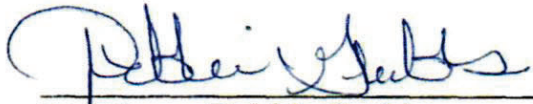
Executed this 31st day of January, 2024.

Witnessed:

DIAMOND DEVELOPING OF FLORIDA, INC.

  
Print Name: Clarence S. Mitchell

  
BY: Darren Williamson  
ITS: President

  
Print Name: Debbie Grubbs

STATE OF Florida  
COUNTY OF Hernando

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 31st day of Jan, 2024, by Darren Williamson, as President of Diamond Developing of Florida, Inc., who appeared before me this day in person, and who is either personally known to me, or produced \_\_\_\_\_ as identification.

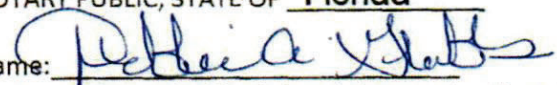
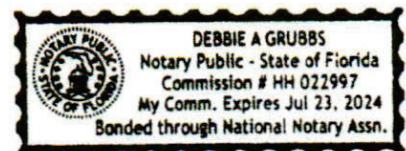
NOTARY PUBLIC, STATE OF Florida  
Name:   
(Name of Notary Public, Printed, Stamped or Typed as Commissioned)

Exhibit A: Legal Description





Prepared by and return to:

Hobby & Hobby, P.A.  
109 N. Brush Street Suite 250  
Tampa, FL 33602  
813-223-3338

[Space Above This Line For Recording Data]

## Special Warranty Deed

This Special Warranty Deed made this 30 day of January, 2024 between **D. DEWEY MITCHELL and JAMES J. BRADFORD**, as Co-Trustees of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O D. DEWEY MITCHELL; MARY MITCHELL a/k/a MARY EDITH AVERY**, as Trustee of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O MARY MITCHELL; and BREAZEAL, LTD.**, a Florida limited partnership (collectively, "Grantor"), whose collective address is 7916 Evolutions Way, Suite 210, Trinity, FL 34655 and **DIAMOND DEVELOPING OF FLORIDA INC.**, a Florida corporation ("Grantee"), whose address is 7281 Sunshine Grove Road, Ste. 128, Brooksville, FL 34613:

(Whenever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said Grantor, for and in consideration of the sum THREE MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$3,375,000.00) and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in **Hernando County, Florida**, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.


**And** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, subject to the permitted exceptions set forth on **EXHIBIT "B"** reference to which shall not operate to re-impose the same.

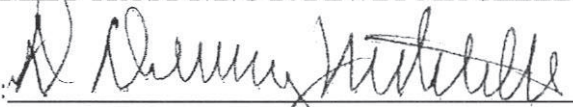
In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

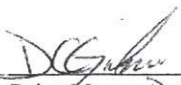
SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

GRANTOR:

**JAMES W. MITCHELL, SR. NON-EXEMPT  
FAMILY TRUST F/B/O D. DEWEY MITCHELL**

  
Print Name: Eugene Oberreider  
Address: 7916 Evolutions Way, Ste 210 Trinity FL

By:   
D. Dewey Mitchell, individually and as Co-Trustee  
of the James W. Mitchell, Sr. Non-Exempt Family  
Trust f/b/o D. Dewey Mitchell

  
Print Name: Drew C Gilmore  
Address: 7916 Evolutions Way, Suite 210, Trinity, FL

Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_

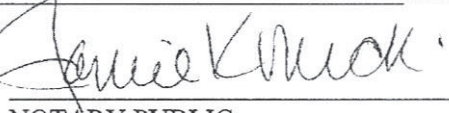
By: \_\_\_\_\_  
James J. Bradford, individually and as Co-Trustee  
of the James W. Mitchell, Sr. Non-Exempt Family  
Trust f/b/o D. Dewey Mitchell

Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF PASCO

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online  
notarization this 30 day of Jan, 2024, by D. DEWEY MITCHELL, individually and as Co-Trustee  
of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O D. DEWEY MITCHELL**,  
who is personally known to me or has produced \_\_\_\_\_ as identification.



  
NOTARY PUBLIC

STATE OF FLORIDA  
COUNTY OF PASCO

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online  
notarization this \_\_\_\_ day of \_\_\_\_\_, 2024, by JAMES J. BRADFORD, individually and as Co-  
Trustee of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O D. DEWEY  
MITCHELL**, who is personally known to me or has produced \_\_\_\_\_  
as identification.

