

**PETITION TO DISSOLVE THE
TUSCANY COMMUNITY
DEVELOPMENT DISTRICT**

Submitted By:

**Brian A. Crumbaker, Esq.
Florida Bar No. 0167819
Tucker F. Mackie, Esq.
Florida Bar No. 0041023
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301
(850) 222-7500**

Attorneys for Petitioner

BEFORE THE FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

**PETITION TO DISSOLVE THE TUSCANY
COMMUNITY DEVELOPMENT DISTRICT**

COMES NOW Petitioner, Tuscan Community Development District, (hereafter "Petitioner" or "District"), and hereby petitions the Florida Land and Water Adjudicatory Commission ("Commission"), pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, *Florida Statutes*, to repeal Rule 42GG-1, Florida Administrative Code, and dissolve the District. In support of this Petition, Petitioner states:

1. Establishment. The District was established by Rule 42GG-1, Florida Administrative Code, effective June 18, 2003, and is approximately 1,710.93 acres in size (Rule 42GG-1, Florida Administrative Code, was effectively amended March 9, 2008, amending the boundary of the District) and is located entirely within the unincorporated boundaries of Citrus County, Florida. Affidavit of George Flint in Support of Petition to Dissolve Tuscan Community Development District (hereafter, "Aff. Flint" or "Flint Affidavit"), at ¶ 5, attached hereto as Exhibit A. A location map, and a metes and bounds description of the existing boundaries of the District, are attached as Attachment 1 to the Flint Affidavit.

2. Authority. Section 190.046(9) of the Florida Statutes provides that:

"If a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon the petition of the district, the district may be dissolved by a nonemergency ordinance of the general-purpose local governmental entity that established the district or, if the district was established by rule of the Florida Land and Water Adjudicatory Commission, the district may be dissolved by repeal of such rule of the commission."

3. Here, the District does not presently have any outstanding financial obligations, and does not have any operating or maintenance responsibilities. Aff. Flint ¶ 6. For example, the District does not presently own any real property or infrastructure improvements; the District

has never issued bonds, notes or other debt instruments; and the District has never levied debt service special assessments levied against the assessable real property located within the District. Id. ¶ 6. Further, as an organizational matter, the District does not anticipate providing any future planned community development district services or improvements, or providing any financing for the same. Id. ¶ 6.

4. Instead, any remaining expenses associated with this dissolution or the continued administrative operation of the District during the pendency of this dissolution are being funded under an agreement between the District and Beverly Hills Development Corporation (“Developer”), the majority landowner within the District. Id. ¶ 7. As such, all outstanding obligations have been paid. Id. ¶ 7.

5. Accordingly, on November 22, 2011, the District’s Board of Supervisors, during a duly noticed public meeting, adopted Resolution 2012-01, which among other things authorized a Plan of Dissolution that allows for the orderly dissolution of the District, and which directed the District Manager and District Counsel to submit Resolution 2012-01 and this Petition to the Commission. Id. ¶ 8. A copy of the notice of the November 22, 2011 public meeting, together with a copy of the draft minutes from the public meeting, is attached as Attachment 2 to the Flint Affidavit, a copy of Resolution 2012-01 is attached as Attachment 3 to the Flint Affidavit, and a copy of the Plan of Dissolution is attached as Exhibit A to Resolution 2012-01.

6. As part of Resolution 2012-01, the District’s Board of Supervisors determined that it is in the best interest of the District and the owners of the lands located within the District that the District be dissolved. Aff. Flint ¶ 9. The Board further found that any future planned community development services to be provided to the lands within the District may be provided by and through the Developer, a community association or other means in a manner as efficiently

as the District; at a level of quality equal to the level of quality to be delivered to the users of those services by the District; and at an annual cost that would be equal to or lower than the annual assessment amount that could be levied by the District. Id. ¶ 9. Additionally, the dissolution of the District will have no negative or adverse impacts on any of the landowners within the District, or any third parties. Id. ¶ 9. Petitioner has obtained written consent from the owners of one hundred percent (100%) of the real property located within the District, as evidenced by Attachment 4 to the Flint Affidavit. The proposed rule repeal dissolving the District will not have an adverse impact on small business, and is not likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within one (1) year after the implementation of the rule. Id. ¶ 9. Finally, the District has complied with all conditions precedent of the Plan of Dissolution as evidenced by this Petition and the exhibits attached hereto. Id. ¶ 9.

7. Supervisors. The current members of the District's Board of Supervisors are:

- a. Taylor V. Collins
314 Clematis Street, Suite 201
West Palm Beach, Florida 33401
- b. Dale R. Miller
670 W. Colbert Court
Beverly Hills, Florida 34465
- c. Jim Cassia
4801 N. Forest Ridge Boulevard
Beverly Hills, Florida 34465
- d. Betty Muscara Ferris
11402 Dolphin Lane
North Palm Beach, Florida 33408
- e. Vacant Seat

Id. ¶ 10. Each of the above named Supervisors will continue to serve until such time as the District is dissolved by Rule of the Commission or until any successors may be elected or appointed.

8. Official District Records. Upon repeal of Rule 42GG-1, and pursuant to the Plan of Dissolution, the District will cause all official records of the District to be transferred to the Florida Secretary of State in accordance with Florida public records laws.

9. Notice of Dissolution. Upon repeal of Rule 42GG-1, and pursuant to the Plan of Dissolution, the District will cause notice of repeal of Rule 42GG-1 to be transmitted to the Florida Department of Economic Opportunity, and will further cause to be recorded in the Official Records of Citrus County, Florida, a Notice of Dissolution in the form attached to the Plan of Dissolution.

10. District's Representative. Pursuant to Resolution 2012-01 of the District, Hopping Green & Sams, P.A., as District Counsel, has been authorized to represent the District with respect to this Petition. Copies of all correspondence and official notices should be sent to:

Brian A. Crumbaker, Esq. and
Tucker F. Mackie, Esq.
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, FL 32301


[THIS SPACE INTENTIONALLY LEFT BLANK]

WHEREFORE, because the District has no outstanding financial obligations and no operating or maintenance responsibilities and accordingly has met the requirements for dissolution as provided in Section 190.046(9), *Florida Statutes* (2011), and for the other reasons herein stated, Petitioner respectfully requests the Florida Land and Water Adjudicatory Commission to:

- a. consider this Petition and provide for notice of proposed rule repeal and schedule a public hearing thereon, if requested, in accordance with the requirements of Chapter 120, *Florida Statutes*;
- b. grant the Petition and repeal Rule 42GG-1 establishing the District pursuant to Section 190.046(9), *Florida Statutes*; and
- c. grant such other relief as appropriate.

RESPECTFULLY SUBMITTED, this 9th day of September, 2012.

HOPPING GREEN & SAMS, P.A.



Brian A. Crumbaker, Esq.

Florida Bar No. 0167819

Tucker F. Mackie, Esq.

Florida Bar No. 0041023

Hopping Green & Sams, P.A.

