



CITY OF ORLANDO

CERTIFICATION

STATE OF FLORIDA)

COUNTY OF ORANGE)

I, Alana C. Brenner, Orlando City Clerk, hereby certify that the attached is a true and correct copy of An Ordinance expanding the boundaries of the Community Development District, known as the Myrtle Creek Community Development District; providing a severability clause; and providing an effective date.

Said document was approved on February 13, 2006, by the Orlando City Council and filed Documentary #0602131002.

Given under my hand and the corporate seal of the City of Orlando, Florida, affixed this 1st. day of March, 2006.

Alana C. Brenner
City Clerk

OFFICE OF CITY CLERK

CITY HALL ■ 400 SOUTH ORANGE AVENUE ■ 2ND FLOOR ■ P O BOX 4990 ■ ORLANDO, FLORIDA 32801-4990
PHONE 246-2251 • FAX 246-3613 • <http://www.ci.orlando.fl.us>

**AN ORDINANCE EXPANDING THE BOUNDARIES OF THE
COMMUNITY DEVELOPMENT DISTRICT, KNOWN AS THE MYRTLE
CREEK COMMUNITY DEVELOPMENT DISTRICT; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, City Council of the City of Orlando (the “City”) enacted Ordinance No. 011126705 establishing a community development district, to be known as the Myrtle Creek Improvement District (the “District”), pursuant to Chapter 190, Florida Statutes (1999); naming the district; describing the external boundaries of the district; describing the functions and powers of the district; designating five persons to serve as the initial members of the district’s board of supervisors; providing a severability clause; and providing an effective date; and

WHEREAS, the District, having obtained written consent to expand the District by the owners of one-hundred percent (100%) of the real property subject to the boundary amendment, has petitioned the City to enact an ordinance to amend the boundaries of the District pursuant to Chapter 190, Florida Statutes which will result in a net expansion of approximately 353 acres, as indicated in the Petition attached hereto as Exhibit “A”; and

WHEREAS, all of the real property located within the District and the real property to be added to the District is located within the City of Orlando; and

WHEREAS, upon consideration of the record established at that hearing, the City determined that the statements within the Petition were true and correct, that the amendment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the District is amenable to separate special-district governance; and

WHEREAS, amendment of the District boundaries will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the petition.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ORLANDO CITY COUNCIL, ORLANDO, FLORIDA:

SECTION 1. AUTHORITY. This ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes.

SECTION 2. AMENDMENT; EXTERNAL BOUNDARIES OF THE DISTRICT. Ordinance No. 011126705 is hereby amended to reflect the external boundaries of the District as described in Exhibit "A" attached hereto, with the overall District now containing 1,087 acres, more or less.

SECTION 3. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately.

ADVERTISED: FEBRUARY 2, 2006.

READ FIRST TIME: JANUARY 30, 2006.

READ SECOND TIME AND ADOPTED: FEB 13, 2006.

Mayor/Pro Tem

PATTY STEEN

ATTEST:

Alana C. Brenner
Alana Brenner, City Clerk

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Orlando, Florida, only.

February 27, 2006
Karen Conners
Assistant City Attorney

BEFORE THE CITY OF ORLANDO

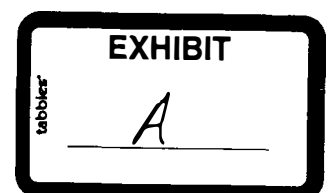
SUPPLEMENTAL

PETITION TO AMEND THE BOUNDARIES OF

THE MYRTLE CREEK IMPROVEMENT DISTRICT

Petitioner, the Myrtle Creek Improvement District, a unit of special-purpose local government established pursuant to the provisions of Chapter 190, Florida Statutes, and City of Orlando Ordinance No. 011126705, and located entirely within the boundaries of the City of Orlando, Florida (hereafter “District”), hereby petitions the City of Orlando City Council, pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, Florida Statutes, and specifically section 190.046, Florida Statutes, to adopt an amendment to Ordinance Nos. 011126705 and 030224702 to expand the boundaries of the District. This is the second boundary amendment for the District. In support of this petition, the District states:

1. Location and Size. The District is located entirely within the City of Orlando, Florida (“City”). **Exhibit 1** depicts the general location of the existing District. The District currently covers approximately 734 acres of land. The current metes and bounds description of the external boundaries of the District is set forth in **Exhibit 2**. The general location of and the metes and bounds descriptions for the lands to be added to the District are set forth in **Exhibit 3** (the “Expansion Parcels”). A sketch and metes and bounds description of the external boundaries of the District incorporating the requested amendment is set forth in **Exhibit 4** (the “Expanded District”). The Expanded District meets the acreage requirements of Section 190.046(1)(f)2., F.S. After expansion, the District will encompass a total of approximately 1,087 acres. There are no new parcels within the Expanded District that are to be excluded from the District.



2. Landowner Consent. Petitioner has obtained written consent to amend the boundaries of the District from the owners of one hundred percent of property subject to the proposed amendment. Documentation of this consent is contained in **Exhibit 5**. The favorable action by the Board of Supervisors of the District constitutes consent for all other lands pursuant to section 190.046(1)(e), F.S. See **Exhibit 6** - Resolution 2005-09.

3. Future Land Uses. The designation of future general distribution, location, and extent of the public and private land uses proposed for the expanded District by the future land use plan element of the local Comprehensive Plan and the Southeast Orlando Sector Plan are shown on **Composite Exhibit 7**. Expansion of the District in the manner proposed is consistent with the adopted local Comprehensive Plan.

4. District facilities and services. The District has constructed, acquired or installed, or presently intends to construct, acquire or install the improvements or provide facilities or services to the Expansion Parcels described in more detail in **Exhibit 8** which sets forth, based on available data, the estimated construction costs of the facilities that the District presently plans to provide from approximately 2005 through 2020. Actual construction timetables and expenditures may vary, due in part to the effects of future changes in economic conditions upon costs such as labor, services, materials, interests rates and market conditions.

5. Statement of Estimated Regulatory Costs. **Exhibit 9** 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.

6. This petition to expand the Myrtle Creek Improvement District should be granted for the following reasons:

a. Amendment of the District's boundaries and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the effective local Comprehensive Plan.

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

c. Existence of the Expanded District will prevent the general body of taxpayers in the City from bearing the burden for installation of the infrastructure and the maintenance of certain facilities within the development encompassed by the Expanded District. The District is the best alternative for delivering community development services and facilities to the Expansion Parcels without imposing an additional burden on the general population of the local general-purpose government. Amendment of the District to include such lands within a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District as amended will not be incompatible with the capacity and use of existing local and regional community development services and facilities.

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

WHEREFORE, Petitioner respectfully requests the City Council of the City of Orlando, Florida to:

a. schedule a public hearing in accordance with the requirements of Section 190.046(1)(c), Florida Statutes;

b. grant the petition and amend Ordinance Nos. 011126705 and 030224702 to expand the boundaries of the District pursuant to Chapter 190, Florida Statutes.

RESPECTFULLY SUBMITTED, this 22nd day of December, 2005, supplementing the Petition
dated September 22, 2005.

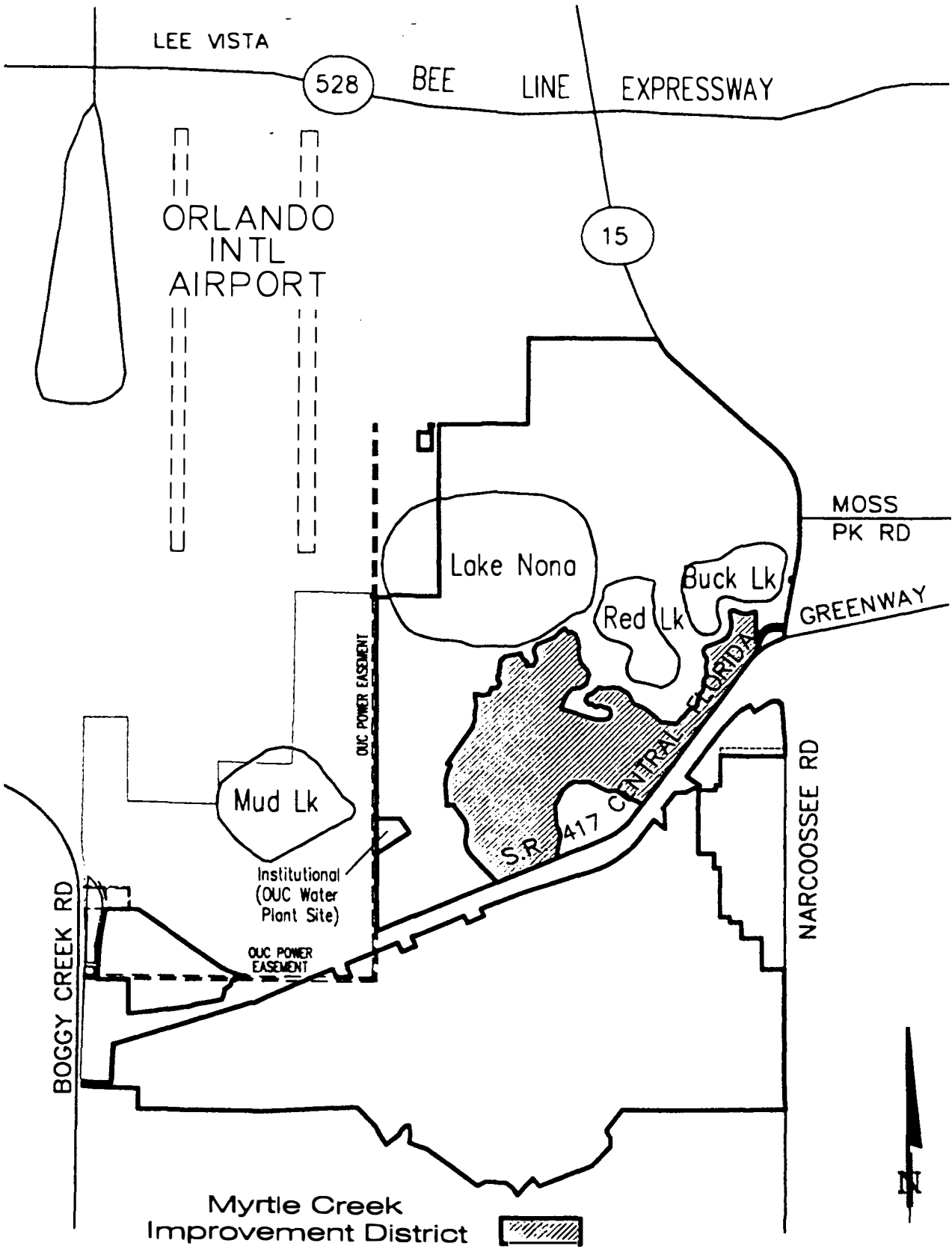
HOPPING GREEN & SAMS, P.A.

By: 

Jonathan T. Johnson
Florida Bar No. 986460
Michael C. Eckert
Florida Bar No. 080314
123 Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500 (telephone)
(850) 224-8551 (facsimile)

District Counsel for Petitioner
Myrtle Creek Improvement District

EXHIBIT 1



VICINITY MAP

EXHIBIT 2

MYRTLE CREEK IMPROVEMENT DISTRICT

DESCRIPTION:

That part of Sections 13 and 24, Township 24 South, Range 30 East, and Sections 18 and 19, Township 24 South, Range 31 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence run N00°14'36"E along the West line of the Southwest 1/4 of said Section 24 for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Railroad right-of-way, said right-of-way as recorded in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida; thence run N66°42'21"E along said Northerly right-of-way line for a distance of 1836.30 feet to the POINT OF BEGINNING; thence run N42°16'50"W for a distance of 1149.90 feet to the point of curvature of a curve concave Easterly having a radius of 600.00 feet; thence run Northerly along the arc of said curve through a central angle of 51°39'18" for a distance of 540.93 feet to the point of tangency; thence run N09°22'28"E for a distance of 201.33 feet to the point of curvature of a curve concave Westerly having a radius of 600.00 feet; thence run Northerly along the arc of said curve through a central angle of 44°40'56" for a distance of 467.91 feet to the point of tangency; thence run N35°18'28"W for a distance of 521.86 feet; thence run S85°42'44"W for a distance of 195.12 feet; thence run N04°17'16"W for a distance of 474.60 feet to the point of curvature of a curve concave Easterly having a radius of 1400.00 feet; thence run Northerly along the arc of said curve through a central angle of 32°46'26" for a distance of 800.82 feet to a point of non-tangency; thence run N61°30'50"W along a radial line for a distance of 100.00 feet; thence run N86°45'51"W for a distance of 22.08 feet to a point on a non-tangent curve concave Southeasterly having a radius of 1520.00 feet and a chord bearing of N31°22'11"E; thence run Northeasterly along the arc of said curve through a central angle of 06°28'38" for a distance of 171.83 feet to the point of tangency; thence run N34°36'30"E for a distance of 1145.66 feet to the point of curvature of a curve concave Southeasterly having a radius of 870.00 feet; thence run Northeasterly along the arc of said curve through a central angle of 03°12'53" for a distance of 48.81 feet to a point of non-tangency; thence run N13°42'24"E for a distance of 256.22 feet; thence run N05°57'35"W for a distance of 108.97 feet; thence run N07°59'37"E for a distance of 272.30 feet; thence run N16°25'12"E for a distance of 64.52 feet; thence run N09°20'03"W for a distance of 283.01 feet; thence run N00°52'05"W for a distance of 66.62 feet; thence run N89°07'55"E for a distance of 100.00 feet; thence run S63°43'16"E for a distance of 68.70 feet; thence run S85°52'24"E for a distance of 126.87 feet; thence run N76°34'53"E for a distance of 140.62 feet; thence run N23°17'41"E for a distance of 208.11 feet; thence run S77°45'42"E for a distance of 83.01 feet; thence run N69°57'00"E for a distance of 83.78 feet; thence run N40°19'31"E for a distance of 82.70 feet; thence run N21°10'10"E for a distance of 107.16 feet; thence run N37°33'26"W for a distance of 85.81 feet; thence run N15°19'31"W for a distance of 118.94 feet; thence run N49°21'26"E for a distance of 61.42 feet; thence run N07°05'52"E for a distance of 470.90 feet; thence run N48°26'56"E for a distance of 185.13 feet; thence run N80°08'14"E for a distance of 260.44 feet; thence run N76°21'00"E for a distance of 196.10 feet; thence run S188°17'41"E for a distance of 153.20 feet; thence run S48°14'24"E for a distance of 179.97 feet; thence run S08°32'56"W for a distance of 112.31 feet; thence run N89°03'22"E for a distance of 196.53 feet; thence run N29°35'53"E for a distance of 208.82 feet; thence run N18°52'18"W for a distance of 282.10 feet; thence run N22°34'45"E for a distance of 103.82