NOTARY PUBLIC

[SIGNATURES AND NOTARIZATION CONTINUE ON THE FOLLOWING PAGES]

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

GRANTOR:

**JAMES W. MITCHELL, SR. NON-EXEMPT  
FAMILY TRUST F/B/O D. DEWEY MITCHELL**

Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_

By: \_\_\_\_\_  
D. Dewey Mitchell, individually and as Co-Trustee  
of the James W. Mitchell, Sr. Non-Exempt Family  
Trust f/b/o D. Dewey Mitchell

Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Print Name: John E. Parks, Jr  
Address: 119 Laurel Hill Dr  
Prattville AL 36066

By: \_\_\_\_\_  
James J. Bradford, individually and as Co-Trustee  
of the James W. Mitchell, Sr. Non-Exempt Family  
Trust f/b/o D. Dewey Mitchell

Print Name: Allen S. Crumley  
Address: 2105 Brewster Rd.  
B'ham, AL 35235

STATE OF FLORIDA  
COUNTY OF PASCO

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online  
notarization this \_\_\_\_ day of \_\_\_\_\_, 2024, by D. DEWEY MITCHELL, individually and as Co-Trustee  
of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O D. DEWEY MITCHELL**,  
who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF FLORIDA  
COUNTY OF PASCO

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online  
notarization this 28 day of January, 2024, by JAMES J. BRADFORD, individually and as Co-  
Trustee of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O D. DEWEY  
MITCHELL**, who is personally known to me or has produced \_\_\_\_\_  
as identification.



\_\_\_\_\_  
NOTARY PUBLIC

[SIGNATURES AND NOTARIZATION CONTINUE ON THE FOLLOWING PAGES]




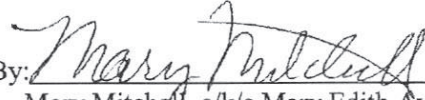
In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

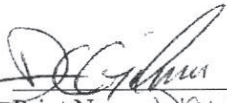
SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

GRANTOR:

JAMES W. MITCHELL, SR. NON-EXEMPT  
FAMILY TRUST F/B/O MARY MITCHELL

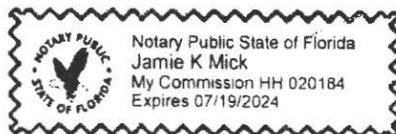
  
Print Name: Eugene Okenredan  
Address: 7916 Evolutionary Way, Ste 210, Trinity, FL

By:   
Mary Mitchell, a/k/a Mary Edith Avery, individually  
and as Trustee of the James W. Mitchell, Sr. Non-  
Exempt Family Trust f/b/o Mary Mitchell

  
Print Name: Drew C. Gilmore  
Address: 7916 Evolutionary Way, Trinity, FL

STATE OF FLORIDA  
COUNTY OF ALBANY

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online  
notarization this 30 day of Jan, 2024, by MARY MITCHELL a/k/a MARY EDITH AVERY,  
individually and as Trustee of the **JAMES W. MITCHELL, SR. NON-EXEMPT FAMILY TRUST F/B/O**  
**MARY MITCHELL**, who is personally known to me or has produced  
as identification.



  
NOTARY PUBLIC


[SIGNATURES AND NOTARIZATION CONTINUE ON THE FOLLOWING PAGES]

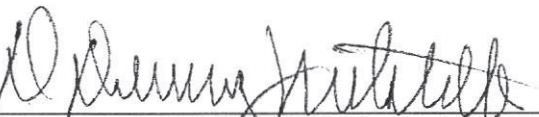
In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.


SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

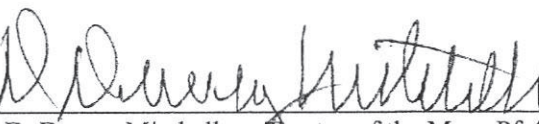
GRANTOR:

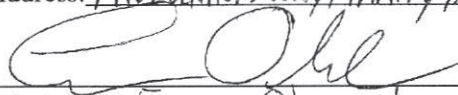
BREAZEALE, LTD., a Florida limited partnership

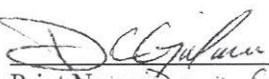
  
Print Name: Eugene Obenreder  
Address: 7916 Evolutions Way, Ste 210 Trinity, FL

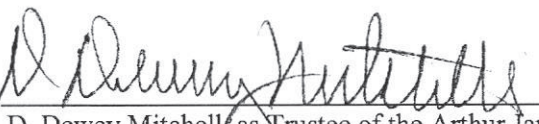
By:   
D. Dewey Mitchell, as Trustee of the Samantha  
Boyer Irrevocable Trust Agreement dated  
December 20, 1989, its General Partner


  
Print Name: Drew C. Gilmore  
Address: 7916 Evolutions Way, Trinity, FL

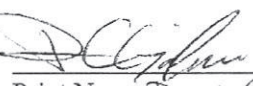
By:   
D. Dewey Mitchell, as Trustee of the Mary Pfaffko  
Irrevocable Trust Agreement dated December 20,  
1989, its General Partner