119 South Monroe Street, Suite 300

Tallahassee, Florida 32301

(850) 222-7500

Attorneys for Petitioner

A

.....

W

04

12

BEFORE THE FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

IN RE: PETITION TO DISSOLVE THE TUSCANY)
COMMUNITY DEVELOPMENT DISTRICT)
_____)

AFFIDAVIT OF GEORGE FLINT
IN SUPPORT OF PETITION TO DISSOLVE THE TUSCANY
COMMUNITY DEVELOPMENT DISTRICT

STATE OF FLORIDA
COUNTY OF ORANGE

I, George Flint, District Manager and Secretary of the Board of Supervisors of the Tuscany Community Development District, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is George Flint and I am the District Manager, Financial Consultant and Secretary of the Tuscany Community Development District ("District").
3. Pursuant to Resolution 2012-01 of the District's Board of Supervisors ("Board"), I am authorized to act on behalf of the Board to take all action necessary in relation to the Petition to Dissolve the Tuscany Community Development District ("Petition").
4. In my capacity as District Manager, Financial Consultant and Secretary, I have reviewed the contents of the Petition, and its exhibits, and find it to be true and correct.
5. The District was established by Rule 42GG-1, Florida Administrative Code, effective June 18, 2003, and is approximately 1,710.93 acres in size (Rule 42GG-1 was effectively amended March 9, 2008, amending the boundary of District) and is located entirely within the unincorporated boundaries of Citrus County, Florida. A location map, and a metes

and bounds description of the existing boundaries of the District, are attached hereto as **Attachment 1**.

6. The District does not presently have any outstanding financial obligations, and does not have any operating or maintenance responsibilities. For example, the District does not presently own any real property or infrastructure improvements; the District never issued bonds, notes or other debt instruments; and the District never levied debt service special assessments levied against the assessable real property located within the District. Further, as an organizational matter, the District does not anticipate providing any future planned community development district services or improvements, or providing any financing for the same.

7. Instead, any remaining expenses associated with this dissolution or the continued administrative operation of the District during the pendency of this dissolution are being funded under an agreement between the District and Beverly Hills Development Corporation (“Developer”), the majority landowner within the District. As such, all outstanding obligations have been paid.

8. Accordingly, on November 22, 2011, the District’s Board of Supervisors, during a duly noticed public meeting, adopted Resolution 2012-01, which among other things authorized a Plan of Dissolution that allows for the orderly dissolution of the District, and which directed the District Manager and District Counsel to submit Resolution 2012-01 and this Petition to the Commission. A copy of the notice of the November 22, 2011 public meeting, together with a copy of the draft minutes of the public meeting, is attached hereto as **Attachment 2**, a copy of Resolution 2012-01 is attached hereto as **Attachment 3**, and a copy of the Plan of Dissolution is attached as Exhibit A to Resolution 2012-01.

9. As part of Resolution 2012-01, the District's Board of Supervisors determined that it is in the best interest of the District and the owners of the lands located within the District that the District be dissolved. The Board further found that any future planned community development services to be provided to the lands within the District may be provided by and through the Developer, a community association or other means in a manner as efficiently as the District; at a level of quality equal to the level of quality to be delivered to the users of those services by the District; and at an annual cost that would be equal to or lower than the annual assessment amount that could be levied by the District. Additionally, the dissolution of the District will have no negative or adverse impacts on any of the landowners within the District, or any third parties. The District has obtained written consent from the owners of one hundred percent (100%) of the real property located within the District, as evidenced by **Attachment 4** hereto. The proposed rule repeal dissolving the District will not have an adverse impact on small business, and is not likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the rule. Finally, the District has complied with all conditions precedent of the Plan of Dissolution as evidenced by this Petition and the exhibits attached hereto.

10. The current members of the District's Board of Supervisors are:


- a. Taylor V. Collins
314 Clematis Street, Suite 201
West Palm Beach, Florida 33401
- b. Dale R. Miller
670 W. Colbert Court
Beverly Hills, Florida 34465
- c. Jim Cassia
4801 N. Forest Ridge Boulevard
Beverly Hills, Florida 34465

d. Betty Muscara Ferris
11402 Dolphin Lane
North Palm Beach, Florida 33408

e. Vacant Seat

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.


Executed this 22nd day of August, 2012.


George Flint

STATE OF FLORIDA)
COUNTY OF ORANGE)

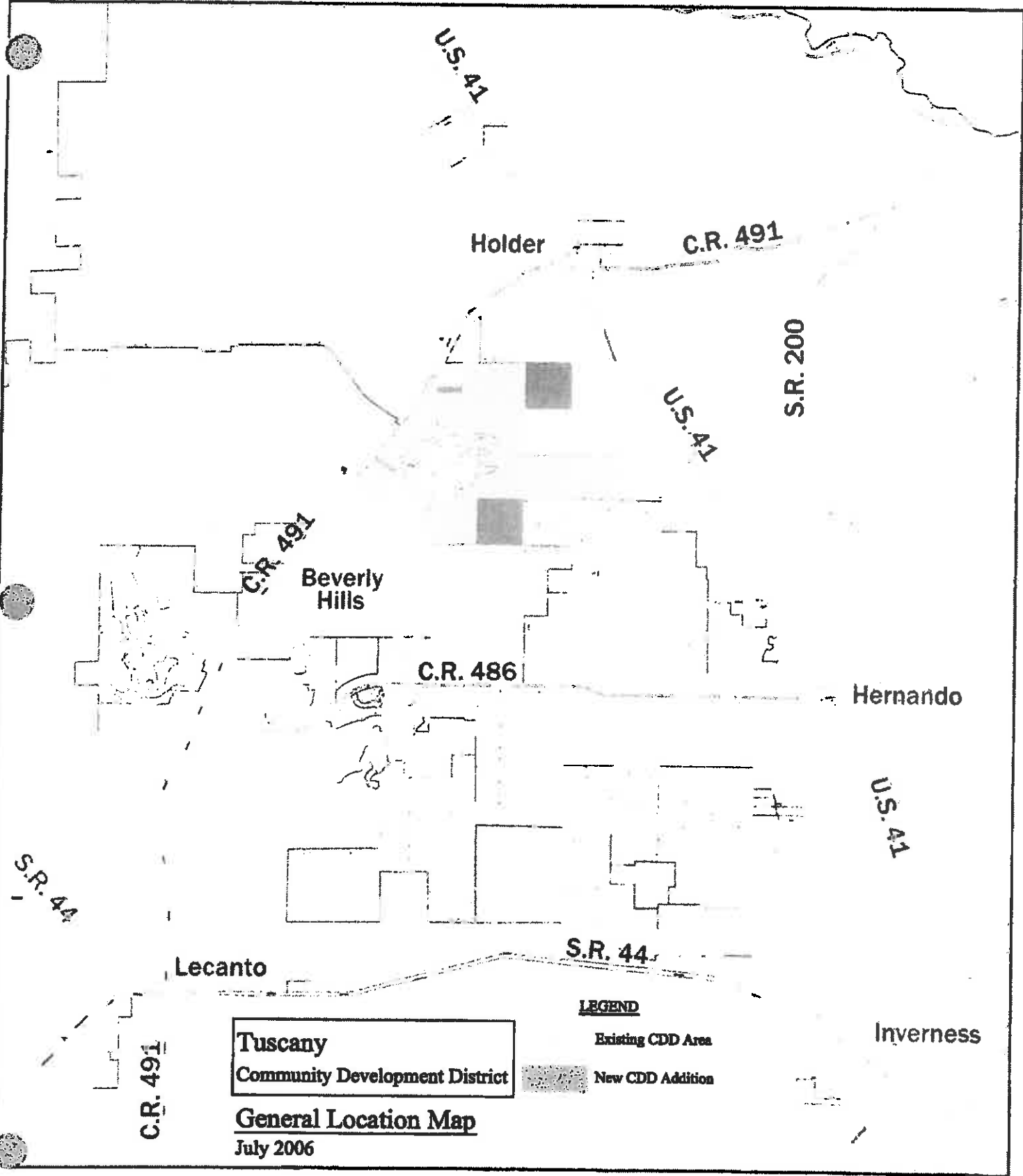
SWORN TO and SUBSCRIBED before me by the Affiant, on this 22nd day of August, 2012.