feet; thence run N32°59'02"E for a distance of 136.98 feet; thence run N67°20'56"E for a distance of 245.55 feet; thence run N66°35'55"E for a distance of 267.13 feet; thence run N45°09'09"E for a distance of 322.44 feet; thence run N59°45'04"E for a distance of 140.34 feet; thence run S37°47'37"E for a distance of 199.12 feet; thence run N52°44'33"E for a distance of 87.86 feet; thence run S56°25'40"E for a distance of 158.04 feet; thence run S25°22'11"E for a distance of 131.37 feet; thence run S15°11'34"E for a distance of 136.43 feet; thence run S17°34'26"E for a distance of 113.52 feet; thence run S08°00'57"W for a distance of 195.23 feet; thence run S10°39'19"E for a distance of 208.48 feet; thence run S25°45'07"E for a distance of 210.68 feet; thence run S46°03'38"E for a distance of 174.46 feet; thence run S23°45'41"E for a distance of 156.98 feet; thence run S15°24'46"W for a distance of 310.18 feet; thence run S55°37'11"W for a distance of 201.42 feet; thence run S75°35'20"W for a distance of 301.30 feet; thence run S44°52'31"W for a distance of 165.06 feet; thence run S27°56'21"W for a distance of 173.02 feet; thence run S23°04'49"W for a distance of 222.20 feet; thence run S09°13'23"W for a distance of 123.95 feet; thence run S73°00'00"E for a distance of 949.45 feet to the point of curvature of a curve concave Northerly having a radius of 880.00 feet; thence run Easterly along the arc of said curve through a central angle of 34°46'00" for a distance of 533.98 feet to a point of non-tangency; thence run N33°47'24"E for a distance of 146.77 feet; thence run N01°32'08"W for a distance of 118.67 feet; thence run N32°24'05"W for a distance of 110.01 feet; thence run N76°27'30"W for a distance of 141.42 feet; thence run N66°15'37"W for a distance of 151.05 feet; thence run S66°27'31"W for a distance of 134.71 feet; thence run N60°47'50"W for a distance of 75.83 feet; thence run N40°59'31"W for a distance of 88.96 feet; thence run S78°19'14"W for a distance of 103.43 feet; thence run N34°41'43"W for a distance of 164.98 feet; thence run N26°56'14"E for a distance of 162.99 feet; thence run N65°36'49"E for a distance of 170.35 feet; thence run N46°36'00"E for a distance of 266.95 feet; thence run S59°58'09"E for a distance of 80.59 feet; thence run N86°20'25"E for a distance of 384.77 feet; thence run S84°25'35"E for a distance of 183.78 feet; thence run S55°24'23"E for a distance of 123.39 feet; thence run S59°03'56"E for a distance of 151.03 feet; thence run S30°28'41"E for a distance of 133.96 feet; thence run S26°29'29"E for a distance of 180.12 feet; thence run S36°43'51"E for a distance of 87.02 feet; thence run S72°23'19"E for a distance of 119.51 feet; thence run S63°42'37"E for a distance of 119.51 feet; thence run S20°27'44"W for a distance of 5.98 feet to a point on a non-tangent curve concave Southwesterly having a radius of 620.00 feet and a chord bearing of S59°37'45"E; thence run Southeasterly along the arc of said curve through a central angle of 19°49'02" for a distance of 214.44 feet to the point of tangency; thence run S49°43'14"E for a distance of 502.24 feet; thence run S84°42'40"E for a distance of 187.52 feet; thence run S79°17'54"E for a distance of 189.90 feet; thence run S87°25'32"E for a distance of 115.06 feet; thence run N36°37'55"E for a distance of 194.27 feet; thence run N53°42'26"E for a distance of 118.76 feet; thence run N37°32'09"E for a distance of 233.11 feet; thence run N56°13'17"E for a distance of 159.67 feet; thence run S56°17'03"E for a distance of 56.03 feet; thence run N38°13'49"E for a distance of 160.99 feet; thence run N36°37'05"W for a distance of 32.81 feet; thence run N14°38'45"E for a distance of 251.35 feet; thence run N27°05'02"E for a distance of 76.44 feet; thence run N51°32'47"E for a distance of 53.67 feet; thence run N33°15'35"E for a distance of 89.25 feet; thence run N01°12'58"W for a distance of 251.19 feet; thence run N21°15'31"E for a distance of 84.28 feet; thence run N41°59'40"E for a distance of 110.93 feet; thence run N07°18'52"E for a distance of 85.01 feet; thence run N00°20'47"W for a distance of 75.47 feet; thence run N08°44'56"W for a distance of 145.99 feet; thence run N12°58'09"E for a distance of 210.50 feet; thence run N17°18'23"W for a distance of 104.75

feet; thence run N52°34'34"W for a distance of 77.17 feet; thence run N15°06'19"W for a distance of 142.65 feet; thence run N35°47'51"E for a distance of 155.56 feet; thence run N67°11'48"E for a distance of 486.96 feet; thence run N57°03'43"E for a distance of 207.82 feet; thence run N31°23'44"E for a distance of 151.49 feet; thence run N18°02'10"E for a distance of 164.87 feet; thence run N00°21'14"W for a distance of 191.43 feet; thence run N10°25'09"W for a distance of 195.97 feet; thence run N02°58'38"E for a distance of 136.88 feet; thence run N73°43'15"E for a distance of 108.12 feet; thence run S68°37'41"E for a distance of 272.48 feet; thence run N87°14'23"E for a distance of 186.26 feet; thence run N73°27'32"E for a distance of 185.70 feet; thence run S89°24'11"E for a distance of 56.35 feet; thence run S00°24'24"E for a distance of 922.65 feet to the point on a non-tangent curve concave Westerly having a radius of 1140.00 feet and a chord bearing of N13°15'09"E; thence run Northerly along the arc of said curve through a central angle of 01°47'37" for a distance of 35.69 feet to the point of reverse curvature of a curve concave Southeasterly having a radius of 610.00 feet; thence run Northeasterly along the arc of said curve through a central angle of 84°19'10" for a distance of 897.71 feet to the point of tangency; thence run S83°19'29"E for a distance of 145.35 feet to the point of curvature of a curve concave Northwesterly having a radius of 50.00 feet; thence run Northeasterly along the arc of said curve through a central angle of 90°00'00" for a distance of 78.54 feet to a point of cusp and to the Westerly right-of-way line of Narcoossee Road as described in Official Records Book 5444, Page 2160, of said Public Records; thence run S06°40'31"W along said Westerly right-of-way line for a distance of 240.00 feet to a point of cusp of a curve concave Southwesterly having a radius of 50.00 feet; thence departing said Westerly right-of-way line run Northwesterly along the arc of said curve through a central angle of 90°00'00" for a distance of 78.54 feet to the point of tangency; thence run N83°19'29"W for a distance of 147.46 feet to the point of curvature of a curve concave Southeasterly having a radius of 490.00 feet; thence run Southwesterly along the arc of said curve through a central angle of 83°39'40" for a distance of 716.48 feet to the point of reverse curvature of a curve concave Northwesterly having a radius of 1260.00 feet; thence run Southwesterly along the arc of said curve through a central angle of 23°05'39" for a distance of 507.86 feet to a point of non-tangency; thence run S53°53'30"E for a distance of 13.54 feet to the Northwesterly right-of-way line of an Orlando Utilities Commission right-of-way, as described in Official Records Book 3491, Page 539, of said Public Records, said point being a point on a non-tangent curve concave Southeasterly having a radius of 2000.00 feet and a chord bearing of S39°26'40"W; thence run Southwesterly along said Northwesterly right-of-way line and the arc of said curve through a central angle of 06°40'19" for a distance of 232.90 feet to the point of tangency; thence run S36°06'30"W along said Northwesterly right-of-way line for a distance of 5507.14 feet; thence, departing said Northwesterly right-of-way line, run N49°15'29"W for a distance of 192.54 feet; thence run N69°40'26"W for a distance of 255.92 feet; thence run N41°28'20"W for a distance of 141.24 feet; thence run N62°58'09"W for a distance of 135.28 feet; thence run N70°35'49"W for a distance of 216.06 feet; thence run S83°55'51"W for a distance of 194.02 feet; thence run N71°07'46"W for a distance of 134.22 feet; thence run N62°38'01"W for a distance of 542.65 feet; thence run S87°28'53"W for a distance of 460.64 feet; thence run S57°08'58"W for a distance of 220.38 feet; thence run S45°18'12"W for a distance of 198.91 feet; thence run S25°52'37"W for a distance of 497.37 feet; thence run S02°51'45"W for a distance of 153.09 feet; thence run S11°18'36"E for a distance of 124.89 feet; thence run S03°46'35"W for a distance of 152.57 feet; thence run S13°04'37"E for a distance of 83.30 feet; thence run S02°09'32"E for a distance of 130.98 feet; thence run S24°11'36"E for a distance of 144.66 feet;

thence run S16°01'19"E for a distance of 207.79 feet; thence run S10°45'15"W for a distance of 729.31 feet to the aforesaid Northerly right-of-way line of the Orlando Utilities Commission right-of-way described in Official Records Book 3494, Page 2564; thence run S66°42'20"W along said Northerly right-of-way line for a distance of 1887.67 feet to the POINT OF BEGINNING.

Containing 734.001 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 3

MYRTLE CREEK IMPROVEMENT DISTRICT
ADDITIONAL PARCEL

DESCRIPTION:

That part of Sections 13, 14, 23 and 24, Township 24 South, Range 30 East, and that part of Section 18, Township 24 South, Range 31 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence N00°14'36"E along the West line of the Southwest 1/4 of said Section 24 for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Right-of-way, as described in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida; thence N66°42'20"E along said Northerly line, 896.17 feet to the POINT OF BEGINNING; thence N23°17'09"W, 292.91 feet; thence N61°29'24"W, 132.55 feet; thence S80°15'24"W, 142.51 feet; thence S49°41'35"W, 280.29 feet; thence N85°01'08"W, 89.57 feet; thence N37°35'26"W, 112.22 feet; thence N10°16'14"E, 201.57 feet; thence N39°54'33"W, 193.74 feet; thence N85°00'25"W, 369.25 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of N10°51'37"E; thence Northerly along the arc of said curve through a central angle of 12°40'05" for a distance of 365.21 feet to a non-tangent line; thence N73°17'12"W, 150.01 feet; thence N23°26'50"E, 258.93 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of N28°19'00"E; thence Northeasterly along the arc of said curve through a central angle of 09°32'00" for a distance of 359.41 feet to the point of tangency; thence N33°05'00"E, 208.63 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of N14°23'52"E; thence Northerly along the arc of said curve through a central angle of 37°22'17" for a distance of 704.43 feet to the point of tangency; thence N04°17'16"W, 424.22 feet; thence S85°42'44"W, 413.60 feet; thence N33°50'26"W, 30.70 feet; thence N32°02'34"W, 52.60 feet; thence N39°09'57"W, 39.11 feet; thence N34°51'16"W, 55.63 feet; thence N54°30'18"W, 44.99 feet; thence N52°40'47"W, 64.48 feet; thence N60°10'53"W, 65.75 feet; thence N82°26'08"W, 25.71 feet; thence N45°33'15"W, 65.21 feet; thence N36°35'51"W, 100.24 feet; thence N78°15'24"W, 106.48 feet; thence N88°50'30"W, 142.27 feet; thence N85°31'14"W, 111.35 feet; thence S86°59'32"W, 82.54 feet; thence S87°43'05"W, 77.79 feet; thence S45°51'45"W, 108.52 feet; thence S26°44'57"W, 57.67 feet; thence S05°03'38"E, 52.02 feet; thence S10°42'30"E, 2.29 feet; thence S81°03'21"W, 13.10 feet; thence N86°22'53"W, 47.05 feet; thence S76°02'30"W, 46.90 feet; thence S29°46'34"W, 64.15 feet; thence S33°47'53"E, 96.87 feet; thence S82°20'01"E, 49.26 feet; thence S88°23'20"E, 64.05 feet; thence N54°57'01"E, 24.40 feet; thence S28°53'14"E, 80.82 feet; thence S16°37'24"E, 36.00 feet; thence S18°05'14"E, 88.11 feet; thence S27°58'25"E, 47.72 feet; thence S21°11'38"E, 54.65 feet; thence S07°51'25"E, 126.51 feet; thence S33°47'53"E, 65.41 feet; thence S56°12'07"W, 100.00 feet to the Northeast corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence S89°58'34"W along the North line of said Lot 1 for a distance of 686.48 feet to the Northwest corner of said Lot 1, said point being on the East line of a 135.00-foot wide City of Orlando Power Line Easement, as described in Official Records Book 1838, Page 953, of the Public Records of Orange County, Florida; thence N00°01'26"W along said East line, 5053.39 feet; thence N63°13'14"E, 134.65 feet; thence N21°38'19"W, 35.32 feet; thence N44°30'54"E, 70.21