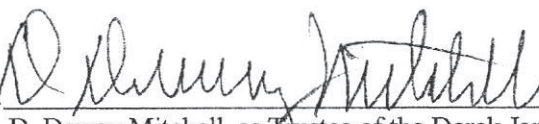
  
Print Name: Eugene Obenreder  
Address: 7916 Evolutions Way, Trinity, FL

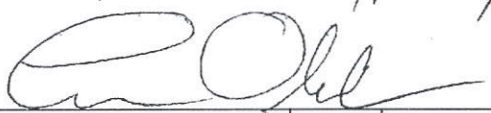
  
Print Name: Drew C. Gilmore  
Address: 7916 Evolutions Way, Trinity, FL

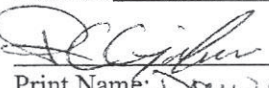
By:   
D. Dewey Mitchell, as Trustee of the Arthur James  
Dean Pfaffko Irrevocable Trust Agreement dated  
December 20, 1989, its General Partner

  
Print Name: Eugene Obenreder  
Address: 7916 Evolution Way, Trinity, FL

  
Print Name: Drew C. Gilmore  
Address: 7916 Evolutions Way, Trinity, FL

By:   
D. Dewey Mitchell, as Trustee of the Derek James  
Mitchell Irrevocable Trust Agreement dated  
December 20, 1989, its General Partner

  
Print Name: Eugene Obenreder  
Address: 7916 Evolution Way, Trinity, FL

  
Print Name: Drew C. Gilmore  
Address: 7916 Evolutions Way, Trinity, FL

[SIGNATURES AND NOTARIZATION CONTINUE ON THE FOLLOWING PAGES]

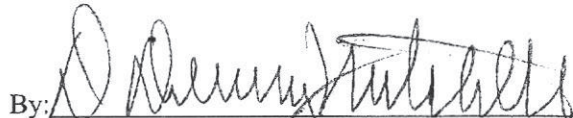




Print Name: Eugene Oberreuter  
Address: 7916 Evolution Way, Ste 210, Trinity, FL



Print Name: Drew C. Gimore  
Address: 7916 Evolution Way, Trinity, FL

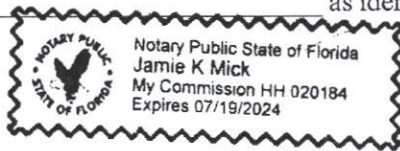
By: 

D. Dewey Mitchell, as Trustee of the Carly Jean Mitchell Irrevocable Trust Agreement dated December 20, 1989, its General Partner

STATE OF FLORIDA

COUNTY OF Pasco

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30 day of Jan, 2024, by D. Dewey Mitchell, as Trustee of the Samantha Boyer Irrevocable Trust Agreement dated December 20, 1989, the General Partner of **BREAZEAL, LTD.**, a Florida limited partnership, on behalf of the said limited partnership, who is personally known to me or produced as identification.



  
NOTARY PUBLIC

STATE OF FLORIDA

COUNTY OF Pasco

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30 day of Jan, 2024, by D. Dewey Mitchell, as Trustee of the Mary Pfaffko Irrevocable Trust Agreement dated December 20, 1989, the General Partner of **BREAZEAL, LTD.**, a Florida limited partnership, on behalf of the said limited partnership, who is personally known to me or produced as identification.

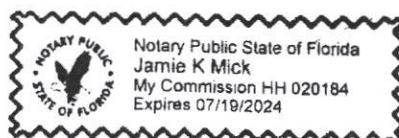


  
NOTARY PUBLIC

STATE OF FLORIDA

COUNTY OF Pasco

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30 day of Jan, 2024, by D. Dewey Mitchell, as Trustee of the Arthur James Dean Pfaffko Irrevocable Trust Agreement dated December 20, 1989, the General Partner of **BREAZEAL, LTD.**, a Florida limited partnership, on behalf of the said limited partnership, who is personally known to me or produced as identification.



  
NOTARY PUBLIC

[NOTARIZATION CONTINUES ON THE FOLLOWING PAGE]



STATE OF FLORIDA  
COUNTY OF Pasco

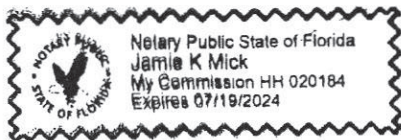
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30 day of Jan, 2024, by D. Dewey Mitchell, as Trustee of the Derek James Mitchell Irrevocable Trust Agreement dated December 20, 1989, the General Partner of **BREAZEAL, LTD.**, a Florida limited partnership, on behalf of the said limited partnership, who is personally known to me or produced \_\_\_\_\_ as identification.



Jamie K Mick  
NOTARY PUBLIC

STATE OF FLORIDA  
COUNTY OF Pasco

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30 day of Jan, 2024, by D. Dewey Mitchell, as Trustee of the Carly Jean Mitchell Irrevocable Trust Agreement dated December 20, 1989, the General Partner of **BREAZEAL, LTD.**, a Florida limited partnership, on behalf of the said limited partnership, who is personally known to me or produced \_\_\_\_\_ as identification.