Signature of Notary Public
Stacie M. Vanderbilt
Name of Notary Public
(Typed, Printed or Stamped)

Personally Known OR Produced Identification _____
Type of Identification Produced: _____

ATTACHMENT I



Tuscany
Community Development District

LEGEND
 Existing CDD Area
 New CDD Addition

General Location Map
 July 2006

42GG-1.002 Boundary.

The boundaries of the district are as follows:

Commence at the most Northerly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, said point being on the Southeasterly right-of-way line of County Road No. 491 and being 50 feet from measured at right angles to, the centerline of said County Road No. 491, thence S. 51° 02' 53" E. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 400 feet to the POINT OF BEGINNING, thence N. 38° 56' 39" E. parallel to and 400 feet from, said Southeasterly right-of-way line, a distance of 4347.25 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13° 52' 45" and a radius of 6167.33 feet, thence Northeasterly along the arc of said curve, a distance of 1493.96 feet to the P.T. of said curve, thence N. 25° 03' 54" E. parallel to and 400 feet from, said Southeasterly right-of-way line a distance of 1734.33 feet to a point on the boundary of lands described in Deed recorded in Official Record, Book 385, page 466, public records of Citrus County, Florida, thence S. 1° 39' 30" E. along said boundary a distance of 836.98 feet to the SW Corner of said lands, thence N. 88° 20' 30" E. along the South line of said lands, a distance of 1377.72 feet to the SE Corner of said lands, thence N. 1° 39' 30" W. along the East line of said lands, a distance of 1200 feet to the NE Corner of said lands, thence S. 88° 20' 30" W. along the North line of said lands, a distance of 1306.83 feet to the SE Corner of lands described in Deed recorded in Official Record, Book 538, page 632, of said records, thence N. 25° 03' 54" E. along the East line of said lands, a distance of 190.26 feet to the NE Corner of said lands, said point being on the South line of lands described in Deed recorded in Official Record, Book 423, page 128, of said records, thence N. 88° 20' 30" E. along said South line a distance of 346.97 feet to the SE Corner of said lands, thence N. 1° 39' 30" W. along the East line of said lands a distance of 330.02 feet to the NE Corner of said lands, said point also being on the North line of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST, thence N. 88° 20' 30" E. along said North line a distance of 1869.43 feet to the NE Corner of said Section 1, said point also being the NW Corner of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST, thence N. 89° 28' 20" E. along the North line of said Section 6, a distance of 2636.38 feet to the NW Corner of the NE 1/4 of said Section 6, thence N. 89° 53' 45" E. along the North line of said Section 6, a distance of 2645.54 feet to the NE Corner of said Section 6, thence S. 0° 12' 24" E. along the East line of said Section 6, a distance of 1328.53 feet to the SE Corner of the N 1/2 of NE 1/4 of said Section 6, thence S. 89° 53' 40" W. along the South line of said N 1/2 of NE 1/4, a distance of 2646.85 feet to the SW Corner of said N 1/2 of the NE 1/4, thence S. 0° 09' E. along the East line of the NW 1/4 of said Section 6, a distance of 1328.59 feet to the NE Corner of the SW 1/4 of said Section 6, thence S. 0° 03' 50" E. along the East line of said SW 1/4 a distance of 2648.43 feet to the SE Corner of said SW 1/4, said point also being the NE Corner of the NW 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, thence S. 0° 07' 56" E. along the East line of said NW 1/4 a distance of 2648.76 feet to the SE Corner of said NW 1/4, thence N. 89° 42' 40" W. along the South line of said NW 1/4, a distance of 2641.84 feet to the SW Corner of said NW 1/4, said point also being the SE Corner of the NE 1/4 of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, thence S. 89° 23' 09" W. along the South line of said NE 1/4 a distance of 1315.58 feet to the NE Corner of the W 1/2 of SE 1/4 of said Section 12, thence S. 0° 09' 37" W. along the East line of said W 1/2 of SE 1/4, a distance of 2636.62 feet to the SE Corner of said W 1/2 of SE 1/4, thence S. 89° 28' 48" W. along the South line of said Section 12, a distance of 1302.33 feet, thence N. 2° 06' 48" W. a distance of 170 feet, thence S. 89° 28' 48" W. parallel to said South line, a distance of 690.91 feet to a point on a curve, concaved Westerly, having a central angle of 90° and a radius of 280 feet, thence Northwesterly along the arc of said curve a distance of 246.92 feet to the P.T. of said curve (chord bearing and distance between said points being N. 25° 46' 44" W. 238.99 feet), thence N. 51° 02' 31" W. a distance of 2102.26 feet, thence N. 59° 40' 08" W. a distance of 200 feet to the most Easterly Corner of lands described in Deed recorded in Official Record, Book 196, page 218, of said records, thence N. 51° 02' 31" W. along the Northeasterly line of said lands, a distance of 449.63 feet to the most Northerly corner of said lands, said point being on the Southeasterly line of BEVERLY HILLS, UNIT NO. 3, according to the map or plat thereof recorded in Plat Book 4, page 123, public records of Citrus County, Florida, thence N. 38° 58' 52" E. along the Southeasterly line of said BEVERLY HILLS, UNIT NO. 3, and along the Southeasterly line of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, a distance of 399.96 feet to the most Easterly corner of said BEVERLY HILLS, UNIT 3A, thence N. 51° 02' 53" W. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 1649.50 feet to the Point of Beginning.