feet; thence N40°18'03"E, 111.89 feet; thence N12°18'01"E, 52.72 feet; thence N57°12'23"E, 59.86 feet; thence N73°11'27"E, 74.54 feet; thence S86°20'47"E, 74.68 feet; thence S47°15'57"E, 49.23 feet; thence N89°34'17"E, 132.77 feet; thence S77°38'50"E, 103.42 feet; thence S60°49'04"E, 109.51 feet; thence N87°44'08"E, 157.73 feet; thence S65°57'42"E, 113.96 feet; thence N83°50'04"E, 130.40 feet; thence N27°47'05"E, 110.64 feet; thence N62°49'09"E, 56.85 feet; thence S84°45'12"E, 41.84 feet; thence S61°14'22"E, 67.43 feet; thence S88°07'52"E, 87.78 feet; thence S43°22'54"E, 50.67 feet; thence S55°01'06"E, 41.81 feet; thence S38°01'53"E, 40.79 feet; thence N68°11'27"E, 194.52 feet; thence N75°51'12"E, 46.73 feet to a point on a non-tangent curve concave Northerly having a radius of 200.00 feet and a chord bearing of N85°20'40"E; thence Easterly along the arc of said curve through a central angle of 93°49'53" for a distance of 327.53 feet to a non-tangent line; thence S44°53'01"E, 29.89 feet; thence S30°55'53"E, 159.10 feet; thence S83°13'39"E, 148.91 feet; thence S64°40'03"E, 158.67 feet; thence S82°25'46"E, 141.04 feet; thence N70°36'29"E, 96.05 feet; thence N85°58'17"E, 160.35 feet; thence S86°55'14"E, 139.86 feet; thence S78°08'47"E, 219.19 feet; thence S41°48'07"E, 260.91 feet; thence S01°16'54"E, 184.25 feet; thence S39°32'18"W, 66.17 feet; thence S06°19'18"W, 82.87 feet; thence S24°11'36"E, 90.76 feet; thence S05°33'32"E, 38.49 feet; thence S55°56'59"W, 89.41 feet; thence S47°59'59"W, 116.00 feet; thence N82°30'22"W, 165.77 feet; thence N13°08'32"W, 134.57 feet; thence N52°51'36"W, 87.74 feet; thence S85°07'42"W, 158.32 feet; thence S52°11'16"W, 102.55 feet; thence S68°28'39"W, 115.81 feet; thence S35°00'06"W, 133.12 feet; thence S38°44'07"W, 101.06 feet; thence S58°05'57"W, 450.47 feet; thence S41°00'37"W, 120.65 feet; thence S13°05'33"W, 59.61 feet; thence S23°25'42"E, 174.61 feet; thence S49°03'04"E, 142.95 feet; thence S28°56'13"E, 309.70 feet; thence S26°23'37"W, 337.02 feet; thence S22°34'58"W, 300.30 feet; thence S21°48'26"W, 141.77 feet; thence S35°12'20"W, 298.22 feet; thence S36°18'51"W, 348.75 feet; thence S14°39'55"W, 235.97 feet; thence S23°01'22"E, 84.58 feet; thence S36°37'55"E, 81.15 feet; thence S50°39'07"E, 65.15 feet; thence S70°18'32"E, 82.38 feet; thence N89°22'15"E, 139.61 feet; thence N63°54'37"E, 78.97 feet; thence N47°44'10"E, 77.87 feet to Reference Point "A"; thence S86°45'51"E, 53.08 feet; thence S61°30'50"E, 100.00 feet to a point on a non-tangent curve concave Easterly having a radius of 1400.00 feet and a chord bearing of S12°05'57"W; thence Southerly along the arc of said curve through a central angle of 32°46'26" for a distance of 800.82 feet to the point of tangency; thence S04°17'16"E, 474.60 feet; thence N85°42'44"E, 195.12 feet; thence S35°18'28"E, 521.86 feet to the point of curvature of a curve concave Westerly having a radius of 600.00 feet and a chord bearing of S12°58'00"E; thence Southerly along the arc of said curve through a central angle of 44°40'56" for distance of 467.91 feet to the point of tangency; thence S09°22'28"W, 201.33 feet to the point of curvature of a curve concave Easterly having a radius of 600.00 feet and a chord bearing of S16°27'11"E; thence Southerly along the arc of said curve through a central angle of 51°39'18" for a distance of 540.93 feet to the point of tangency; thence S42°16'50"E, 1149.90 feet to the aforesaid Northerly right-of-way line; thence S66°42'21"W along said Northerly right-of-way line, 940.13 feet to the POINT OF BEGINNING;

AND:

Thence return to the aforesaid Reference Point "A"; thence N32°59'57"E, 4084.40 feet to the POINT OF BEGINNING; thence N76°21'00"E, 50.02 feet; thence N86°47'15"E, 275.24 feet; thence N46°26'50"E, 69.86 feet to Reference Point "B"; thence S18°52'18"E, 282.10 feet; thence

S29°35'53"W, 208.82 feet; thence S89°03'22"W, 196.53 feet; thence N08°32'56"E, 112.31 feet; thence N48°14'24"W, 179.97 feet; thence N18°17'41"W, 153.20 feet to the POINT OF BEGINNING;

AND:

Thence return to aforesaid Reference Point "B"; thence S63°53'31"E, 1812.16 feet to the POINT OF BEGINNING; thence S25°12'31"E, 85.77 feet; thence S00°52'17"E, 44.54 feet; thence S05°38'46"W, 77.84 feet; thence S74°40'10"E, 151.42 feet ; thence N69°12'17"E, 20.17 feet; thence S59°58'09"E, 152.38 feet to Reference Point "C"; thence S46°36'00"W, 266.95 feet; thence S65°36'49"W, 170.35 feet; thence S26°56'14"W, 162.99 feet; thence S34°41'43"E, 164.98 feet; thence N78°19'14"E, 103.43 feet; thence S40°59'31"E, 88.96 feet; thence S60°47'50"E, 75.83 feet; thence N66°27'31"E, 134.71 feet; thence S66°15'37"E, 151.05 feet; thence S76°27'30"E, 141.42 feet; thence S32°24'05"E, 110.01 feet; thence S01°32'08"E, 118.67 feet; thence S33°47'24"W, 116.77 feet to point on a non-tangent curve concave Northerly having a radius of 880.00 feet and a chord bearing of S89°37'00"W; thence Westerly along the arc of said curve through a central angle of 34°46'00" for a distance of 533.98 feet to the point of tangency; thence N73°00'00"W, 949.45 feet; thence N09°13'23"E, 123.95 feet; thence N23°04'49"E, 222.20 feet; thence N27°56'21"E, 173.02 feet; thence N41°52'31"E, 165.06 feet; thence run N75°35'20"E, 301.30 feet; thence N55°37'11"E, 201.42 feet; thence N15°24'46"E, 217.82 feet to the POINT OF BEGINNING.

AND:

Thence return to the aforesaid Reference Point "C"; thence N63°31'59"E, 5300.42 feet to the POINT OF BEGINNING; thence S89°24'11"E, 23.26 feet; thence S83°31'04"E, 108.57 feet; thence N67°26'06"E, 75.16 feet; thence N75°45'24"E, 20.85 feet; thence N87°39'06"E, 96.37 feet; thence S34°11'05"E, 47.82 feet; thence S62°33'07"E, 116.11 feet; thence S81°36'21"E, 61.68 feet; thence S72°55'50"E, 71.82 feet; thence S52°52'18"E, 98.18 feet; thence S38°02'41"E, 97.63 feet; thence S85°55'49"E, 182.98 feet to the Westerly right-of-way line of Narcoossee Road, as described in Official Records Book 5444, Page 2160, of the Public Records of Orange County, Florida; thence S06°40'31"W along said Westerly right-of-way line, 139.67 feet to Reference Point "D" and to a point of curvature of a curve concave Northwesterly having a radius of 50.00 feet and a chord bearing of S51°40'31"W; thence Southwesterly along the arc of said curve through a central angle of 90°00'00" for a distance of 78.54 feet to the point of tangency; thence N83°19'29"W, 145.35 feet to the point of curvature of a curve concave Southeasterly having a radius of 610.00 feet and a chord bearing of S54°30'56"W; thence Southwesterly along the arc of said curve through a central angle of 84°19'10" for a distance of 897.71 feet to the point of reverse curvature of a curve concave Westerly having a radius of 1140.00 feet and a chord bearing of S13°15'09"W; thence Southerly along the arc of said curve through a central angle of 01°47'37" for a distance of 35.69 feet to a non-tangent line; thence N00°24'24"W, 922.65 feet to the POINT OF BEGINNING.

AND:

Thence return to the aforesaid Reference Point "D"; thence S06840'30"W along said Westerly right-of-way line, 240.00 feet to POINT OF BEGINNING; thence continue S06840'31"W along said Westerly right-of-way line, 189.78 feet to the Northwestern right-of-way line of Orlando Utilities Commission Railroad Right-of-way (Parcel 8D), as described in Official Records Book 3491, Page 539, of the Public Records of Orange County, Florida; thence S65822'40"W along said Northwestern right-of-way line, 293.36 feet to the point of curvature of a curve concave Southeasterly having a radius of 2000.00 feet and a chord bearing of S54°04'45"W; thence Southwesterly along the arc of said curve and said Northwestern right-of-way line through a central angle of 22°35'52" for a distance of 788.81 feet to a non-tangent line; thence N53°53'30"W, 13.54 feet to a point a on a non-tangent curve concave Northwesterly having a radius of 1260.00 feet and a chord bearing of N24°33'40"E; thence Northeasterly along the arc of said curve through a central angle of 23°05'39" for a distance of 507.86 feet to the point of reverse of curvature of a curve concave Southeasterly having a radius of 490.00 feet and a chord bearing of N54°50'41"E; thence Northeasterly along the arc of said curve through a central angle of 83°39'40" for a distance of 715.48 feet to the point of tangency; thence S83°19'29"E, 147.46 feet to the point of curvature of a curve concave Southwesterly having a radius of 50.00 feet and a chord bearing of S38°19'29"E; thence Southeasterly along the arc of said curve through a central angle of 90°00'00" for a distance of 78.54 feet to the point of tangency and to the POINT OF BEGINNING.

Together containing 353.344 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 4

MYRTLE CREEK IMPROVEMENT DISTRICT

DESCRIPTION:

That part of Sections 13, 14, 23 and 24, Township 24 South, Range 30 East, and that part of Sections 18 and 19, Township 24 South, Range 31 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence N00°14'36"E along the West line of the Southwest 1/4 of said Section 24, for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Right-of-way, as described in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida; thence N66°42'21"E along said Northerly line, 896.17 feet to the POINT OF BEGINNING; thence N23°17'09"W, 292.91 feet; thence N61°29'24"W, 132.55 feet; thence S80°15'24"W, 142.51 feet; thence S49°41'35"W, 280.29 feet; thence N85°01'08"W, 89.57 feet; thence N37°35'26"W, 112.22 feet; thence N10°16'14"E, 201.57 feet; thence N39°54'33"W, 193.74 feet; thence N85°00'25"W, 369.25 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of N10°51'37"E; thence Northerly along the arc of said curve through a central angle of 12°40'05" for a distance of 365.21 feet to a non-tangent line; thence N73°17'12"W, 150.01 feet; thence N23°26'51"E, 258.93 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of N28°19'00"E; thence Northeasterly along the arc of said curve through a central angle of 09°32'00" for a distance of 359.41 feet to the point of tangency; thence N33°05'00"E, 208.63 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of N14°23'52"E; thence Northerly along the arc of said curve through a central angle of 37°22'17" for a distance of 704.43 feet to the point of tangency; thence N04°17'16"W, 424.22 feet; thence S85°42'44"W, 413.60 feet; thence N33°50'26"W, 30.70 feet; thence N32°02'34"W, 52.60 feet; thence N39°09'57"W, 39.10 feet; thence N34°51'16"W, 55.63 feet; thence N54°30'18"W, 44.99 feet; thence N52°40'47"W, 64.48 feet; thence N60°10'53"W, 65.75 feet; thence N82°26'08"W, 25.71 feet; thence N45°33'15"W, 65.21 feet; thence N36°35'51"W, 100.24 feet; thence N78°15'24"W, 106.48 feet; thence N88°50'31"W, 142.27 feet; thence N85°31'14"W, 111.35 feet; thence S86°59'32"W, 82.54 feet; thence S87°43'05"W, 77.79 feet; thence S45°51'45"W, 108.52 feet; thence S26°44'57"W, 57.67 feet; thence S05°03'38"E, 52.02 feet; thence S10°42'30"E, 2.29 feet; thence S81°03'21"W, 13.10 feet; thence N86°22'53"W, 47.05 feet; thence S76°02'30"W, 46.90 feet; thence S29°46'34"W, 64.15 feet; thence S33°47'53"E, 96.87 feet; thence S82°20'11"E, 49.26 feet; thence S88°23'20"E, 64.05 feet; thence N54°57'01"E, 24.40 feet; thence S28°53'14"E, 80.82 feet; thence S16°37'24"E, 36.00 feet; thence S18°05'14"E, 88.11 feet; thence S27°58'25"E, 47.72 feet; thence S21°11'38"E, 54.65 feet; thence S07°51'25"E, 126.51 feet; thence S33°47'53"E, 65.41 feet; thence S56°12'07"W, 100.00 feet to the Northeast corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence S89°58'34"W along the North line of said Lot 1, 686.48 feet to the Northwest corner of said Lot 1, said point being on the East line of a 135.00-foot wide City of Orlando Power Line Easement, as described in Official Records Book 1838, Page 953, of the Public Records of Orange County, Florida; thence N00°01'26"W along said East line, 5053.39 feet; thence N63°13'14"E, 134.65 feet; thence N21°38'19"W, 35.32 feet; thence N44°30'54"E, 70.21 feet; thence N40°18'03"E,