Jamie K Mick  
NOTARY PUBLIC

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **TRACT NO. 11:**

Commencing at the Southeast corner of the North 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; go thence North 89°54'28" West, along the South line of the aforesaid North 1/2, a distance of 990.00 feet to the Point of Beginning; thence continue North 89°54'28" West, a distance of 330.00 feet; thence North 00°06'16" East, a distance of 664.87 feet; thence South 89°57'29" East, a distance of 330.00 feet; thence South 00°06'16" West, a distance of 665.16 feet to the Point of Beginning, LESS the Northerly 25 feet thereof for road right-of-way.

#### **TRACT NO. 12:**

Commencing at the Southeast corner of the North 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; go thence North 89°54'28" West, along the South line of the aforesaid North 1/2, a distance of 660.00 feet to the Point of Beginning; thence continue North 89°54'28" West, a distance of 330.00 feet; thence North 00°06'16" East, a distance of 665.16 feet; thence South 89°57'29" East, a distance of 330.00 feet; thence South 00°06'16" West, a distance of 665.45 feet to the Point of Beginning, LESS the Northerly 25 feet for road right-of-way.

#### **TRACT I:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows; From the Southeast corner of said Section 4, run North 89°36'19" West, 2,650.33 feet along the South line of Section 4; thence North 00°13'54" East, 1,326.15 feet to the Point of Beginning; thence South 89°42'45" East, 463.66 feet to the Northwesterly line of a 295.00 foot Florida Power Corporation easement; thence South 23°46'43" West, 475.00 feet along said easement; thence 221.22 feet along the arc of a curve to the right, radius of 199.00 feet, chord North 34°22'28" West, 210.01 feet; thence 248.77 feet along the arc of a curve to the left, having a radius of 199.00 feet, chord North 38°20'28" West, 232.89 feet; thence North 74°09'15" West, 9.78 feet; thence North 00°13'54" East, 78.34 feet to the Point of Beginning.

#### **TRACT II:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows: From the Southeast corner of said Section 4, run North 00°17'54" East, 590.00 feet along the East line of Section 4 to the Point of Beginning; thence North 89°36'19" West, 1,465.63 feet; thence 426.66 feet along the arc of a curve to the right, radius 1,000.00 feet, chord North 77°54'48" West, 423.43 feet; thence North 66°13'17" West, 247.24 feet to the Southeasterly line of a 295.00 foot Florida Power Corporation easement; thence North 23°46'43" East, 603.22 feet along said line; thence South 89°42'45" East, 1,866.55 feet to the East line of Section 4; thence South 00°17'54" West, 741.10 feet along the East line of Section 4 to the Point of Beginning.

#### **TRACT III:**

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows:

From the Southeast corner of said Section 4 as a Point of Beginning, run North 89°36'19" West, 2,442.85 feet along the South line of Section 4 to the Southeasterly line of a 295.00 foot Florida Power Corporation easement; thence North 23°46'43" East, 843.19 feet along said line; thence South 66°13'17" East, 247.24 feet, thence



426.66 feet along the arc of a curve to the left, radius 1,000.00 feet, chord South 77°54'48" East, 423.43 feet; thence South 89°36'19" East, 1,465.63 feet to the East line of Section 4; thence South 00°17'54" West, 590.00 feet along the East line of Section 4 to the Point of Beginning.

#### TRACT IV:

A portion of the South 1/2 of the Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida described as follows:

From the Southeast corner of said Section 4, run North 89°36'19" West, 2,650.33 feet along the South line of Section 4, thence North 00°13'54" East, 261.74 feet to the Northwestern line of a 295.00 foot Florida Power Corporation easement and the Point of Beginning; thence North 00°13'54" East, 986.07 feet, thence South 74°09'15" East, 9.78 feet, thence 248.77 feet along the arc of a curve to the right, radius 199.00 feet, chord South 38°20'28" East, 232.89 feet, thence 221.22 feet along the arc of a curve to the left, radius 199.00 feet, chord South 34°22'28" East, 210.01 feet to the Northwestern line of a 295.00 foot Florida Power Corporation easement; thence South 23°46'43" West, 685.60 feet along said line to the Point of Beginning.