AND

Begin at the most Northerly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5,

page 1, public records of Citrus County, Florida, said point being on the Southeasterly right-of-way line of County Road No. 491, and being 50 feet from, measured at right angles to, the centerline of said County Road No. 491, thence N. 38° 56' 39" E. along said Southeasterly right-of-way line a distance of 4347.20 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13° 52' 45" and a radius of 5767.33 feet, thence Northeasterly along the arc of said curve a distance of 1397.06 feet to the P.T. of said curve, thence N. 25° 03' 54" E. along said right-of-way line a distance of 1639.31 feet to the most Westerly Corner of lands described in Deed recorded in Official Record, Book 385, page 466, public records of Citrus County, Florida, thence N. 88° 20' 30" E. along the boundary of said lands a distance of 400 feet, thence S. 1° 39' 30" E. along the boundary of said lands a distance of 95.00 feet to a point that is 400 feet from, measured at right angles to, the Southeasterly right-of-way line of said County Road No. 491, thence S. 25° 03' 54" W., parallel to said right-of-way line, a distance of 1734.33 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13° 52' 45" and a radius of 6167.33 feet, thence Southwesterly along the arc of said curve a distance of 1493.96 feet to the P.T. of said curve, thence S. 38° 56' 39" W., parallel to and 400 feet from, said right-of-way line, a distance of 4347.25 feet to a point on the Northeasterly line of said BEVERLY HILLS, UNIT 3A, thence N. 51° 02' 53" W. along said Northeasterly line a distance of 400 feet to the Point of Beginning.

AND

The Northeast 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida,

AND

The Northwest 1/4 of Section 8, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida,

AND

The East 1/2 of the Southeast 1/4 of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, Citrus County, Florida,

LESS AND EXCEPT land in Warranty Deed from Beverly Hills Development Corporation, to Rolling Oaks Utilities, Inc., dated June 6, 1986, filed August 18, 1986, and recorded in Official Record, Book 710, page 849, public records of Citrus County, Florida, being more particularly described as follows:

Commence at the most Easterly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, thence N. 51° 02' 53" W. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 289.49 feet, thence N. 38° 56' 39" E. a distance of 593.12 feet to the POINT OF BEGINNING, thence N. 75° 59' 21" W. a distance of 62.48 feet, thence North 155.26 feet, thence N. 13° 10' 38" E. a distance of 155.26 feet, thence N. 11° 58' 12" W. a distance of 405.23 feet, thence N. 24° E. a distance of 244.86 feet, thence N. 60° E. a distance of 268.59 feet, thence S. 66° E. a distance of 336.93 feet, thence N. 72° E. a distance of 126.01 feet, thence S. 78° 42' 12" E. a distance of 313.71 feet, thence S. 33° E. a distance of 317.81 feet, thence S. 11° 13' 17" E. a distance of 237.44 feet, thence S. 46° 05' 58" W. a distance of 238.07 feet, thence S. 67° 37' 34" W. a distance of 481.20 feet, thence S. 55° W. a distance of 268.27 feet, thence N. 75° 59' 21" W. a distance of 351.69 feet to the Point of Beginning.

AND, LESS AND EXCEPT NORTH FOREST RIDGE BOULEVARD, according to the map or plat thereof recorded in Plat Book 14, pages 29, 30 and 31, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE OF BEVERLY HILLS PHASE ONE, according to the map or plat thereof recorded in Plat Book 14, pages 10 to 14 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE OF BEVERLY HILLS, PHASE 2, according to the map or plat thereof recorded in Plat Book 14, pages 15 to 18 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT that portion of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST, that lies North of the North boundary and West of a Northerly projection of the Easterly boundary of lands described in Official Record, Book 385, pages 466 and 467, public records of Citrus County, Florida,

AND, LESS AND EXCEPT the Legal Description of the Clubhouse Parcel, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, Citrus County, Florida, thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence South a distance of 811.51 feet, thence West 3400.82 feet to the POINT OF BEGINNING, thence S. 48° 04' 48" W. a distance of 523.35 feet to the Northerly right-of-way line of Forest Ridge Boulevard, as recorded in Plat Book 14, pages 29-31 inclusive, public records of Citrus County, Florida, said point being on the arc of a curve concaved Southwesterly having a central angle of 13° 36' 50" and a radius of 1335.00 feet, thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 317.21 feet (chord bearing and distance between said points being N. 62° 00' 58" W. 316.46 feet) thence N. 21° 10' 37" E. a distance of 431.33 feet, thence S. 68° 36' 06" E. a distance of 551.04 feet to the Point of Beginning.

CONTAINS 4.47 ACRES ±.

AND, LESS AND EXCEPT BEVERLY HILLS DEVELOPMENT CORPORATION of holes 7, 10, 11, 12, 14, 15, 16 and 18 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence South a distance of 310.65 feet, thence West a distance of 792.03 feet to the POINT OF BEGINNING, thence S. 61° 11' 25" W. a distance of 565.54 feet, thence S. 83° 43' 59" W. a distance of 71.24 feet, thence S. 87° 50' 28" W. a distance of 41.99 feet, thence N. 41° 21' 17" W. a distance of 106.65 feet, thence N. 33° 54' 28" E. a distance of 110.89 feet, thence N. 58° 32' 03" E. a distance of 390.59 feet, thence N. 35° 46' 56" E. a distance of 644.88 feet, thence N. 40° 40' 40" W. a distance of 230.45 feet, thence S. 87° 47' 27" W. a distance of 384.52 feet, thence S. 14° 53' 57" W. a distance of 300.41 feet, thence N. 63° 53' 57" W. a distance of 574.81 feet, thence N. 80° 47' 51" W. a distance of 256.25 feet, thence S. 87° 28' 03" W. a distance of 301.13 feet, thence S. 79° 48' 51" W. a distance of 137.30 feet, thence S. 42° 29' 19" W. a distance of 1523.30 feet, thence N. 68° 36' 06" W. a distance of 570.85 feet, thence N. 21° 23' 54" E. a distance of 222.57 feet, thence N. 01° 08' 02" E. a distance of 172.22 feet to the P.C. of a curve concaved Southeasterly having a central angle of 26° 29' 46" and a radius of 170.00 feet, thence Northeasterly along the arc of said curve a distance of 78.62 feet to the P.T. (chord bearing and distance between said points being N. 14° 22' 55" E. 77.92 feet) thence N. 27° 37' 48" E. a distance of 467.17 feet to the P.C. of a curve concaved Southeasterly having a central angle of 33° 26' 40" and a radius of 170.00 feet, thence Northeasterly along the arc of said curve a distance of 99.23 feet to the P.T. (chord bearing and distance between said point being N. 44° 21' 08" E. 97.83 feet) thence N. 61° 04' 28" E. a distance of 798.84 feet, thence S. 27° 36' 37" E. a distance of 111.17 feet to a point on the arc of a non-tangent curve concaved Southeasterly having a central angle of 12° 57' 57" and a radius of 1250.00 feet, thence Southeasterly along the arc of said curve a distance of 282.87 feet to the P.T. (chord bearing the distance between said points being S. 52° 32' 55" W. 282.27 feet) thence S. 46° 03' 57" W. a distance of 364.80 feet to the P.C. of a curve concaved Southeasterly having a central angle of 17° 19' 56" and a radius of 750.00 feet, thence Southwesterly along the arc of said curve a distance of 226.88 feet to the P.T. (chord bearing and distance between said points being S. 37° 23' 58" W. 226.02 feet) thence S. 28° 44' 00" W. a distance of 287.57 feet to the P.C. of a curve concaved Northeasterly having a central angle of 188° 58' 16" and a radius of 170.00 feet, thence Southeasterly along the arc of said curve a distance of 560.09 feet to a point (chord bearing and distance between said points being S. 65° 45' 08" E. 338.96 feet) thence N. 22° 37' 44" E. a distance of 262.55 feet to a point on the arc of a non-tangent curve concaved Southeasterly having a central angle of 17° 19' 56" and a radius of 440.00 feet, thence Northeasterly along the arc of said curve a distance of 133.10 feet to the P.T. (chord bearing and distance between said points being N. 37° 23' 58" E. 132.60 feet) thence N. 46° 03' 57" E. 364.80 feet to the P.C. of a curve concaved Southeasterly having a central angle of 22° 25' 13" and a radius of 940.00 feet, thence Northeasterly along the arc of said curve a distance of 367.83 feet to the P.T. (chord bearing and distance between said points being N. 57° 16' 33" E. 365.49 feet) thence N. 68° 29' 10" E. a distance of 491.96 feet, to the P.C. of a curve concaved Northwesterly having a central angle of 149° 52' 33" and a radius of 170.00 feet, thence