111.89 feet; thence N12°18'01"E, 52.72 feet; thence N57°12'23"E, 59.86 feet; thence N73°11'27"E, 74.54 feet; thence S86°20'47"E, 74.68 feet; thence S47°15'57"E, 49.23 feet; thence N89°34'17"E, 132.77 feet; thence S77°38'50"E, 103.42 feet; thence S60°49'04"E, 109.51 feet; thence N87°44'08"E, 157.73 feet; thence S65°57'42"E, 113.96 feet; thence N83°50'04"E, 130.40 feet; thence N27°47'05"E, 110.64 feet; thence N62°49'09"E, 56.85 feet; thence S84°45'12"E, 41.84 feet; thence S61°14'22"E, 67.43 feet; thence S88°07'52"E, 87.78 feet; thence S43°22'54"E, 50.67 feet; thence S55°01'06"E, 41.81 feet; thence S38°01'53"E, 40.79 feet; thence N68°11'27"E, 194.52 feet; thence N75°51'12"E, 46.73 feet to a point on a non-tangent curve concave Northerly having a radius of 200.00 feet and a chord bearing of N85°20'40"E; thence Easterly along the arc of said curve through a central angle of 93°49'53" for a distance of 327.53 feet to a non-tangent line; thence S44°53'01"E, 29.89 feet; thence S31°55'53"E, 159.10 feet; thence S83°13'39"E, 148.91 feet; thence S64°40'03"E, 158.67 feet; thence S82°25'46"E, 141.04 feet; thence N70°36'29"E, 96.05 feet; thence N85°58'17"E, 160.35 feet; thence S86°55'14"E, 139.86 feet; thence S78°08'47"E, 219.19 feet; thence S41°48'07"E, 260.91 feet; thence S01°16'54"E, 184.25 feet; thence S39°32'18"W, 66.17 feet; thence S06°19'18"W, 82.87 feet; thence S24°11'36"E, 90.76 feet; thence S05°33'32"E, 38.49 feet; thence S55°56'59"W, 89.41 feet; thence S47°59'59"W, 111.00 feet; thence N82°30'22"W, 165.77 feet; thence N13°08'32"W, 134.57 feet; thence N52°51'36"W, 87.74 feet; thence S85°07'42"W, 158.32 feet; thence S52°11'16"W, 102.55 feet; thence S68°28'39"W, 115.81 feet; thence S35°00'06"W, 133.12 feet; thence S38°44'07"W, 101.06 feet; thence S58°05'57"W, 450.47 feet; thence S41°00'37"W, 120.65 feet; thence S13°05'33"W, 59.61 feet; thence S23°25'42"E, 174.61 feet; thence S49°03'04"E, 142.95 feet; thence S28°56'13"E, 309.70 feet; thence S26°23'37"W, 337.02 feet; thence S22°34'58"W, 300.30 feet; thence S21°48'26"W, 141.77 feet; thence S35°12'20"W, 298.22 feet; thence S36°18'51"W, 348.75 feet; thence S148°39'55"W, 235.97 feet; thence S23°01'22"E, 84.58 feet; thence S36°37'55"E, 81.15 feet; thence S50°39'07"E, 65.15 feet; thence S70°18'32"E, 82.38 feet; thence N89°22'15"E, 139.61 feet; thence N63°54'37"E, 78.97 feet; thence N47°44'10"E, 77.87 feet; thence S86°45'51"E, 31.00 feet to a point on a non-tangent curve concave Southeasterly having a radius of 1520.00 feet and a chord bearing of N31°22'11"E; thence Northeasterly along the arc of said curve through a central angle of 06°28'38" for a distance of 171.83 feet to the point of tangency; thence N34°36'30"E, 1145.66 feet to the point of curvature of a curve concave Southeasterly having a radius of 870.00 feet and a chord bearing of N36°12'56"E; thence Northeasterly along the arc of said curve through a central angle of 03°12'53" for a distance of 48.81 feet to a non-tangent line; thence N13°42'24"E, 256.22 feet; thence N05°57'35"W, 108.97 feet; thence N07°59'37"E, 272.30 feet; thence N16°25'12"E, 64.52 feet; thence N09°20'03"W, 283.01 feet; thence N00°52'05"W, 66.62 feet; thence N89°07'55"E, 100.00 feet; thence S63°43'16"E, 68.70 feet; thence S85°52'24"E, 126.87 feet; thence N76°34'53"E, 140.62 feet; thence N23°17'41"E, 208.11 feet; thence S77°45'42"E, 83.01 feet; thence N69°57'00"E, 83.78 feet; thence N40°19'31"E, 82.70 feet; thence N21°10'10"E, 107.16 feet; thence N37°33'26"W, 85.81 feet; thence N15°19'31"W, 118.94 feet; thence N49°21'26"E, 61.42 feet; thence N07°05'52"E, 470.90 feet; thence N48°26'56"E, 185.13 feet; thence N80°08'14"E, 260.44 feet; thence N76°21'00"E, 246.13 feet; thence N86°47'15"E, 275.24 feet; thence N46°26'50"E, 69.86 feet; thence N22°34'45"E, 103.82 feet; thence N32°59'02"E, 136.98 feet; thence N67°20'56"E, 245.55 feet; thence N66°35'55"E, 267.13 feet; thence N45°09'09"E, 322.44 feet; thence N59°45'04"E, 110.34 feet; thence S37°47'37"E, 199.12 feet; thence N52°44'33"E, 87.86 feet; thence S56°25'40"E, 158.04 feet; thence S25°22'11"E, 131.37 feet; thence S15°11'34"E, 136.43 feet; thence S17°34'26"E, 113.52 feet; thence

S08800'57"W, 195.23 feet; thence S10°39'19"E, 208.48 feet; thence S25°45'07"E, 210.68 feet; thence S46803'38"E, 174.46 feet; thence S23°45'41"E, 156.98 feet; thence S15°24'46"W, 92.36 feet; thence S25°12'31"E, 85.77 feet; thence S00°52'17"E, 44.54 feet; thence S05°38'46"W, 77.84 feet; thence S74°40'10"E, 151.42 feet; thence N69°12'17"E, 20.17 feet; thence S59°58'09"E, 232.96 feet; thence N86°20'25"E, 384.77 feet; thence S84825'35"E, 183.78 feet; thence S55°24'23"E, 123.39 feet; thence S59°03'56"E, 151.03 feet; thence S31°28'41"E, 133.96 feet; thence S26°29'29"E, 180.12 feet; thence S36°43'51"E, 87.02 feet; thence S72823'19"E, 119.51 feet; thence S63°42'37"E, 119.51 feet; thence S20°27'44"W, 5.98 feet to a point on a non-tangent curve concave Southwesterly having a radius of 620.00 feet and a chord bearing of S59837'45"E; thence Southeasterly along the arc of said curve through a central angle of 19°49'02" for a distance of 214.44 feet to the point of tangency; thence S49°43'14"E, 502.24 feet; thence S84°42'40"E, 187.52 feet; thence S79817'54"E, 189.90 feet; thence S87°25'32"E, 115.06 feet; thence N36837'55"E, 194.27 feet; thence N53°42'26"E, 118.76 feet; thence N37°32'09"E, 233.81 feet; thence N56°13'17"E, 159.67 feet; thence S56°17'03"E, 56.03 feet; thence N38°13'49"E, 160.99 feet; thence N36°37'05"W, 32.81 feet; thence N14°38'45"E, 251.35 feet; thence N27805'02"E, 76.44 feet; thence N51°32'47"E, 53.67 feet; thence N33°15'35"E, 89.25 feet; thence N01812'58"W, 251.19 feet; thence N21°15'31"E, 84.28 feet; thence N41859'40"E, 110.93 feet; thence N07°18'52"E, 85.01 feet; thence N00820'47"W, 75.47 feet; thence N08°44'56"W, 145.99 feet; thence N12°58'09"E, 210.50 feet; thence N17°18'23"W, 104.75 feet; thence N52°34'34"W, 77.17 feet; thence N15°06'19"W, 142.65 feet; thence N35847'51"E, 155.56 feet; thence N67°11'48"E, 486.96 feet; thence N57°03'43"E, 207.82 feet; thence N38°23'44"E, 151.49 feet; thence N18°02'10"E, 164.87 feet; thence N00°21'14"W, 191.43 feet; thence N10°25'09"W, 195.97 feet; thence N02°58'38"E, 136.88 feet; thence N73°43'15"E, 108.12 feet; thence S68°37'41"E, 272.48 feet; thence N87°14'23"E, 186.26 feet; thence N73°27'32"E, 185.70 feet; thence S89°24'11"E, 79.61 feet; thence S83°31'04"E, 108.57 feet; thence N67826'06"E, 75.16 feet; thence N75°45'24"E, 20.85 feet; thence N87°39'06"E, 96.37 feet; thence S34°11'05"E, 47.82 feet; thence S62°33'07"E, 116.11 feet; thence S81°36'21"E, 61.68 feet; thence S72°55'50"E, 71.82 feet; thence S52°52'18"E, 98.18 feet; thence S38°02'41"E, 97.63 feet; thence S85°55'49"E, 182.98 feet to the Westerly right-of-way line of Narcoossee Road, as described in Official Records Book 5444, Page 2160, of the Public Records of Orange County, Florida; thence S06°40'31"W along said Westerly right-of-way line, 569.46 feet to the Northwesterly right-of-way line of Orlando Utilities Commission Railroad Right-of-way (Parcel 8D and Parcel 8E), as described in Official Records Book 3491, Page 539, of the Public Records of Orange County, Florida; thence S65°22'41"W along said Northwesterly right-of-way line, 293.36 feet to the point of curvature of a curve concave Southeasterly having a radius of 2000.00 feet and a chord bearing of S50°44'35"W; thence Southwesterly along the arc of said curve and along said Northwesterly right-of-way line through a central angle of 29°16'11" for a distance of 1021.71 feet to the point of tangency; thence S36°06'30"W along said Northwesterly right-of-way line, 5507.14 feet; thence N49°15'29"W, 192.54 feet; thence N69°40'26"W, 255.92 feet; thence N41°28'20"W, 141.24 feet; thence N62°58'09"W, 135.28 feet; thence N70835'19"W, 216.06 feet; thence S83°55'51"W, 194.02 feet; thence N71°07'46"W, 134.22 feet; thence N62°38'01"W, 542.65 feet; thence S87°28'53"W, 460.64 feet; thence S57°08'58"W, 220.38 feet; thence S45818'12"W, 198.91 feet; thence S25°52'37"W, 497.37 feet; thence S02851'45"W, 153.09 feet; thence S11°18'36"E, 124.89 feet; thence S03846'35"W, 152.57 feet; thence S13°04'37"E, 83.30 feet; thence S02°09'32"E, 130.98 feet; thence S24°11'36"E, 144.66 feet; thence S15801'19"E, 207.79 feet; thence S10°45'15"W, 729.31 feet to the aforesaid Northerly

(right-of-way line of Orlando Utilities Commission Railroad Right-of-way, as described in Official Records Book 3494, Page 2564; thence S66°42'21"W along said Northerly right-of-way line, 2827.80 feet to the POINT OF BEGINNING.

Containing 1087.345 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 5

**Consent and Joinder of Landowners
to Inclusion and Exclusion of Lands Within a 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").

The undersigned understands and acknowledges that the Myrtle Creek Improvement District, ("Petitioner") intends to submit a petition to amend its boundaries in accordance with the provisions of Chapter 190 of the Florida Statutes.

As the sole Landowner, as defined by Chapter 190, F.S., of lands which are intended to be included within or removed from the Myrtle Creek Improvement District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.046, Florida Statutes, the Petitioner is required to include the written consent of one hundred percent (100%) of the owners of the lands to be added to or removed from the Community Development District.

The undersigned hereby consents to the inclusion within and exclusion of portions of its Property and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the amendment of the boundaries of the Myrtle Creek Improvement District.

The undersigned acknowledges that the consent will remain in full force and effect until the Community Development District is amended or three years from the date hereof, which ever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by Petitioner, the same consent in substantially this form.

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.

Executed this 8th day of September, 2005.