#### EASEMENT

A 50-foot wide Easement Area for roadway purposes to provide private access across Grantor's fee-owned 295-foot wide electric transmission line right-of-way strip in the South 1/2 of Southeast 1/4 of Section 4, Township 23 South, Range 18 East, said 50-foot wide Easement Area being located across said 295-foot wide right-of-way strip in the area generally Southerly of Grantor's existing Towers No. CC-155 and CLT-154 and being more particularly described as follows:

From the Northwest corner of South 1/2 of Southeast 1/4 of Section 4, Township 23 South, Range 18 East, Hernando County, Florida, run South 89°54'28" East, along the North boundary of said South 1/2 of Southeast 1/4 of Section 4, for 463.02 feet to its point of intersection with the Westerly line of Grantor's fee owned 295-foot wide electric transmission line right-of-way strip, said point being North 89°54'28" West, 2,189.44 feet from the Northeast corner of said South 1/2 of Southeast 1/4 of Section 4; run thence South 23°32'36" West, along said Westerly right-of-way line, 450.00 feet to the Point of Beginning; thence South 66°27'24" East, on a course perpendicular to said Westerly right-of-way line, 295.00 feet to the Easterly line of said 295.00-foot wide right-of-way strip; thence South 23°32'36" West, along said Easterly right-of-way line, 50.00 feet; thence North 66°27'24" West, parallel to and 50 feet from the aforesaid perpendicular course, 295.00 feet to said Westerly right-of-way line; thence North 23°32'36" East, along said Westerly right-of-way line, 50.00 feet to the Point of Beginning.

#### LESS AND EXCEPT

That portion conveyed to Hernando County Water and Sewer District, a public body corporate and politic, by Warranty Deed recorded in Book 3489, Page 724, of the public records of Hernando County, Florida, and being more particularly described as follows:

A parcel of land lying in and being a part of Section 4, Township 23 South, Range 18 East, Hernando County, Florida and being more particularly described as follows:

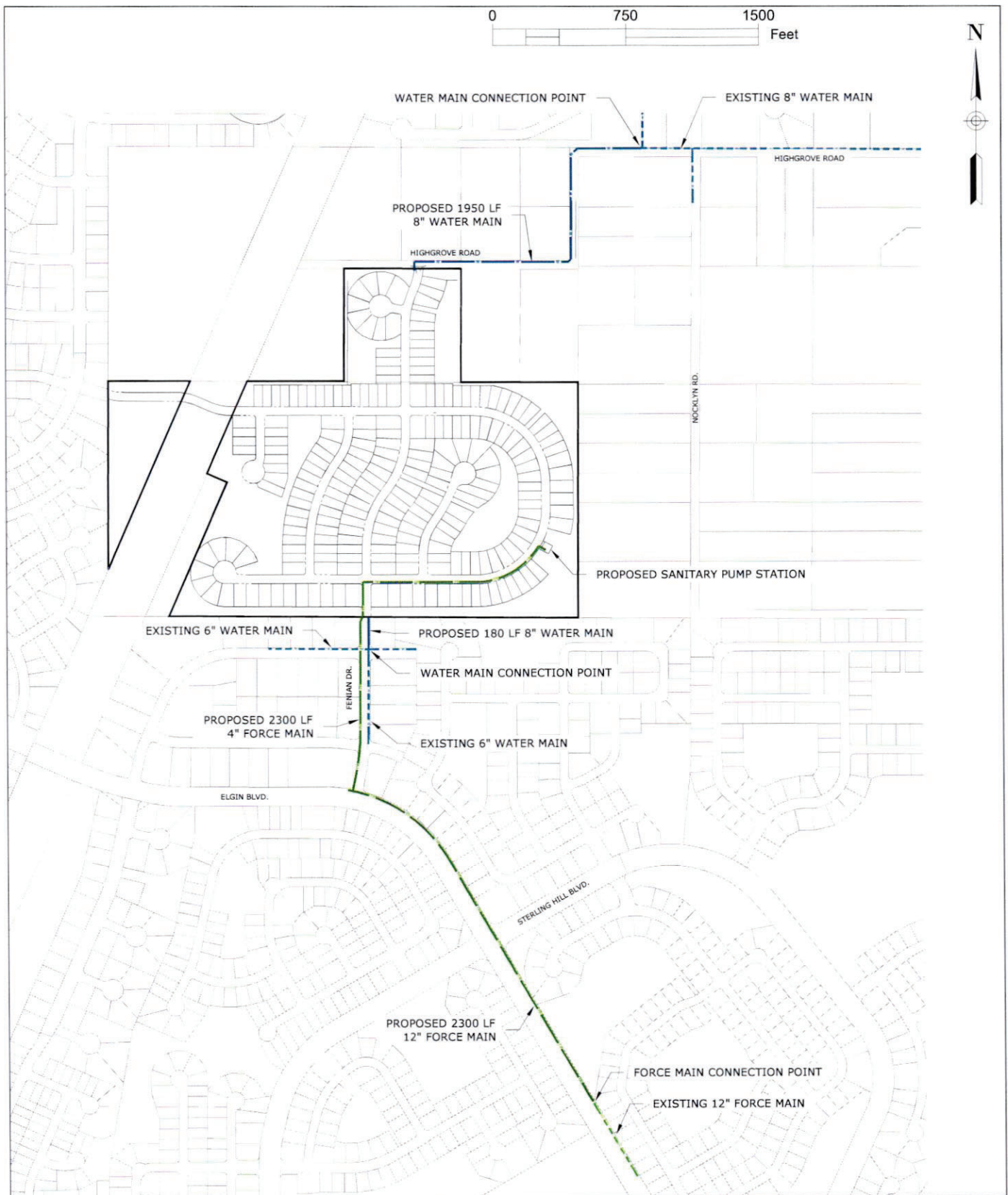
Commence at the Southeast corner of Section 4, Township 23 South, Range 18 East, Hernando County, Florida; thence N.89°48'26"W. along the South line of said Section 4 a distance of 2307.37 feet to the Point of Beginning; thence continue N.89°48'26"W along said South line a distance of 135.38 feet to a point on the East right-of-way line of Florida Power Corporation; thence N.23°33'36"E. along said East right-of-way line a distance of 878.85 feet; thence leaving said East right-of-way line S.66°26'24"E. a distance of 124.28 feet; thence S.23°33'36"W. parallel to said East right-of-way line a distance of 825.15 feet to the Point of Beginning.