Northeasterly along the arc of said curve a distance of 444.69 feet, to the P.T. (chord bearing and distance between said points being N. 35° 41' 05" E. 328.32 feet) thence N. 05° 58' 14" W. a distance of 280.07 feet to the P.C. of a curve concaved Southeasterly having a central angle of 13° 50' 21" and a radius of 890.00 feet, thence Northeasterly along the arc of said curve a distance of 214.97 feet to the P.T. (chord bearing and distance between said points being N. 00° 56' 56" E. 214.45 feet) thence N. 07° 52' 07" E. a distance of 55.20 feet, thence N. 87° 02' 36" E. a distance of 109.59 feet, thence S. 57° 26' 16" E. a distance of 151.86 feet, thence S. 04° 39' 02" W. a distance of 453.10 feet, thence S. 55° 50' 25" E. a distance of 79.92 feet, thence N. 71° 50' 06" E. a distance of 350.07 feet, thence S. 88° 40' 48" E. a distance of 365.17 feet, thence S. 46° 57' 42" E. a distance of 308.03 feet, thence S. 66° 54' 36" E. a distance of 139.76 feet, thence N. 49° 25' 06" E. a distance of 572.04 feet, thence S. 89° 22' 12" E. a distance of 420.67 feet, thence S. 86° 08' 42" E. a distance of 289.17 feet, thence S. 88° 40' 00" E. a distance of 117.50 feet, thence S. 46° 32' 46" E. a distance of 56.26 feet, thence S. 35° 11' 02" W. a distance of 48.75 feet, thence S. 65° 17' 42" W. a distance of 122.60 feet, thence S. 82° 21' 18" W. a distance of 332.02 feet, thence S. 67° 37' 41" W. a distance of 249.73 feet, thence S. 71° 48' 20" W. a distance of 186.88 feet, thence S. 53° 42' 38" W. a distance of 286.90 feet, thence S. 38° 25' 15" W. a distance of 101.84 feet, thence S. 06° 35' 05" E. a distance of 88.86 feet, thence S. 19° 36' 08" W. a distance of 213.10 feet, to the P.C. of a curve concaved Southeasterly having a central angle of 04° 03' 14" and a radius of 2825.59 feet, thence Southwesterly along the arc of said curve a distance of 199.92 feet, to the P.T. (chord bearing and distance between said points being S. 17° 34' 31" W. 199.87 feet) thence S. 15° 32' 54" W. a distance of 419.45 feet, to the Point of Beginning.

CONTAINS 56.26 ACRES ±.

AND LESS AND EXCEPT THE DRIVING RANGE and holes 1, 8 and 9 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida, thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence South 651.37 feet, thence West 1575.04 feet to the POINT OF BEGINNING, thence S. 35° 09' 50" W. a distance of 616.66 feet, thence S. 74° 14' 24" W. a distance of 92.59 feet, thence S. 39° 41' 28" W. a distance of 139.47 feet, thence N. 85° 55' 16" W. a distance of 632.63 feet, thence S. 14° 11' 41" W. a distance of 71.83 feet, thence S. 27° 10' 55" W. a distance of 119.68 feet, thence S. 40° 54' 33" W. a distance of 101.83 feet, thence S. 55° 12' 05" W. a distance of 201.30 feet, thence S. 18° 28' 50" E. a distance of 212.30 feet, thence S. 07° 18' 21" E. a distance of 270.31 feet, thence S. 10° 42' 35" E. a distance of 187.63 feet, thence S. 42° 56' 35" E. a distance of 265.65 feet, thence S. 19° 42' 48" E. a distance of 112.13 feet, thence S. 34° 31' 47" W. a distance of 77.08 feet, thence S. 72° 48' 49" W. a distance of 110.16 feet, thence N. 48° 12' 17" W. a distance of 169.19 feet, thence N. 58° 28' 57" W. a distance of 227.80 feet, thence S. 54° 08' 03" W. a distance of 87.56 feet to a point on the Easterly right-of-way line of Forest Ridge Boulevard as recorded in Plat Book 14, pages 29-31 inclusive, public records of Citrus County, Florida, thence N. 03° 41' 02" E. along said Easterly right-of-way line a distance of 137.26 feet to the P.C. of a curve concaved Southwesterly having a central angle of 58° 53' 35" and a radius of 1335.00 feet, thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 1372.21 feet to a point (chord bearing and distance between said points being N. 25° 45' 45" W. 1312.60 feet) thence N. 48° 04' 48" E. a distance of 704.58 feet, thence S. 66° 49' 03" E. a distance of 97.25 feet, thence S. 50° 33' 59" E. a distance of 157.53 feet, thence S. 56° 51' 15" E. a distance of 278.73 feet, thence S. 67° 01' 20" E. a distance of 142.36 feet, thence S. 76° 53' 45" E. a distance of 567.49 feet, thence N. 06° 49' 50" E. a distance of 200.33 feet, thence N. 53° 40' 16" E. a distance of 615.10 feet, thence S. 41° 21' 17" E. a distance of 65.62 feet to the Point of Beginning.

CONTAINS 26.87 ACRES ±.