LAKE NONA LAND COMPANY, LLC,
A Florida Limited liability Company

Witnessed:

Print Name: Lowell Ferguson

Print Name: Stephanie Zaboriskie

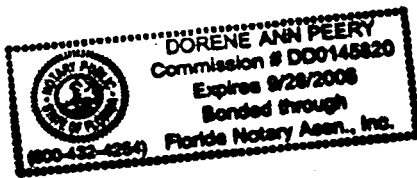
By:

Name: James L. Zboril

Title: President

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 27th day of September
2005, by James L. Zboni, on behalf of Lane Dona Land Company
who is personally known to me or who has produced _____
as identification and who did (did not) take an oath.



[Signature]
Signature of Notary taking acknowledgment

Dorene Ann Peery
Name of Notary taking acknowledgment
(typed, printed or stamped)

Title or rank

Serial number, if any

EXHIBIT A

MYRTLE CREEK IMPROVEMENT DISTRICT ADDITIONAL PARCEL

DESCRIPTION:

That part of Sections 13, 14, 23 and 24, Township 24 South, Range 30 East, and that part of Section 18, Township 24 South, Range 31 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence $N00^{\circ}14'36''E$ along the West line of the Southwest 1/4 of said Section 24 for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Right-of-way, as described in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida; thence $N66^{\circ}42'21''E$ along said Northerly line, 896.17 feet to the POINT OF BEGINNING; thence $N23^{\circ}17'09''W$, 292.91 feet; thence $N61^{\circ}29'24''W$, 132.55 feet; thence $S80^{\circ}15'24''W$, 142.51 feet; thence $S49^{\circ}41'35''W$, 280.29 feet; thence $N85^{\circ}01'08''W$, 89.57 feet; thence $N37^{\circ}35'26''W$, 112.22 feet; thence $N10^{\circ}16'14''E$, 201.57 feet; thence $N39^{\circ}54'33''W$, 193.74 feet; thence $N85^{\circ}00'25''W$, 369.25 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of $N10^{\circ}51'37''E$; thence Northerly along the arc of said curve through a central angle of $12^{\circ}40'05''$ for a distance of 365.21 feet to a non-tangent line; thence $N73^{\circ}17'12''W$, 150.01 feet; thence $N23^{\circ}26'51''E$, 258.93 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of $N28^{\circ}19'00''E$; thence Northeasterly along the arc of said curve through a central angle of $09^{\circ}32'00''$ for a distance of 359.41 feet to the point of tangency; thence $N33^{\circ}05'00''E$, 208.63 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of $N14^{\circ}23'52''E$; thence Northerly along the arc of said curve through a central angle of $37^{\circ}22'17''$ for a distance of 704.43 feet to the point of tangency; thence $N04^{\circ}17'16''W$, 424.22 feet; thence $S85^{\circ}42'44''W$, 413.60 feet; thence $N33^{\circ}50'26''W$, 30.70 feet; thence $N32^{\circ}02'34''W$, 52.60 feet; thence $N39^{\circ}09'57''W$, 39.11 feet; thence $N34^{\circ}51'16''W$, 55.63 feet; thence $N54^{\circ}30'18''W$, 44.99 feet; thence $N52^{\circ}40'47''W$, 64.48 feet; thence $N60^{\circ}10'53''W$, 65.75 feet; thence $N82^{\circ}26'08''W$, 25.71 feet; thence $N45^{\circ}33'15''W$, 65.21 feet; thence $N36^{\circ}35'51''W$, 100.24 feet; thence $N78^{\circ}15'24''W$, 106.48 feet; thence $N88^{\circ}50'31''W$, 142.27 feet; thence $N85^{\circ}31'14''W$, 111.35 feet; thence $S86^{\circ}59'32''W$, 82.54 feet; thence $S87^{\circ}43'05''W$, 77.79 feet; thence $S45^{\circ}51'45''W$, 108.52 feet; thence $S26^{\circ}44'57''W$, 57.67 feet; thence $S05^{\circ}03'38''E$, 52.02 feet; thence $S10^{\circ}42'30''E$, 2.29 feet; thence $S81^{\circ}03'21''W$, 13.10 feet; thence $N86^{\circ}22'53''W$, 47.05 feet; thence $S76^{\circ}02'30''W$, 46.90 feet; thence $S29^{\circ}46'34''W$, 64.15 feet; thence $S33^{\circ}47'53''E$, 96.87 feet; thence $S82^{\circ}20'11''E$, 49.26 feet; thence $S88^{\circ}23'20''E$, 64.05 feet; thence $N54^{\circ}57'01''E$, 24.40 feet; thence $S28^{\circ}53'14''E$, 80.82 feet; thence $S16^{\circ}37'24''E$, 36.00 feet; thence $S18^{\circ}05'14''E$, 88.11 feet; thence $S27^{\circ}58'25''E$, 47.72 feet; thence $S21^{\circ}11'38''E$, 54.65 feet; thence $S07^{\circ}51'25''E$, 126.51 feet; thence $S33^{\circ}47'53''E$, 65.41 feet; thence $S56^{\circ}12'07''W$, 100.00 feet to the Northeast corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence $S89^{\circ}58'34''W$ along the North line of said Lot 1 for a distance of 686.48 feet to the Northwest corner of said Lot 1, said point being on the East line of a 135.00-foot wide City of Orlando Power Line Easement, as described in Official Records Book 1838, Page 953, of the Public Records of Orange County, Florida; thence $N00^{\circ}01'26''W$ along said East line, 5053.39 feet; thence $N63^{\circ}13'14''E$, 134.65 feet; thence $N21^{\circ}38'19''W$, 35.32 feet; thence $N44^{\circ}30'54''E$, 70.21

feet; thence N40°18'03"E, 111.89 feet; thence N12°18'01"E, 52.72 feet; thence N57°12'23"E, 59.86 feet; thence N73°11'27"E, 74.54 feet; thence S86°20'47"E, 74.68 feet; thence S47°15'57"E, 49.23 feet; thence N89°34'17"E, 132.77 feet; thence S77°38'50"E, 103.42 feet; thence S60°49'04"E, 109.51 feet; thence N87°44'08"E, 157.73 feet; thence S65°57'42"E, 113.96 feet; thence N83°50'04"E, 130.40 feet; thence N27°47'05"E, 110.64 feet; thence N62°49'09"E, 56.85 feet; thence S84°45'12"E, 41.84 feet; thence S61°14'22"E, 67.43 feet; thence S88°07'52"E, 87.78 feet; thence S43°22'54"E, 50.67 feet; thence S55°01'06"E, 41.81 feet; thence S38°01'53"E, 40.79 feet; thence N68°11'27"E, 194.52 feet; thence N75°51'12"E, 46.73 feet to a point on a non-tangent curve concave Northerly having a radius of 200.00 feet and a chord bearing of N85°20'40"E; thence Easterly along the arc of said curve through a central angle of 93°49'53" for a distance of 327.53 feet to a non-tangent line; thence S44°53'01"E, 29.89 feet; thence S31°55'53"E, 159.10 feet; thence S83°13'39"E, 148.91 feet; thence S64°40'03"E, 158.67 feet; thence S82°25'46"E, 141.04 feet; thence N70°36'29"E, 96.05 feet; thence N85°58'17"E, 160.35 feet; thence S86°55'14"E, 139.86 feet; thence S78°08'47"E, 219.19 feet; thence S41°48'07"E, 260.91 feet; thence S01°16'54"E, 184.25 feet; thence S39°32'18"W, 66.17 feet; thence S06°19'18"W, 82.87 feet; thence S24°11'36"E, 90.76 feet; thence S05°33'32"E, 38.49 feet; thence S55°56'59"W, 89.41 feet; thence S47°59'59"W, 111.00 feet; thence N82°30'22"W, 165.77 feet; thence N13°08'32"W, 134.57 feet; thence N52°51'36"W, 87.74 feet; thence S85°07'42"W, 158.32 feet; thence S52°11'16"W, 102.55 feet; thence S68°28'39"W, 115.81 feet; thence S35°00'06"W, 133.12 feet; thence S38°44'07"W, 101.06 feet; thence S58°05'57"W, 450.47 feet; thence S41°00'37"W, 120.65 feet; thence S13°05'33"W, 59.61 feet; thence S23°25'42"E, 174.61 feet; thence S49°03'04"E, 142.95 feet; thence S28°56'13"E, 309.70 feet; thence S26°23'37"W, 337.02 feet; thence S22°34'58"W, 300.30 feet; thence S21°48'26"W, 141.77 feet; thence S35°12'20"W, 298.22 feet; thence S36°18'51"W, 348.75 feet; thence S14°39'55"W, 235.97 feet; thence S23°01'22"E, 84.58 feet; thence S36°37'55"E, 81.15 feet; thence S50°39'07"E, 65.15 feet; thence S70°18'32"E, 82.38 feet; thence N89°22'15"E, 139.61 feet; thence N63°54'37"E, 78.97 feet; thence N47°44'10"E, 77.87 feet to Reference Point "A"; thence S86°45'51"E, 53.08 feet; thence S61°30'50"E, 100.00 feet to a point on a non-tangent curve concave Easterly having a radius of 1400.00 feet and a chord bearing of S12°05'57"W; thence Southerly along the arc of said curve through a central angle of 32°46'26" for a distance of 800.82 feet to the point of tangency; thence S04°17'16"E, 474.60 feet; thence N85°42'44"E, 195.12 feet; thence S35°18'28"E, 521.86 feet to the point of curvature of a curve concave Westerly having a radius of 600.00 feet and a chord bearing of S12°58'00"E; thence Southerly along the arc of said curve through a central angle of 44°40'56" for distance of 467.91 feet to the point of tangency; thence S09°22'28"W, 201.33 feet to the point of curvature of a curve concave Easterly having a radius of 600.00 feet and a chord bearing of S16°27'11"E; thence Southerly along the arc of said curve through a central angle of 51°39'18" for a distance of 540.93 feet to the point of tangency; thence S42°16'50"E, 1149.90 feet to the aforesaid Northerly right-of-way line; thence S66°42'21"W along said Northerly right-of-way line, 940.13 feet to the POINT OF BEGINNING;

AND:

Thence return to the aforesaid Reference Point "A"; thence N32°59'57"E, 4084.40 feet to the POINT OF BEGINNING; thence N76°21'00"E, 50.02 feet; thence N86°47'15"E, 275.24 feet; thence N46°26'50"E, 69.86 feet to Reference Point "B"; thence S18°52'18"E, 282.10 feet; thence

S29°35'53"W, 208.82 feet; thence S89°03'22"W, 196.53 feet; thence N08°32'56"E, 112.31 feet; thence N48°14'24"W, 179.97 feet; thence N18°17'41"W, 153.20 feet to the POINT OF BEGINNING;

AND:

Thence return to aforesaid Reference Point "B"; thence S63°53'31"E, 1812.16 feet to the POINT OF BEGINNING; thence S25°12'31"E, 85.77 feet; thence S00°52'17"E, 44.54 feet; thence S05°38'46"W, 77.84 feet; thence S74°40'10"E, 151.42 feet; thence N69°12'17"E, 20.17 feet; thence S59°58'09"E, 152.38 feet to Reference Point "C"; thence S46°36'00"W, 266.95 feet; thence S65°36'49"W, 170.35 feet; thence S26°56'14"W, 162.99 feet; thence S34°41'43"E, 164.98 feet; thence N78°19'14"E, 103.43 feet; thence S40°59'31"E, 88.96 feet; thence S60°47'50"E, 75.83 feet; thence N66°27'31"E, 134.71 feet; thence S66°15'37"E, 151.05 feet; thence S76°27'30"E, 141.42 feet; thence S32°24'05"E, 110.01 feet; thence S01°32'08"E, 118.67 feet; thence S33°47'24"W, 116.77 feet to point on a non-tangent curve concave Northerly having a radius of 880.00 feet and a chord bearing of S89°37'00"W; thence Westerly along the arc of said curve through a central angle of 34°46'00" for a distance of 533.98 feet to the point of tangency; thence N73°00'00"W, 949.45 feet; thence N09°13'23"E, 123.95 feet; thence N23°04'49"E, 222.20 feet; thence N27°56'21"E, 173.02 feet; thence N41°52'31"E, 165.06 feet; thence run N75°35'20"E, 301.30 feet; thence N55°37'11"E, 201.42 feet; thence N15°24'46"E, 217.82 feet to the POINT OF BEGINNING.

AND:

Thence return to the aforesaid Reference Point "C"; thence N63°31'59"E, 5300.42 feet to the POINT OF BEGINNING; thence S89°24'11"E, 23.26 feet; thence S83°31'04"E, 108.57 feet; thence N67°26'06"E, 75.16 feet; thence N75°45'24"E, 20.85 feet; thence N87°39'06"E, 96.37 feet; thence S34°11'05"E, 47.82 feet; thence S62°33'07"E, 116.11 feet; thence S81°36'21"E, 61.68 feet; thence S72°55'50"E, 71.82 feet; thence S52°52'18"E, 98.18 feet; thence S38°02'41"E, 97.63 feet; thence S85°55'49"E, 182.98 feet to the Westerly right-of-way line of Narcoossee Road, as described in Official Records Book 5444, Page 2160, of the Public Records of Orange County, Florida; thence S06°40'31"W along said Westerly right-of-way line, 139.67 feet to Reference Point "D" and to a point of curvature of a curve concave Northwesterly having a radius of 50.00 feet and a chord bearing of S51°40'31"W; thence Southwesterly along the arc of said curve through a central angle of 90°00'00" for a distance of 78.54 feet to the point of tangency; thence N83°19'29"W, 145.35 feet to the point of curvature of a curve concave Southeasterly having a radius of 610.00 feet and a chord bearing of S54°30'56"W; thence Southwesterly along the arc of said curve through a central angle of 84°19'10" for a distance of 897.71 feet to the point of reverse curvature of a curve concave Westerly having a radius of 1140.00 feet and a chord bearing of S13°15'09"W; thence Southerly along the arc of said curve through a central angle of 01°47'37" for a distance of 35.69 feet to a non-tangent line; thence N00°24'24"W, 922.65 feet to the POINT OF BEGINNING.