**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Taxes and assessments for the year 2024 and subsequent years.
2. Oil, gas, mineral, or other reservations as set forth in Mineral Deed recorded in Deed Book 123, Page 259, as affected by Quit Claim Deed in O.R. Book 515, Page 779, Public Records of Hernando County, Florida. No determination has been made as to the current record owner for the interest excepted herein.
3. Terms and Conditions of Easements recorded in O.R. Book 515, Page 781 and recited in Warranty Deed in O.R. Book 2380, Page 1954, Public Records of Hernando County, Florida.
4. NOTE: As to Parcels 1, 2, 3, 4, legal access is only by virtue of said parcels being contiguous to Tracts 11 and 12 under common ownership.
5. All matters that would be revealed by a current survey of the Property.



966 Candlelight Boulevard - Brooksville - Florida 34601  
 (352) 796-9423 - Fax (352) 799-8359  
 EB-0000142

Engineering  
 Planning  
 Surveying  
 Environmental  
 Traffic  
 Transportation  
 Construction Management

## EXISTING UTILITY MAP

SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT  
 DIAMOND DEVELOPING, LLC

DATE  
 11/06/23

23034

EXHIBIT

4.0

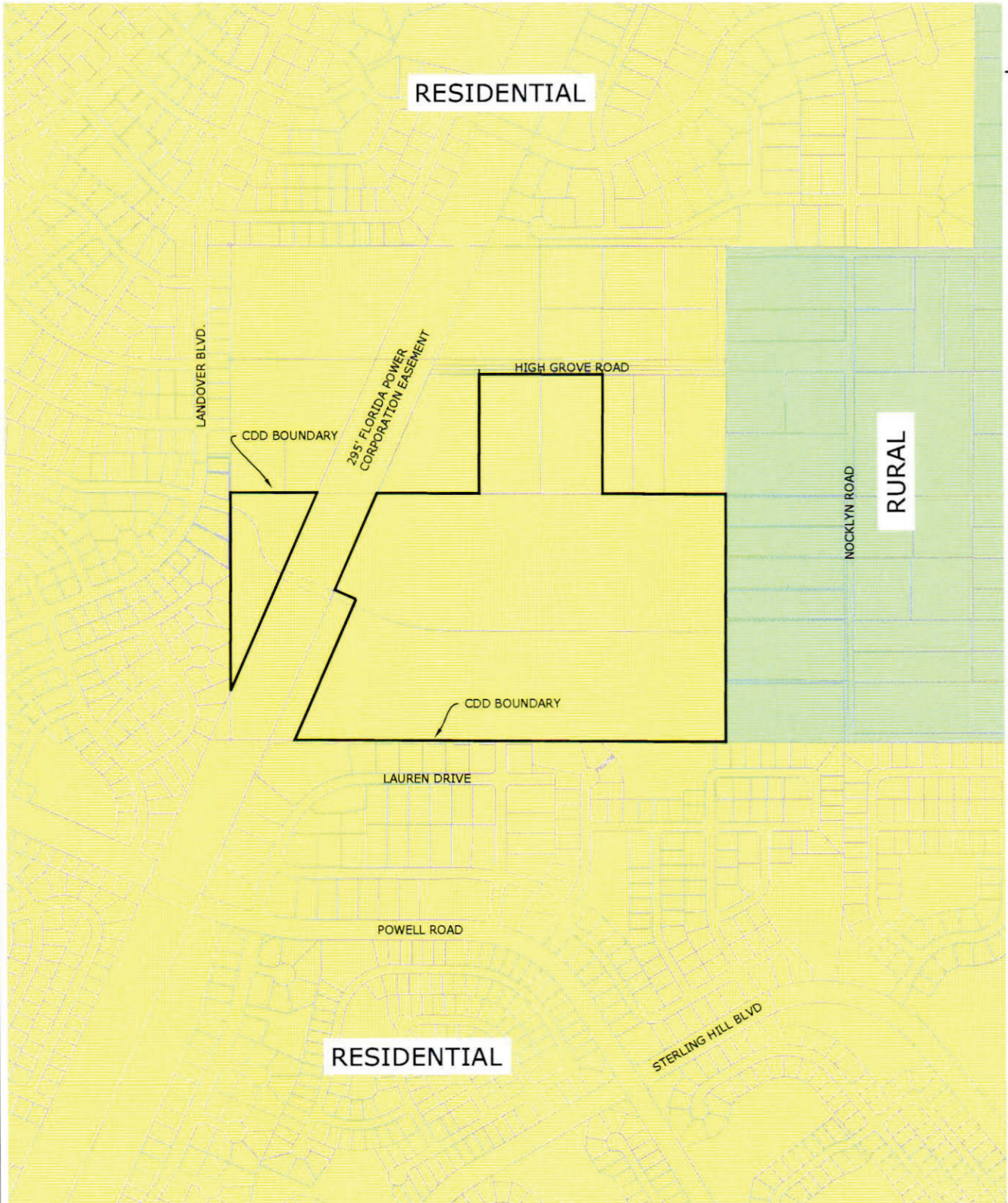


**Springside Grove Community Development District (CDD)  
Estimated Costs of Delivering Improvements**

Improvement	Estimated Cost	Financing Entity	Operation & Maintenance Entity
Roadway Improvements	\$2,600,000.00	CDD	CDD
Stormwater Management System	\$850,000.00	CDD	CDD
Water & Wastewater Utilities	\$2,488,000.00	CDD	Hernando County Utilities Department
Hardscape, Landscape, and Irrigation	\$560,000.00	CDD	CDD
Undergrounding of Electrical Utility Lines	\$133,000.00	CDD	Withlacoochee River Electric Cooperative
Recreational Amenities*	\$600,000.00	CDD	CDD
Offsite Improvements*	\$520,000.00	CDD	Hernando County
Professional Services	\$500,000.00	N/A	N/A
Contingency (10%)	\$825,100.00	N/A	N/A
<b>TOTAL</b>	<b>\$9,076,100.00</b>		

\* The Developer may alternatively elect to privately finance certain of the improvements above, and have an HOA own and operate such improvements instead of the District.

0 750 1500 Feet



**Coastal** Engineering  
Planning  
Surveying  
Environmental  
Traffic  
Transportation  
Construction Management  
engineering associates, inc.  
966 Candlelight Boulevard - Brooksville - Florida 34601  
(352) 796-9423 - Fax (352) 799-8359  
EB-0000142

## FUTURE LAND USE MAP

SPRINGSIDE COMMUNITY DEVELOPMENT DISTRICT  
DIAMOND DEVELOPING, LLC

DATE  
11/06/23

23034

EXHIBIT

5.0



# Springside COMMUNITY DEVELOPMENT DISTRICT

## Statement of Estimated Regulatory Costs

January 31, 2024



Provided by

***Wrathell, Hunt and Associates, LLC***  
2300 Glades Road, Suite 410W  
Boca Raton, FL 33431  
Phone: 561-571-0010  
Fax: 561-571-0013  
Website: [www.whhassociates.com](http://www.whhassociates.com)