SUBJECT TO EASEMENT "E" AS DESCRIBED ON THE PLAT OF NORTH FOREST RIDGE BOULEVARD, AS RECORDED IN PLAT BOOK 14, PAGES 29-31 INCLUSIVE, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA,

AND, LESS AND EXCEPT A LEGAL DESCRIPTION of holes 2 and 3 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE corner of said Section 12, thence South a distance of

2026.28 feet, thence West a distance of 1046.56 feet to the POINT OF BEGINNING, thence S. 30° 49' 53" W. a distance of 295.91 feet, thence S. 31° 01' 05" W. a distance of 214.62 feet, thence S. 43° 28' 01" W. a distance of 444.65 feet, thence S. 40° 11' 30" W. a distance of 189.26 feet, thence S. 33° 59' 03" W. a distance of 177.11 feet, thence S. 15° 09' 32" E. a distance of 81.80 feet, thence S. 06° 16' 52" E. a distance of 138.89 feet, thence S. 56° 27' 36" W. a distance of 98.38 feet, thence N. 61° 46' 28" W. a distance of 100.75 feet, thence N. 30° 11' 18" W. a distance of 269.13 feet, thence N. 35° 15' 36" W. a distance of 747.44 feet, thence N. 34° 53' 16" W. a distance of 127.32 feet, thence N. 45° 02' 13" E. a distance of 63.28 feet, thence S. 48° 27' 15" E. a distance of 322.22 feet, thence S. 46° 42' 05" E. a distance of 595.22 feet, thence N. 30° 52' 58" E. a distance of 497.48 feet, thence N. 28° 55' 19" E. a distance of 554.41 feet, thence N. 42° 30' 30" E. a distance of 183.19 feet, thence N. 77° 56' 29" E. a distance of 113.63 feet, thence S. 27° 22' 57" E. a distance of 186.15 feet to the Point of Beginning.

CONTAINS 11.58 ACRES ±.

AND, LESS AND EXCEPT A LEGAL DESCRIPTION of holes 4, 5, 6 and 13 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12 a distance of 2638.72 feet to the NE Corner of said Section 12, thence South a distance of 190.00 feet, thence West a distance of 158.17 feet to the POINT OF BEGINNING, thence S. 30° 29' 42" E. a distance of 217.25 feet, thence S. 41° 50' 28" E. a distance of 120.54 feet, thence S. 66° 54' 39" E. a distance of 671.07 feet, thence N. 77° 38' 51" E. a distance of 280.07 feet, thence S. 67° 07' 14" E. a distance of 109.97 feet, thence S. 16° 14' 47" E. a distance of 57.49 feet, thence S. 24° 52' 07" W. a distance of 122.00 feet, thence S. 73° 28' 47" W. a distance of 294.01 feet, thence S. 70° 11' 48" W. a distance of 685.32 feet, thence S. 62° 16' 49" W. a distance of 268.34 feet, thence S. 27° 09' 05" E. a distance of 112.23 feet, thence S. 08° 54' 06" E. a distance of 132.76 feet, thence S. 43° 14' 33" W. a distance of 108.13 feet, thence S. 72° 29' 54" W. a distance of 332.94 feet, thence S. 65° 51' 13" W. a distance of 336.54 feet, thence N. 28° 35' 53" W. a distance of 83.18 feet, thence N. 51° 20' 40" E. a distance of 719.02 feet, thence N. 36° 45' 04" W. a distance of 65.82 feet, thence N. 53° 58' 45" E. a distance of 545.00 feet, thence N. 02° 28' 19" W. a distance of 278.48 feet, thence N. 81° 47' 25" W. a distance of 342.91 feet, thence N. 16° 38' 38" W. a distance of 601.60 feet, thence N. 67° 20' 38" W. a distance of 160.29 feet, thence N. 33° 10' 47" W. a distance of 94.29 feet, thence N. 19° 26' 37" E. a distance of 157.91 feet, thence N. 21° 28' 46" E. a distance of 175.28 feet, thence S. 37° 53' 13" E. a distance of 64.80 feet, thence S. 80° 37' 29" E. a distance of 176.79 feet, thence S. 88° 44' 08" E. a distance of 296.88 feet, thence S. 85° 38' 28" E. a distance of 362.74 feet, thence N. 49° 43' 31" E. a distance of 371.54 feet, thence N. 26° 11' 35" E. a distance of 140.70 feet, thence N. 03° 38' 39" E. a distance of 307.34 feet, thence N. 34° 11' 58" E. a distance of 53.15 feet, thence S. 88° 50' 33" E. a distance of 206.30 feet, thence S. 03° 10' 58" E. a distance of 205.27 feet, thence S. 10° 49' 38" E. a distance of 287.64 feet, thence S. 53° 32' 16" W. a distance of 322.50 feet, thence S. 47° 10' 10" W. a distance of 402.40 feet, thence S. 83° 36' 46" W. a distance of 233.47 feet, thence N. 80° 01' 56" W. a distance of 252.20 feet, thence S. 59° 11' 22" W. a distance of 91.12 feet, thence S. 59° 01' 28" W. a distance of 119.30 feet, thence S. 01° 17' 27" E. a distance of 130.40 feet to the Point of Beginning.

CONTAINS 29.88 ACRES ±.

AND, LESS AND EXCEPT, A LEGAL DESCRIPTION FOR BEVERLY HILLS DEVELOPMENT CORPORATION of hole 17 of a golf course, as follows:

Commence at the East 1/4 Corner of Section 12, TOWNSHIP 18 S., RANGE 18 E., Citrus County, Florida; thence N. 00° 02' 39" E. along the East line of said Section 12, a distance of 2638.72 feet to the NE Corner of said Section 12, thence North a distance of 1240.16 feet, thence West a distance of 2325.97 feet to the POINT OF BEGINNING, thence S. 05° 58' 14" E. a distance of 118.96 feet to the P.C. of a curve concaved Northwesterly having a central angle of 74° 27' 24" and a radius of 145.00 feet, thence Southwesterly along the arc of said curve a distance of 188.43 feet to the P.T. (chord bearing and distance between said point being S. 31° 15' 28" W. of 175.45 feet) thence S. 68° 29' 10" W. a distance of 372.74 feet to the P.C. of a curve concaved Southeasterly having a central angle of 06° 42' 09" and a radius of 1250.00 feet, thence Southwesterly along the arc of said curve a distance of 146.22 feet to a point (chord bearing and distance between said points being S. 65° 08' 06" W. 146.14 feet) thence N. 27° 36' 37" W. a distance of 207.18 feet, thence N. 02° 32' 06" W. a distance of 38.44 feet, thence N. 64° 58' 32" E. a distance of 232.08 feet to the

P.C. of a curve concaved Northwesterly having a central angle of 44° 24' 49" and a radius of 370.00 feet, thence Northeasterly along the arc of said curve a distance of 286.81 feet to the P.T. (chord bearing and distance between said points being N. 43° 04' 16" E. 279.68 feet), thence N. 20° 51' 52" E. a distance of 489.41 feet, thence N. 14° 12' 06" E. a distance of 72.00 feet, thence S. 79° 38' 03" E. a distance of 107.27 feet, thence S. 07° 52' 07" W. a distance of 279.37 feet to the P.C. of a curve concaved Southeasterly having a central angle of 13° 50' 21" and a radius of 1200.00, thence Southwesterly along the arc of said curve a distance of 289.85 feet to the P.T. (chord bearing and distance between said points being S. 00° 56' 56" W. 289.14 feet) said point also being the Point of Beginning.