AND:

Thence return to the aforesaid Reference Point "D"; thence S06°40'31"W along said Westerly right-of-way line, 240.00 feet to POINT OF BEGINNING; thence continue S06°40'31"W along said Westerly right-of-way line, 189.78 feet to the Northwestern right-of-way line of Orlando Utilities Commission Railroad Right-of-way (Parcel 8D), as described in Official Records Book 3491, Page 539, of the Public Records of Orange County, Florida; thence S65°22'41"W along said Northwestern right-of-way line, 293.36 feet to the point of curvature of a curve concave Southeasterly having a radius of 2000.00 feet and a chord bearing of S54°04'45"W; thence Southwesterly along the arc of said curve and said Northwestern right-of-way line through a central angle of 22°35'52" for a distance of 788.81 feet to a non-tangent line; thence N53°53'30"W, 13.54 feet to a point on a non-tangent curve concave Northwesterly having a radius of 1260.00 feet and a chord bearing of N24°33'41"E; thence Northeasterly along the arc of said curve through a central angle of 23°05'39" for a distance of 507.86 feet to the point of reverse of curvature of a curve concave Southeasterly having a radius of 490.00 feet and a chord bearing of N54°50'41"E; thence Northeasterly along the arc of said curve through a central angle of 83°39'40" for a distance of 715.48 feet to the point of tangency; thence S83°19'29"E, 147.46 feet to the point of curvature of a curve concave Southwesterly having a radius of 50.00 feet and a chord bearing of S38°19'29"E; thence Southeasterly along the arc of said curve through a central angle of 90°00'00" for a distance of 78.54 feet to the point of tangency and to the POINT OF BEGINNING.

Together containing 353.344 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 6

RESOLUTION NO. 2005-09

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MYRTLE CREEK IMPROVEMENT DISTRICT DIRECTING THE CHAIRMAN AND ALL DISTRICT STAFF TO FILE A PETITION WITH THE CITY OF ORLANDO, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Myrtle Creek Improvement District ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes ("Uniform Act"), by the City of Orlando, Florida ("City") by passage of an ordinance bearing document number 011126705 ("Ordinance"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, roads, roadway, drainage collection and water management systems, bridges, water supply and distribution systems, wastewater and reuse systems, recreational facilities, street-lighting systems, and open space and conservation areas; and

WHEREAS, the District presently consists of 734 acres, more or less, as more fully described in the Ordinance; and

WHEREAS, the primary landowner within the District, Lake Nona Land Company, LLC, a Florida limited liability company ("Developer"), and its affiliates are presently developing real property within and adjacent to the District; and

WHEREAS, the Developer has approached the District and requested the District petition to amend its boundaries to comprise the area described in the attached **Exhibit A**, in an effort to facilitate development of the overall lands as a functionally interrelated community and to promote compact and economical development of lands; and

WHEREAS, the proposed amendment to the District's boundaries would result in a net addition of 353 acres, more or less, and is within the amendment size restrictions contained within Section 190.046(1), Florida Statutes; and

WHEREAS, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

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

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

WHEREAS, the Board has determined that the proposed addition would increase the developable/assessable acreage of the District and would therefore spread costs and expenses associated with the construction, acquisition, and maintenance of planned infrastructure improvements and services, thereby reducing the cost to future individual homeowners; and

WHEREAS, in order to seek a boundary amendment pursuant to Chapter 190, Florida Statutes, the District desires to authorize District Staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District Staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD
OF SUPERVISORS OF THE MYRTLE CREEK
IMPROVEMENT DISTRICT:**


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

SECTION 2. The Board hereby directs the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of a petition and related materials with the City of Orlando to seek the amendment of the District's boundaries to comprise the lands described in **Exhibit A**, pursuant to Chapter 190, Florida Statutes, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, Florida Statutes, for the amendment of the District's boundaries.

SECTION 3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 22nd day of August, 2005.

ATTEST:



Secretary / Assistant Secretary
ERIC J. DAILEY

**MYRTLE CREEK IMPROVEMENT
DISTRICT**



Vice Chairman, Board of Supervisors

EXHIBIT A

MYRTLE CREEK IMPROVEMENT DISTRICT

DESCRIPTION:

That part of Sections 13, 14, 23 and 24, Township 24 South, Range 30 East, and that part of Sections 18 and 19 and 24 through 31, Township 24 South, Range 31 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of said Section 24; thence N00°14'36"E along the West line of the Southwest 1/4 of said Section 24, for a distance of 957.96 feet to the Northerly line of an Orlando Utilities Commission Right-of-way, as described in Official Records Book 3494, Page 2564, of the Public Records of Orange County, Florida; thence N66°42'21"E along said Northerly line, 896.17 feet to the POINT OF BEGINNING; thence N23°17'09"W, 292.91 feet; thence N61°29'24"W, 132.55 feet; thence S80°15'24"W, 142.51 feet; thence S49°41'35"W, 280.29 feet; thence N85°01'08"W, 89.57 feet; thence N37°35'26"W, 112.22 feet; thence N10°16'14"E, 201.57 feet; thence N39°54'33"W, 193.74 feet; thence N85°00'25"W, 369.25 feet to a point on a non-tangent curve concave Easterly having a radius of 1651.77 feet and a chord bearing of N10°51'37"E; thence Northerly along the arc of said curve through a central angle of 12°40'05" for a distance of 365.21 feet to a non-tangent line; thence N73°17'12"W, 150.01 feet; thence N23°26'51"E, 258.93 feet to the point of curvature of a curve concave Southeasterly having a radius of 2160.11 feet and a chord bearing of N28°19'00"E; thence Northeasterly along the arc of said curve through a central angle of 09°32'00" for a distance of 359.41 feet to the point of tangency; thence N33°05'00"E, 208.63 feet to the point of curvature of a curve concave Westerly having a radius of 1080.00 feet and a chord bearing of N14°23'52"E; thence Northerly along the arc of said curve through a central angle of 37°22'17" for a distance of 704.43 feet to the point of tangency; thence N04°17'16"W, 424.22 feet; thence S85°42'44"W, 413.60 feet; thence N33°50'26"W, 30.70 feet; thence N32°02'34"W, 52.60 feet; thence N39°09'57"W, 39.11 feet; thence N34°51'16"W, 55.63 feet; thence N54°30'18"W, 44.99 feet; thence N52°40'47"W, 64.48 feet; thence N60°10'53"W, 65.75 feet; thence N82°26'08"W, 25.71 feet; thence N45°33'15"W, 65.21 feet; thence N36°35'51"W, 100.24 feet; thence N78°15'24"W, 106.48 feet; thence N88°50'31"W, 142.27 feet; thence N85°31'14"W, 111.35 feet; thence S86°59'32"W, 82.54 feet; thence S87°43'05"W, 77.79 feet; thence S45°51'45"W, 108.52 feet; thence S26°44'57"W, 57.67 feet; thence S05°03'38"E, 52.02 feet; thence S10°42'30"E, 2.29 feet; thence S81°03'21"W, 13.40 feet; thence N86°22'53"W, 47.05 feet; thence S76°02'30"W, 46.90 feet; thence S29°46'34"W, 64.15 feet; thence S33°47'53"E, 96.87 feet; thence S82°20'11"E, 49.26 feet; thence S88°23'20"E, 64.05 feet; thence N54°57'01"E, 24.40 feet; thence S28°53'14"E, 80.82 feet; thence S16°37'24"E, 36.00 feet; thence S18°05'14"E, 88.14 feet; thence S27°58'25"E, 47.72 feet; thence S21°11'38"E, 54.65 feet; thence S07°51'25"E, 126.51 feet; thence S33°47'53"E, 65.41 feet; thence S56°12'07"W, 100.00 feet to the Northeast corner of Lot 1, LAKE NONA SOUTHEAST WATER TREATMENT PLANT, according to the plat thereof, as recorded in Plat Book 42, Page 17, of the Public Records of Orange County, Florida; thence S89°58'34"W along the North line of said Lot 1, 686.48 feet to the Northwest corner of said Lot 1, said point being on the East line of a 135.00-foot wide City of Orlando Power Line Easement, as described in Official Records Book 1838, Page 953, of the Public Records of Orange County,

Florida; thence N00°01'26"W along said East line, 5053.39 feet; thence N63°13'14"E, 134.65 feet; thence N21°38'19"W, 35.32 feet; thence N44°30'54"E, 70.21 feet; thence N40°18'03"E, 111.89 feet; thence N12°18'01"E, 52.72 feet; thence N57°12'23"E, 59.86 feet; thence N73°11'27"E, 74.54 feet; thence S86°20'47"E, 74.68 feet; thence S47°15'57"E, 49.23 feet; thence N89°34'17"E, 132.77 feet; thence S77°38'50"E, 103.42 feet; thence S60°49'04"E, 109.51 feet; thence N87°44'08"E, 157.73 feet; thence S65°57'42"E, 113.96 feet; thence N83°50'04"E, 130.40 feet; thence N27°47'05"E, 110.64 feet; thence N62°49'09"E, 56.85 feet; thence S84°45'12"E, 41.84 feet; thence S61°14'22"E, 67.43 feet; thence S88°07'52"E, 87.78 feet; thence S43°22'54"E, 50.67 feet; thence S55°01'06"E, 41.81 feet; thence S38°01'53"E, 40.79 feet; thence N68°11'27"E, 194.52 feet; thence N75°51'12"E, 46.73 feet to a point on a non-tangent curve concave Northerly having a radius of 200.00 feet and a chord bearing of N85°20'40"E; thence Easterly along the arc of said curve through a central angle of 93°49'53" for a distance of 327.53 feet to a non-tangent line; thence S44°53'01"E, 29.89 feet; thence S31°55'53"E, 159.10 feet; thence S83°13'39"E, 148.91 feet; thence S64°40'03"E, 158.67 feet; thence S82°25'46"E, 141.04 feet; thence N70°36'29"E, 96.05 feet; thence N85°58'17"E, 160.35 feet; thence S86°55'14"E, 139.86 feet; thence S78°08'47"E, 219.19 feet; thence S41°48'07"E, 260.91 feet; thence S01°16'54"E, 184.25 feet; thence S39°32'18"W, 66.17 feet; thence S06°19'18"W, 82.87 feet; thence S24°11'36"E, 90.76 feet; thence S05°33'32"E, 38.49 feet; thence S55°56'59"W, 89.41 feet; thence S47°59'59"W, 111.00 feet; thence N82°30'22"W, 165.77 feet; thence N13°08'32"W, 134.57 feet; thence N52°51'36"W, 87.74 feet; thence S85°07'42"W, 158.32 feet; thence S52°11'16"W, 102.55 feet; thence S68°28'39"W, 115.81 feet; thence S35°00'06"W, 133.12 feet; thence S38°44'07"W, 101.06 feet; thence S58°05'57"W, 450.47 feet; thence S41°00'37"W, 120.65 feet; thence S13°05'33"W, 59.61 feet; thence S23°25'42"E, 174.61 feet; thence S49°03'04"E, 142.95 feet; thence S28°56'13"E, 309.70 feet; thence S26°23'37"W, 337.02 feet; thence S22°34'58"W, 300.30 feet; thence S21°48'26"W, 141.77 feet; thence S35°12'20"W, 298.22 feet; thence S36°18'51"W, 348.75 feet; thence S14°39'55"W, 235.97 feet; thence S23°01'22"E, 84.58 feet; thence S36°37'55"E, 81.15 feet; thence S50°39'07"E, 65.15 feet; thence S70°18'32"E, 82.38 feet; thence N89°22'15"E, 139.61 feet; thence N63°54'37"E, 78.97 feet; thence N47°44'10"E, 77.87 feet; thence S86°45'51"E, 31.00 feet to a point on a non-tangent curve concave Southeasterly having a radius of 1520.00 feet and a chord bearing of N36°22'11"E; thence Northeasterly along the arc of said curve through a central angle of 06°28'38" for a distance of 171.83 feet to the point of tangency; thence N34°36'30"E, 1145.66 feet to the point of curvature of a curve concave Southeasterly having a radius of 870.00 feet and a chord bearing of N36°12'56"E; thence Northeasterly along the arc of said curve through a central angle of 03°12'53" for a distance of 48.81 feet to a non-tangent line; thence N13°42'24"E, 256.22 feet; thence N05°57'35"W, 108.97 feet; thence N07°59'37"E, 272.30 feet; thence N16°25'12"E, 64.52 feet; thence N09°20'03"W, 283.01 feet; thence N00°52'05"W, 66.62 feet; thence N89°07'55"E, 100.00 feet; thence S63°43'16"E, 68.70 feet; thence S85°52'24"E, 126.87 feet; thence N76°34'53"E, 140.62 feet; thence N23°17'41"E, 208.11 feet; thence S77°45'42"E, 83.01 feet; thence N69°57'00"E, 83.78 feet; thence N40°19'31"E, 82.70 feet; thence N21°10'10"E, 107.16 feet; thence N37°33'26"W, 85.81 feet; thence N15°19'31"W, 118.94 feet; thence N49°21'26"E, 61.42 feet; thence N07°05'52"E, 470.90 feet; thence N48°26'56"E, 185.13 feet; thence N80°08'14"E, 260.44 feet; thence N76°21'00"E, 246.13 feet; thence N86°47'15"E, 275.24 feet; thence N46°26'50"E, 69.86 feet; thence N22°34'45"E, 103.82 feet; thence N32°59'02"E, 136.98 feet; thence N67°20'56"E, 245.55 feet; thence N66°35'55"E, 267.13 feet; thence N45°09'09"E, 322.44 feet; thence N59°45'04"E, 110.34 feet; thence S37°47'37"E, 199.12