## **STATEMENT OF ESTIMATED REGULATORY COSTS**

### **1.0 Introduction**

#### **1.1 Purpose and Scope**

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Springside Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 78.7 +/- acres of land located within Hernando County, Florida (the "County") and is projected to contain approximately 230 residential dwelling units, which will make up the Springside development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing the District establishment) as follows:

*"That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."*

#### **1.2 Overview of the Springside Community Development District**

The District is designed to provide public infrastructure, services, and facilities, along with operation and maintenance of the same, to a master planned residential development currently anticipated to contain a total of approximately 230 residential dwelling units. Tables 1 and 2 under Section 5.0 detail the improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

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

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

#### **1.3 Requirements for Statement of Estimated Regulatory Costs**

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

- (a) An economic analysis showing whether the rule directly or indirectly:
  - 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the



implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (Hernando County, according to Census 2020, has a population of 194,515; therefore, it is not defined as a small county for the purposes of this requirement.)

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

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

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

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

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

**2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 78.7 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 230 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private



sector employment, and private sector investments.

**2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will ensure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

**2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.**

The establishment of the District will not increase any regulatory costs of the State by virtue that the District will be one of many already existing similar districts within the State. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the County to offset any expenses that the County may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the enhanced service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, amenity operation and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five-year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will

be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of CDD debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District nor can the District debt be a debt of the County or the State.