CONTAINS 6.38 ACRES ±.

AND, LESS AND EXCEPT GREENSIDE, according to the map or plat thereof recorded in Plat Book 16, pages 22 and 23, public records of Citrus County, Florida,

AND, LESS AND EXCEPT LAUREL RIDGE NUMBER ONE, according to the map or plat thereof recorded in Plat Book 15, pages 13 to 23 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT LAUREL RIDGE NUMBER TWO, according to the map or plat thereof recorded in Plat Book 15, pages 113 to 120 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE, according to the map or plat thereof recorded in Plat Book 13, page 96, public records of Citrus County, Florida,

AND, LESS AND EXCEPT,

Parcel "A"

A LEGAL DESCRIPTION FOR GEORGE WIMPEY OF FLORIDA, INC., OF BEVERLY HILLS UNIT NO. 11, PARCEL "A", LYING WITHIN SECTIONS 1 AND 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA, as follows:

Commence at the most Westerly Corner of Lot 1, Block 12, of Laurel Ridge Number Two, as shown on the map or plat thereof, as recorded in Plat Book 15, pages 113-120 inclusive, of the public records of Citrus County, Florida, thence N. 41° 21' 17" W. along the Easterly right-of-way line of W. Rexford Drive as shown on the map or plat, a distance of 25.39 feet, to the POINT OF BEGINNING, said point being a point on the Northwesterly boundary of said LAUREL RIDGE NUMBER TWO, thence continue N. 41° 21' 17" W. along said right-of-way line, a distance of 8.90 feet, to the P.C. of a curve concaved Easterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Northwesterly along the arc of said curve, and along said right-of-way line, a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 17° 15' 36" W. 20.41 feet), to a point of reverse curvature with a curve concaved Southeasterly, having a radius of 50.00 feet and a central angle of 276° 22' 46", thence Northerly, Westerly and Southerly, along the arc of said curve and along said right-of-way line, a distance of 241.19 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 48° 38' 43" W. 66.67 feet), to a point of reverse curvature with a curve concaved Southwesterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Southeasterly along the arc of said curve and along said right-of-way line a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 65° 26' 59" E. 20.41 feet), to the point of intersection with a non-tangent line, said point being on the boundary of an existing golf course as described in Official Records Book 852, page 111, of the public records of Citrus County, Florida, thence along said boundary the following courses and distances S. 53° 40' 16" W. a distance of 615.10 feet, S. 06° 49' 50" W. a distance of 200.33 feet, N. 76° 53' 45" W. a distance of 567.49 feet, N. 67° 01' 20" W. a distance of 142.36 feet, N. 56° 51' 15" W. a distance of 278.73 feet, N. 50° 33' 59" W. a distance of 157.53 feet, N. 66° 49' 03" W. a distance of 97.25 feet, S. 48° 04' 48" W. a distance of 181.23 feet, to a point on the Northeasterly boundary of lands as described in Official Records Book 920, page 1950 of the public records of Citrus County, Florida, thence N. 68° 36' 06" W. along said lands, a distance of 551.04 feet, thence N. 21° 10' 37" E. leaving said lands, a distance of 60.00 feet, to the aforementioned boundary of said golf course, thence

along said boundary the following courses and distances, S. 68° 36' 06" E. a distance of 373.54 feet, N. 42° 29' 19" E. a distance of 523.30 feet, N. 79° 48' 51" E. a distance of 137.30 feet, N. 87° 28' 03" E. a distance of 301.13 feet, S. 80° 47' 51" E. a distance of 256.25 feet, S. 63° 53' 57" E. a distance of 574.81 feet, thence N. 14° 53' 57" E. a distance of 300.41 feet, N. 87° 47' 27" E. a distance of 384.52 feet, S. 40° 40' 40" E. a distance of 230.45 feet, S. 35° 46' 56" W. a distance of 644.88 feet, thence S. 58° 32' 03" W. a distance of 390.59 feet, thence S. 33° 54' 28" W. a distance of 110.89 feet, to a point on the boundary of said LAUREL RIDGE NUMBER TWO, thence S. 58° 44' 02" W. along said boundary a distance of 121.88 feet, to the Point of Beginning.

CONTAINS 58.67 ACRES ±.

AND, LESS AND EXCEPT,

Parcel "B"

A LEGAL DESCRIPTION FOR GEORGE WIMPEY OF FLORIDA, INC., OF PARCEL "B", LYING WITHIN SECTIONS 1 AND 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA, as follows:

Commence at the most Westerly Corner of Lot 1, Block 12, of LAUREL RIDGE NUMBER TWO, as shown on the map or plat thereof as recorded in Plat Book 15, pages 113-120 inclusive, of the Public Records of Citrus County, Florida, thence N. 41° 21' 17" W. along the Easterly right-of-way line of W. Rexford Drive, as shown on said map or plat, a distance of 25.39 feet, to a point on the boundary of said LAUREL RIDGE NUMBER TWO, thence N. 41° 21' 17" W. along said right-of-way line a distance of 8.90 feet, to the P.C. of a curve concaved Easterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Northwesterly along the arc of said curve and along said right-of-way line a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 17° 15' 36" W. 20.41 feet), to a point of reverse curvature with a curve concaved Southeasterly, having a radius of 50.00 feet and a central angle of 276° 22' 46", thence Northerly, Westerly and Southerly, along the arc of said curve and along said right-of-way line, a distance of 241.19 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 48° 38' 43" W. 66.67 feet), to a point of reverse curvature with a curve, concave Southwesterly, having a radius of 25.00 feet and a central angle of 48° 11' 23", thence Easterly along the arc of said curve and along said right-of-way line, a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being S. 65° 25' 59" E. 20.41 feet), to the point of intersection with a non-tangent line, said point being on the boundary of an existing golf course as described in Official Records Book 852, page 111, of the public records of Citrus County, Florida, thence along said boundary the following courses and distances, S. 53° 40' 16" W. a distance of 615.10 feet, S. 06° 49' 50" W. a distance of 200.33 feet, N. 76° 53' 45" W. a distance of 567.49 feet, N. 67° 01' 20" W. a distance of 142.36 feet, N. 56° 51' 15" W. a distance of 278.73 feet, N. 50° 33' 59" W. a distance of 157.53 feet, N. 66° 49' 03" W. a distance of 97.25 feet, thence S. 48° 04' 48" W. a distance of 181.23 feet, to a point on the Northerly line of lands described in Official Records Book 920, page 1950, of the public records of Citrus County, Florida, thence N. 68° 36' 06" W. along said lands a distance of 551.04 feet, to the POINT OF BEGINNING, thence continue N. 68° 36' 06" W., leaving said lands, a distance of 197.55 feet, to the P.C. of a curve concave Southerly, having a radius of 310.00 feet and a central angle of 33° 15' 03", thence Westerly along the arc of said curve, a distance of 179.90 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 85° 13' 38" W. 177.39 feet), thence S. 78° 08' 50" W. a distance of 24.78 feet, to the P.C. of a curve concave Southeasterly, having a radius of 25.00 feet and a central angle of 98° 28' 15", thence Westerly along the arc of said curve a distance of 42.97 feet to the P.T. of said curve (chord bearing and distance between said points being S. 28° 54' 43" W. 37.87 feet), to a point of reverse curvature with a curve concave Westerly, having a radius of 640.00 feet and a central angle of 32° 25' 24", thence Southerly along the arc of said curve a distance of 362.17 feet to the P.T. of said curve (chord bearing and distance between said points being S. 04° 06' 42" E. 357.36 feet), to a point of reverse curvature with a curve concave Northeasterly, having a radius of 25.00 feet and a central angle of 85° 37' 45", thence Southerly along the arc of said curve, a distance of 37.36 feet to the P.T. of said curve (chord bearing and distance between said points being S. 30° 42' 53" E. 33.98 feet) thence N. 73° 31' 45" W. a distance of 217.41 feet to the P.C. of a curve concave Northwesterly, having a radius of 25.00 feet and a central angle of 96° 29' 17", thence Easterly along the arc of said curve, a distance of 42.10 feet to the P.T. of said curve (chord bearing and distance between said points being N. 58° 13' 37" E. 37.30 feet) to a point of compound curvature with a curve concave Westerly, having a radius of 473.53 feet and a central angle of 34° 10' 35", thence Northerly along the arc of said curve a distance of 282.46 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 07° 06' 20" W. 278.29 feet) to a point of reverse curvature with a curve