feet; thence N52°44'33"E, 87.86 feet; thence S56°25'40"E, 158.04 feet; thence S25°22'11"E, 131.37 feet; thence S15°11'34"E, 136.43 feet; thence S17°34'26"E, 113.52 feet; thence S08°00'57"W, 195.23 feet; thence S10°39'19"E, 208.48 feet; thence S25°45'07"E, 210.68 feet; thence S46°03'38"E, 174.46 feet; thence S23°45'41"E, 156.98 feet; thence S15°24'46"W, 92.36 feet; thence S25°12'34"E, 85.77 feet; thence S00°52'17"E, 44.54 feet; thence S05°38'46"W, 77.84 feet; thence S74°40'10"E, 151.42 feet; thence N69°12'17"E, 20.17 feet; thence S59°58'09"E, 232.96 feet; thence N86°20'25"E, 384.77 feet; thence S84°25'35"E, 183.78 feet; thence S55°24'23"E, 123.39 feet; thence S59°03'56"E, 151.03 feet; thence S31°28'41"E, 133.96 feet; thence S26°29'29"E, 180.12 feet; thence S36°43'51"E, 87.02 feet; thence S72°23'19"E, 119.51 feet; thence S63°42'37"E, 119.51 feet; thence S20°27'44"W, 5.98 feet to a point on a non-tangent curve concave Southwesterly having a radius of 620.00 feet and a chord bearing of S59°37'45"E; thence Southeasterly along the arc of said curve through a central angle of 19°49'02" for a distance of 214.44 feet to the point of tangency; thence S49°43'14"E, 502.24 feet; thence S84°42'40"E, 187.52 feet; thence S79°17'54"E, 189.90 feet; thence S87°25'32"E, 115.06 feet; thence N36°37'55"E, 194.27 feet; thence N53°42'26"E, 118.76 feet; thence N37°32'09"E, 233.11 feet; thence N56°13'17"E, 159.67 feet; thence S56°17'03"E, 56.03 feet; thence N38°13'49"E, 160.99 feet; thence N36°37'05"W, 32.81 feet; thence N14°38'45"E, 251.35 feet; thence N27°05'02"E, 76.44 feet; thence N51°32'47"E, 53.67 feet; thence N33°15'35"E, 89.25 feet; thence N01°12'58"W, 251.19 feet; thence N21°15'31"E, 84.28 feet; thence N41°59'40"E, 110.93 feet; thence N07°18'52"E, 85.01 feet; thence N00°20'47"W, 75.47 feet; thence N08°44'56"W, 145.99 feet; thence N12°58'09"E, 210.50 feet; thence N17°18'23"W, 104.75 feet; thence N52°34'34"W, 77.17 feet; thence N15°06'19"W, 142.65 feet; thence N35°47'54"E, 155.56 feet; thence N67°11'48"E, 486.96 feet; thence N57°03'43"E, 207.82 feet; thence N31°23'44"E, 151.49 feet; thence N18°02'10"E, 164.87 feet; thence N00°21'14"W, 191.43 feet; thence N10°25'09"W, 195.97 feet; thence N02°58'38"E, 136.88 feet; thence N73°43'16"E, 108.12 feet; thence S68°37'41"E, 272.48 feet; thence N87°14'23"E, 186.26 feet; thence N73°27'32"E, 185.70 feet; thence S89°24'11"E, 79.61 feet; thence S83°31'04"E, 108.57 feet; thence N67°26'06"E, 75.16 feet; thence N75°45'24"E, 20.85 feet; thence N87°39'06"E, 96.37 feet; thence S34°11'05"E, 47.82 feet; thence S62°33'07"E, 116.11 feet; thence S81°36'21"E, 61.68 feet; thence S72°55'50"E, 71.82 feet; thence S52°52'18"E, 98.18 feet; thence S38°02'41"E, 97.63 feet; thence S85°55'49"E, 182.98 feet to the Westerly right-of-way line of Narcoossee Road, as described in Official Records Book 5444, Page 2160, of the Public Records of Orange County, Florida; thence S06°40'31"W along said Westerly right-of-way line, 569.46 feet to the Northwestern right-of-way line of Orlando Utilities Commission Railroad Right-of-way (Parcel 8D and Parcel 8E), as described in Official Records Book 3491, Page 539, of the Public Records of Orange County, Florida; thence S65°22'41"W along said Northwestern right-of-way line, 293.36 feet to the point of curvature of a curve concave Southeasterly having a radius of 2000.00 feet and a chord bearing of S50°44'35"W; thence Southwesterly along the arc of said curve and along said Northwestern right-of-way line through a central angle of 29°16'11" for a distance of 1021.71 feet to the point of tangency; thence S36°06'30"W along said Northwestern right-of-way line, 5507.14 feet; thence N49°15'29"W, 192.54 feet; thence N69°40'26"W, 255.92 feet; thence N41°28'20"W, 141.24 feet; thence N62°58'09"W, 135.28 feet; thence N70°35'19"W, 216.06 feet; thence S83°55'51"W, 194.02 feet; thence N71°07'46"W, 134.22 feet; thence N62°38'01"W, 542.65 feet; thence S87°28'53"W, 460.64 feet; thence S57°08'58"W, 220.38 feet; thence S45°18'12"W, 198.91 feet; thence S25°52'37"W, 497.37 feet; thence S02°51'45"W, 153.09 feet; thence S11°18'36"E, 124.89 feet; thence S03°46'35"W, 152.57 feet; thence

S13°04'37"E, 83.30 feet; thence S02°09'32"E, 130.98 feet; thence S24°11'36"E, 144.66 feet; thence S15°01'19"E, 207.79 feet; thence S10°45'15"W, 729.31 feet to the aforesaid Northerly right-of-way line of Orlando Utilities Commission Railroad Right-of-way, as described in Official Records Book 3494, Page 2564; thence S66°42'21"W along said Northerly right-of-way line, 2827.80 feet to the POINT OF BEGINNING.

Containing 1087.345 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT 7

City of Orlando Future Land Use Map



LEGEND

- MYRTLE CREEK IMPROVMENT DISTRICT**
CITY OF ORLANDO FUTURE LAND USE
- AIR-HIGH
 - CONSERV
 - CONSERV/RES-PRO
 - INDUST
 - MET-AC
 - MU-ND
 - MU-ND/RES-PRO
 - MU-ND/TWH
 - PUB-REC-INST
 - RES-LOW
 - URB-VIL
 - URB-VIL/RES-PRO
 - URBAN-RESERVE

NOTE: THIS MAP IS NOT A SURVEY. IT IS INTENDED TO BE USED FOR PLANNING ACTIVITY FOR THE ABOVE-NAMED PROJECT ONLY. THE BASE MAP (AQUA VINE) AND DATA WERE OBTAINED IN DIGITAL FORMAT FROM THE CITY OF ORLANDO PLANNING DIVISION.

EXHIBIT 8

EXHIBIT 8

**MYRTLE CREEK COMMUNITY DEVELOPMENT DISTRICT
SUMMARY OF INFRASTRUCTURE COST ESTIMATES
FOR EXPANSION PARCELS**

<u>COMPONENT</u>	<u>COST</u>
Roadway & Stormwater Improvements	\$5,180,000
Utilities	\$1,800,000
Electric/Lighting	\$725,000
Landscape and Irrigation	\$1,835,000
Contingency Plans, Permits and Professional Fees	\$1,430,000

EXHIBIT 9

STATEMENT OF ESTIMATED REGULATORY COSTS FOR PROPOSED BOUNDARY AMENDMENTS

MYRTLE CREEK IMPROVEMENT DISTRICT

Updated November 22, 2005

Prepared for

**The Board of Supervisors
Myrtle Creek Improvement District**

Prepared by

**Fishkind & Associates, Inc.
11869 High Tech Avenue
Orlando, Florida 32817
407-382-3256**

STATEMENT OF ESTIMATED REGULATORY COSTS
Myrtle Creek Improvement District

1.0 Introduction

1.1 Purpose and Scope

The Myrtle Creek Improvement District ("District" or "Myrtle Creek") will provide this statement of estimated regulatory costs ("SERC") to support the petition to alter the boundaries of the existing District. The District was established by the City of Orlando via Ordinance Number 011126705. The District currently comprises approximately 734.001 acres of land on which the Lake Nona Land Development Company ("Developer") plans to develop a portion of its Lake Nona project ("Development").

The Developer has recently revised the land use plan for the Development. As part of the updating of the development program for Lake Nona, the Developer desires to alter the boundaries of the District to accommodate the updated plan. As a result of the revision, land will be added to the District (the "Expansion Parcels"). Table 1 summarizes the proposed changes to the boundaries of the District. The Developer proposes to transfer land to the Myrtle Creek Improvement District from another District that serves the Development, the Boggy Creek Improvement District. In addition, a smaller amount of land not currently in any District would be included within the revised boundaries of the Myrtle Creek Improvement District. The net result would be a District consisting of 1087.345 acres.

**Table 1. Summary of Proposed Land Use Changes for the
Myrtle Creek Improvement District**

Current Acreage	734.001
<u>Expansion Parcels</u>	
Added from Boggy Creek Improvement District	275.772
Added from lands not in any District	77.572
	=====
Subtotal Additions	353.344
	=====
Net Area	1087.345

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. (governing District formation or alteration) as follows:

"That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the

service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of the Myrtle Creek Improvement District

The District provides community infrastructure, services, and facilities along with their operations and maintenance, to a portion of the Development. The land marked for development is currently planned for the land uses shown in Table 2. The balance of the land within the District will be used for roadways, storm drainage, amenities, and open spaces. These are preliminary plans and are subject to change.

**Table 2. Myrtle Creek Improvement District
Planned Land Uses**

<u>Category</u>	<u>Acreage</u>	<u>Volume</u>	<u>Units</u>
Retail	30.4	145,800	sq.ft.
Golf	160.7	18	holes
Hotel	12.5	250	rooms
Single-Family	702.3	1,621	units
Multiple-Family	98.3	1,114	units
School	16.2	940	students

Source: Developer

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (2004), defines the elements a statement of estimated regulatory costs must contain:

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

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

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

(d) An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S. Orlando is not defined as a small city for purposes of this requirement.

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

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

The Myrtle Creek Improvement District was established pursuant to an ordinance passed by the City of Orlando ("City"). As the proposed boundary amendments shall also be approved pursuant to City ordinance, the term "ordinance" shall hereinafter be treated as the equivalent of the term "rule" as used in Section 120.541(2), F.S. above.

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

The proposed ordinance would alter the boundaries of the existing District. As noted in Table 1, the District would expand by 353.344 acres. The majority of these acres, some 275.772 acres, will be transferred from the Boggy Creek Improvement District. Similarly, the District proposes to expand to include 77.572 acres of land not currently included in any District. To the extent that these additional parcels receive benefits from the District's CIP, they will be allocated their pro rata share of the entire District debt. An estimate of the capital costs for the proposed 353.344 acre addition to Myrtle Creek is provided at Table 4 below.

All of the ultimate property owners in the District will be required to comply with District rules and their properties will be encumbered with District obligations to pay for infrastructure and operations and maintenance expenses incurred by the District. Naturally, undeveloped land within the District that is owned either by the Developer or another entity will also be under the jurisdiction of the District and subject to the same rules and obligations.

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

3.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

State Governmental Entities

The cost to State entities to review or enforce the proposed ordinance will be very modest. Since the District was formed by the City of Orlando, the City is the reviewing agency for the petition.

There are no additional ongoing costs to various State entities to implement and enforce the proposed ordinance. The District already exists and is in good standing with the State.

City of Orlando

The City of Orlando ("City") is the reviewing agency for the petition. In addition, the City will hold a public hearing to discuss the proposed ordinance and to take public input. These activities will absorb the time of the City staff and perhaps the City Commission. However, these costs are very modest at most for the following reasons. First, as noted above, the review of this petition to modify the boundaries of the District does not include an analysis of the Development itself. Second, the petition contains all of the information necessary for its review. Third, the City already has all of the staff necessary to review the petition. Fourth, no capital costs are involved in the review. Fifth, the City routinely processes similar petitions for land use and zoning changes that are far more complicated than this petition to alter the boundaries of an existing District. Finally, the filing fee will offset these costs. The City will also not incur any additional annual costs if this petition is approved.

Boggy Creek Improvement District, Greeneway Improvement District, and Myrtle Creek Improvement District

The costs of petitioning for the boundary amendments to the Boggy Creek Improvement District, the Myrtle Creek Improvement District, and the Greeneway Improvement District will be paid entirely by the Lake Nona Land Company, LLC pursuant to funding agreements with the Districts.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on State or local revenues. The District already exists. It is an independent unit of local government. It is designed to provide community facilities and services to serve the Development. It has its own sources of revenue. No State or local subsidies are required or expected.