**3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.**

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) Hernando County and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. Hernando County, Florida

The County and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the County. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through the District or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 78.7 +/- acre master planned residential development currently anticipated to contain a total of approximately 230 residential



dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 805 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The County, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

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

The County is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

**4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance**

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of Hernando County. Therefore, the County (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

Hernando County, Florida

The proposed land for the District is located within Hernando County, Florida and consists of less than 2,500 acres. The County and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the County will be 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 most, if not all, of the information needed for a staff review. Third, the County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the County may incur in the processing of this petition. Finally, the County already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the County, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the County faces are the minimal costs of receiving and reviewing the reports that the District is required to provide to the County, or any monitoring expenses the County may incur if it establishes a monitoring program for governmental entities.

#### **4.2 Impact on State and Local Revenues**

Adoption of the proposed ordinance will have no negative impact on state or local revenues. A CDD is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government, including the County. By Florida law, debts of the District are strictly its own responsibility.

#### **5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.**

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

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$9,076,100. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

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



**Table 1**  
**SPRINGSIDE**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**Proposed Facilities and Services**

<b>FACILITY</b>	<b>FUNDED BY</b>	<b>OWNED BY</b>	<b>MAINTAINED BY</b>
Roadway Improvements	CDD	CDD	CDD
Stormwater Management System	CDD	CDD	CDD
Water & Wastewater Utilities	CDD	HCUD <sup>(1)</sup>	HCUD
Hardscape, Landscape, and Irrigation	CDD	CDD	CDD
Undergrounding of Electrical Utility Lines	CDD	WREC <sup>(2)</sup>	WREC
Recreational Amenities	CDD	CDD	CDD
Offsite Improvements	CDD	County	County
Professional Services	CDD	N/A	N/A
Contingency	As above	As above	As above

<sup>(1)</sup> HCUD – Hernando County Utilities Department

<sup>(2)</sup> WREC – Withlacoochee River Electric Cooperative

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

**Table 2**  
**SPRINGSIDE**  
**COMMUNITY DEVELOPMENT DISTRICT**  
**Estimated Costs of Construction**

<b>CATEGORY</b>	<b>COST</b>
Roadway Improvements	\$2,600,000.00
Stormwater Management System	\$850,000.00
Water & Wastewater Utilities	\$2,488,000.00
Hardscape, Landscape, and Irrigation	\$560,000.00
Undergrounding of Electrical Utility Lines	\$133,000.00
Recreational Amenities	\$600,000.00
Offsite Improvements	\$520,000.00
Professional Services	\$500,000.00
Contingency (10%)	\$825,100.00
<b>Total</b>	<b>\$9,076,100</b>

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

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

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

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

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

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

Third, a CDD is the sole form of local governance which is specifically established to provide CDD landowners with planning, construction, implementation and short and long-term maintenance of



public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

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

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

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

Hernando County has a population of 194,515 according to the Census 2020 conducted by the United States Census Bureau and is therefore not defined as a "small" county according to Section 120.52, F.S. It can be reasonably expected that the establishment of community development district for the Springside development will not produce any marginal effects that would be different from those that would have occurred if the Springside development was developed without a community development district established by the County.

#### **7.0 Any additional useful information.**

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

In relation to the question of whether the proposed Springside Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the County could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Springside development. First, unlike a CDD, this alternative would require the County to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Springside development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents

and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other County responsibilities. By contrast, if the County were to establish and administer a dependent special district, then the residents and landowners of the Springside development would take their grievances and desires to the County Commission meetings.

Third, any debt of an independent CDD is strictly that CDD's responsibility. While it may be technically true that the debt of a County-established, dependent special district is not strictly the County's responsibility, any financial problems that a dependent special district may have may reflect on the County. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low-cost financing from the municipal capital market. Second, as a government entity a CDD can impose and collect its assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

**8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.**

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Springside Community Development District.



**APPENDIX A**  
**LIST OF REPORTING REQUIREMENTS**

<b>REPORT</b>	<b>FL. STATUTE CITATION</b>	<b>DATE</b>
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the county after financing

## AUTHORIZATION OF AGENT

This letter shall serve as a designation of Jere Earlywine of Kutak Rock LLP to act as agent for Petitioner, **Diamond Developing of Florida, Inc.**, with regard to any and all matters pertaining to the Petition to the Board of County Commissioners of Hernando County, Florida, to Establish the Springside Community Development District pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, Section 190.156(1), *Florida Statutes*. This authorization shall remain in effect until revoked in writing.

Witnessed:

Clarence Mitchell  
Print Name: Clarence Mitchell

Debbie Grubbs  
Print Name: Debbie Grubbs

**DIAMOND DEVELOPING OF FLORIDA, INC.**

Darren Williamson  
By: Darren Williamson

Its: President

STATE OF Florida  
COUNTY OF Hernando

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 31st day of January, 2024, by Darren Williamson, as President of Diamond Developing of Florida, Inc., on its behalf. He ☐ is personally known to me or ☐ produced \_\_\_\_\_ as identification.

Debbie A. Grubbs  
Notary Public, State of Florida