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

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

The District plans to provide various community facilities and services to the property in the District, as outlined in Table 3. The District plans to fund the public road construction, storm water management improvements, water and sewer utilities, and landscaping and signage for the community. Many of these improvements will be dedicated to the City and operated and maintained by the City as summarized in Table 3.

Table 3. Facilities and Services

FACILITY	FUNDED BY	O&M BY	OWNERSHIP
Public Roads	District	City	City
Storm Water Management	District	City/District	City
Water and Sewer Utilities	District	City	City
Landscape, Streetscape, Signage	District	City/District	City/District

The petitioner has estimated the costs for providing the capital facilities outlined in Table 3 to the proposed additional acres, and these are shown in Table 4 below. To fund this construction program and, likewise, the program for all of Myrtle Creek, the District may issue special assessment or other revenue bonds. These would be repaid through non-ad valorem assessments levied on all properties within the District that benefit from the District's capital improvement program as outlined in Table 3.

Table 4. Summary of Estimated Capital Costs for the Proposed 353.344 Acre Addition to the Myrtle Creek Improvement District

<u>Category</u>	<u>Amount</u>	<u>Start/Complete</u>
Roadways & Storm Water Improvements	\$5,180,000	2005/2020
Utilities	\$1,300,000	2005/2020
Electric & Lighting	\$725,000	2005/2020
Landscape & Irrigation	\$1,835,000	2005/2020
Contingency & Soft Costs	\$1,430,000	
	=====	
Total	\$10,470,000	

Table 4's figures represent the estimated capital improvement costs for the proposed 353.344 acre addition to the Myrtle Creek Improvement District. The estimated cost of improvements allocable to the additional acreage is \$10,470,000. To fund these capital improvements and the improvements for the entire District, the District may issue special assessment or other revenue bonds. In addition to funding construction, the proceeds of these bonds will provide for capitalized interest, a debt service reserve, and payments for the trustee, financial advisor, District counsel, bond counsel, and other costs associated with issuing the District's bonds. Future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Table 4 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for Developer-provided infrastructure and facilities. Along these same lines, District-imposed assessments for operations and maintenance costs are similar to what would be charged in any event by a property owner's association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the costs and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides.

The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

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

There will be no impact on small businesses because of the proposed modifications to the District's boundaries. If anything, the impact may be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

The Development is located in the City of Orlando. As of the latest Census date, the 2000 Census, the City has a population of more than 10,000. Therefore, the District is not located in a City defined as "small" according to Section 120.52, F.S.

6.0 Any additional useful information.

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

Finally, it is useful to reflect upon the question of whether a District and the structure it provides is the best method to provide community facilities and services to the land proposed to be included within the District. Alternatives to community development districts such as Myrtle Creek include dependent special districts, such as an MSBU or a special taxing district under Chapter 170, F.S. Either of these alternatives could finance the improvements contemplated in Table 3 in a fashion similar to the District.

However, each of these alternatives is inferior to the District. Unlike the District, the alternatives would require the City to continue to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. In addition, administering a project of the size and scale contemplated herein would make little sense for the City.

The District also is preferable from a government accountability perspective. With a District such as the Myrtle Creek Improvement District, residents and renters in the District will have a focused unit of government under their direct control. The District can then be more responsive to resident needs without disrupting other City responsibilities.

Another alternative to the District would be for the Developer to provide the infrastructure and to use a property owners association ("POA") for operations and maintenance of community facilities and services. The District is superior to a POA for a variety of reasons. First, unlike a POA the District can impose and collect its assessments along with other property taxes. Therefore, the District is

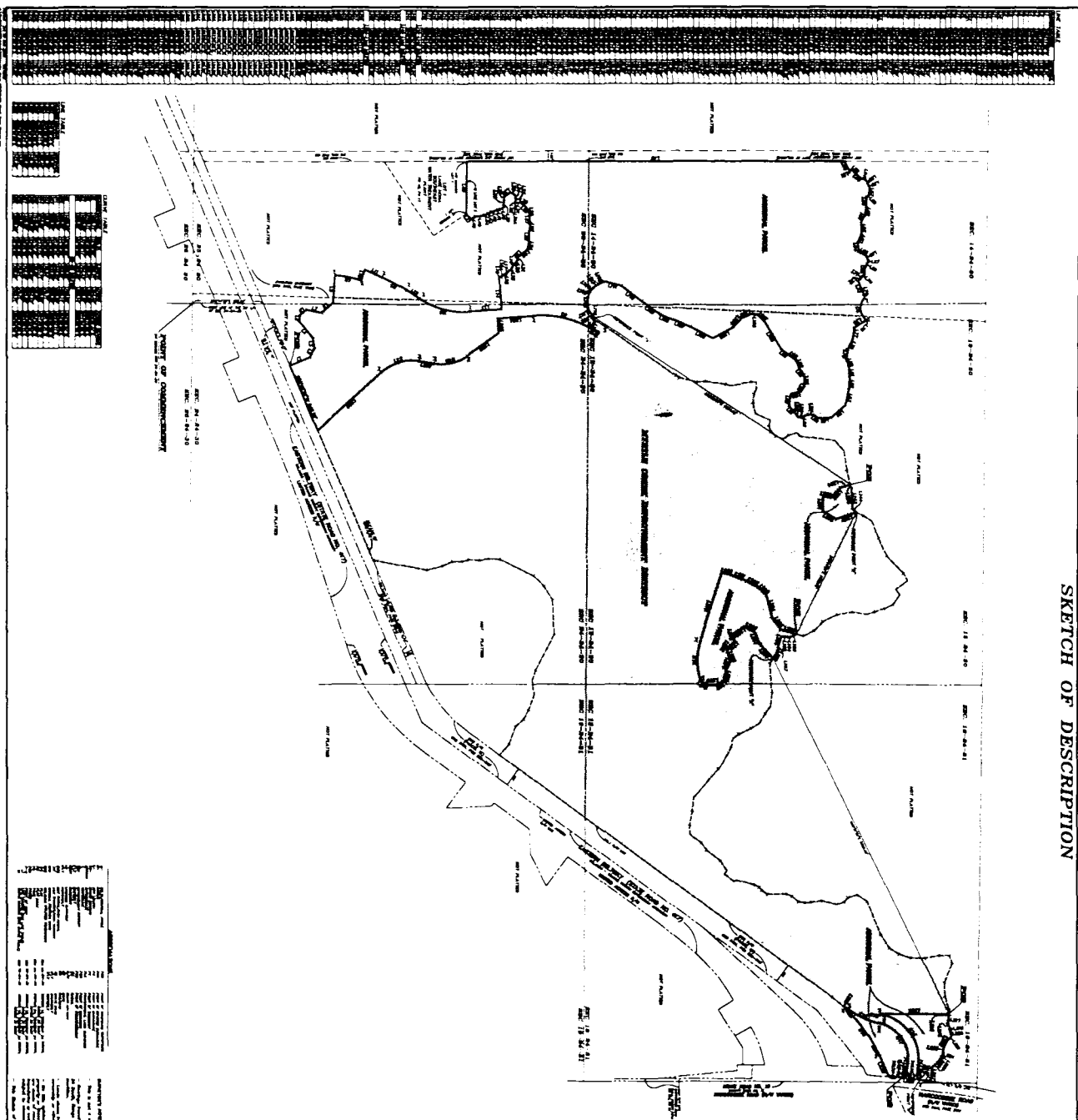
far more assured of obtaining its needed funds than is a POA. Second, the District is a unit of local government. Therefore, unlike the POA the District must abide by all rules and regulations applicable to local government.

Fishkind & Associates certifies that this SERC meets the requirements for a SERC as set out in Chapter 120.541, F.S.

We have developed over 25 SERCs. Below is a listing of some of these.

- Urban Orlando Community Development District
- Marshall Creek Community Development District
- Cedar Hammock Community Development District
- Meditera Community Development District
- Brooks Community Development District
- Pelican Marsh Community Development District
- Pelican Landing Community Development District
- Fiddler's Creek Community Development District 1

SKETCH OF DESCRIPTION

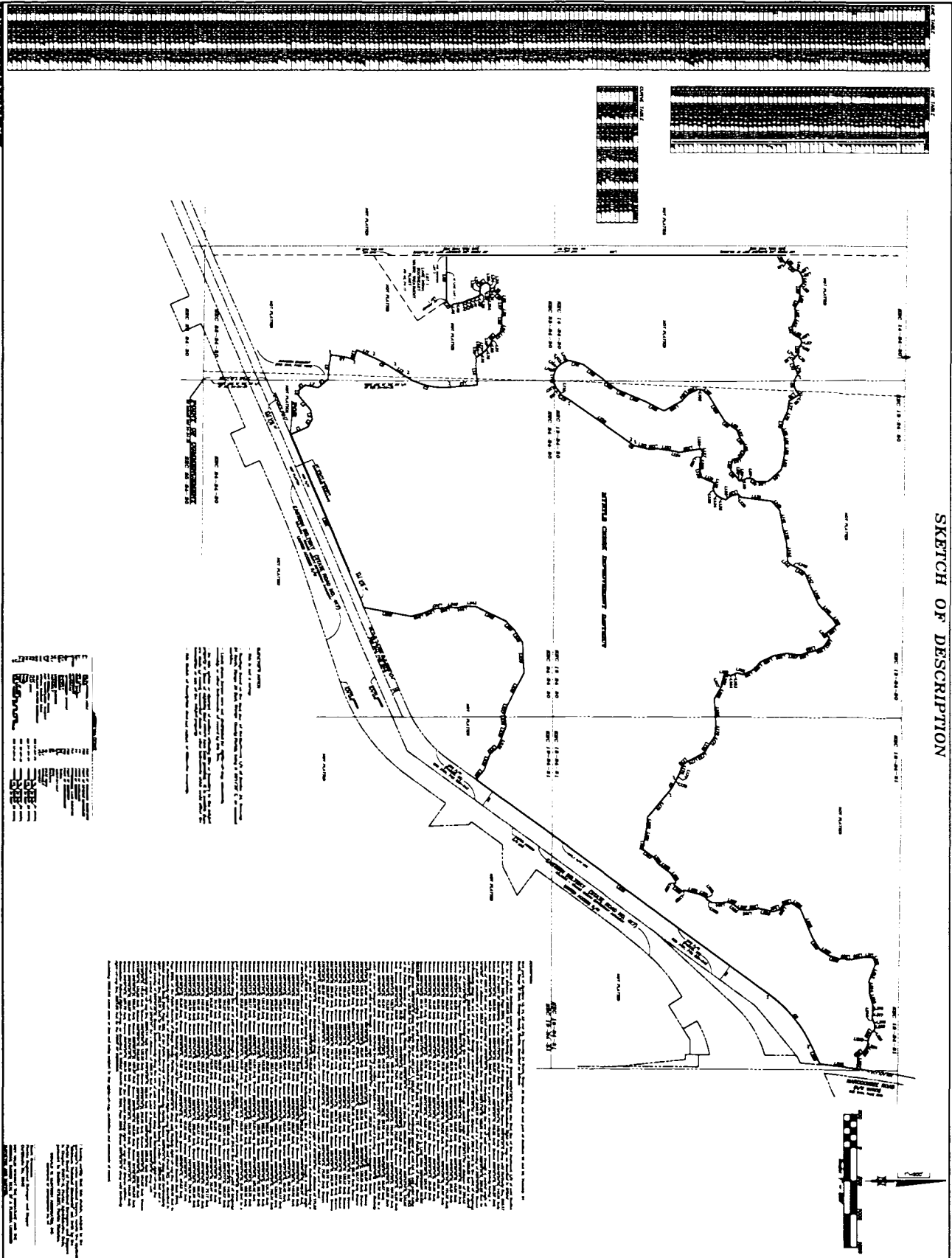


NO.	DESCRIPTION	ACRES	REMARKS
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

...

DONALD W. MCINTOSH ASSOCIATES, INC. ENGINEERS PLANNERS SURVEYORS 2305 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 844-4000 MICHELLE S. JACKSON, JR., P.E.		PREPARED FOR: MYRTLE CREEK IMPROVEMENT DISTRICT		DATE: 10/1/00	
DRAWN BY: J.A. SCALE: AS SHOWN	FIELD NOTES: J.A.	CHECKED BY: J.A.	DATE: 10/1/00	APPROVED BY: J.A.	DATE: 10/1/00

SKETCH OF DESCRIPTION



NO.	DESCRIPTION	DATE	BY	CHECKED
1	Surveyed			
2	Plotted			
3	Checked			
4	Approved			
5	Final			

DRAWING CRY 60-486(A) MYRTLE CREEK DISTRICT		PREPARED FOR MYRTLE CREEK IMPROVEMENT DISTRICT		DONALD W. MONTOSH ASSOCIATES, INC. ENGINEERS 2200 PARK AVENUE NORTH, SUITE 200, FLORIDA 32709 (407) 544-4000 SURVEYORS LICENSE NO. 123456789		SCALE 1" = 100'	
SHEET NO. 1 OF 1	DATE 11/15/00	DRAWN BY J.A.	CHECKED BY J.A.	IN CHARGE J.A.	PROJECT NO. 00-000	DESCRIPTION MYRTLE CREEK	SHEET NO. 1 OF 1