concave Easterly, having a radius of 726.47 feet and a central angle of $06^{\circ} 31' 58''$, thence Northwesterly along the arc of said curve, a distance of 82.83 feet, to the P.T. of said curve (chord bearing and distance between said points being N. $20^{\circ} 55' 38''$ W. 82.79 feet), to the point of intersection with a non-tangent line, thence N. $78^{\circ} 08' 50''$ E. a distance of 232.99 feet, to the P.C. of a curve concave Southerly, having a radius of 370.00 feet and a central angle of $33^{\circ} 15' 03''$, thence Easterly along the arc of said curve, a distance of 214.73 feet to the P.T. of said curve (chord bearing and distance between said points being S. $85^{\circ} 13' 38''$ E. 211.72 feet) thence S. $68^{\circ} 36' 06''$ E. a distance of 197.32 feet, thence S. $21^{\circ} 10' 37''$ W. a distance of 60.00 feet, to the Point of Beginning.

CONTAINING 2.30 ACRES \pm .

AND, LESS AND EXCEPT,

Parcel "C"

A LEGAL DESCRIPTION FOR GEORGE WIMPEY OF FLORIDA, INC., OF A PORTION OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA, IN THE VICINITY OF LOT 1, BLOCK 11, LAUREL RIDGE NUMBER TWO, TO BE ACQUIRED FROM BEVERLY HILLS DEVELOPMENT CORP, as follows:

Commence at the most Southerly Corner of Lot 2, Block 11, of LAUREL RIDGE NUMBER TWO, as recorded in Plat Book 15, pages 113-120 inclusive, of the public records of Citrus County, Florida, thence S. $28^{\circ} 35' 53''$ E. along the boundary of said LAUREL RIDGE NUMBER TWO, a Southeasterly projection thereof, and along the boundary of lands described in Official Records Book 852, page 111 of the public records of Citrus County, Florida, a distance of 30.47 feet to the POINT OF BEGINNING, thence continue S. $28^{\circ} 35' 53''$ E. a distance of 52.71 feet, thence S. $62^{\circ} 37' 03''$ W. a distance of 120.34 feet to the Northeasterly right-of-way line of North Jademoor Drive as shown on said plat, thence N. $27^{\circ} 22' 57''$ W. along said right-of-way line a distance of 28.93 feet to the Southerly boundary line of said LAUREL RIDGE NUMBER TWO, thence N. $51^{\circ} 20' 40''$ E. along said boundary a distance of 121.57 feet to the Point of Beginning.

CONTAINS 4895.51 SQ.FT. \pm .

AND, LESS AND EXCEPT,

A LEGAL DESCRIPTION FOR MORRISON HOMES OF FLORIDA, INC. OF A PARCEL OF LAND LYING WITHIN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, CITRUS COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the most Westerly Corner of Lot 1, Block 12, of LAUREL RIDGE NUMBER TWO, as shown on the map or plat thereof, as recorded in Plat Book 15, pages 113-120 inclusive, of the public records of Citrus County, Florida, thence N. $41^{\circ} 21' 17''$ W. along the Easterly right-of-way line of W. Rexford Drive as shown on said map or plat, a distance of 34.29 feet, to the P.C. of a curve concave Easterly, having a radius of 25.00 feet and a central angle of $48^{\circ} 11' 23''$, thence Northwesterly along the arc of said curve, a distance of 21.03 feet to the P.T. of said curve (chord bearing and distance between said points being N. $17^{\circ} 15' 36''$ W. 20.41 feet) to a point of reverse curvature with a curve concave Southeasterly, having a radius of 50.00 feet and a central angle of $276^{\circ} 22' 46''$, thence Northerly along the arc of said curve, a distance of 241.19 feet, to the P.T. of said curve (chord bearing and distance between said points being S. $48^{\circ} 38' 43''$ W. 66.67 feet), to a point of reverse curvature with a curve concave Southwesterly, having a radius of 25.00 feet and a central angle of $48^{\circ} 11' 23''$, thence Easterly along the arc of said curve a distance of 21.03 feet, to the P.T. of said curve (chord bearing and distance between said points being S. $65^{\circ} 26' 59''$ E. 20.41 feet), to the point of intersection with a non-tangent line, thence S. $53^{\circ} 40' 16''$ W. a distance of 615.10 feet, thence S. $06^{\circ} 49' 50''$ W. a distance of 200.33 feet, thence N. $76^{\circ} 53' 45''$ W. a distance of 567.49 feet, thence N. $67^{\circ} 01' 20''$ W. a distance of 142.36 feet, thence N. $56^{\circ} 51' 15''$ W. a distance of 278.73 feet, thence N. $50^{\circ} 33' 59''$ W. a distance of 157.53 feet, thence N. $66^{\circ} 49' 03''$ W. a distance of 97.25 feet, thence S. $48^{\circ} 04' 48''$ W. a distance of 181.23 feet, thence N. $68^{\circ} 36' 06''$ W. a distance of 551.04 feet, thence N. $21^{\circ} 10' 37''$ E. a distance of 60.00 feet, thence N. $68^{\circ} 36' 06''$ W. a distance of 197.32 feet, to the POINT OF BEGINNING, said point being the P.C.

of a curve concave Southerly, having a radius of 370.00 feet and a central angle of 33° 15' 03", thence Westerly along the arc of said curve a distance of 214.73 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 85° 13' 38" W. 211.72 feet), thence S. 78° 08' 50" W. a distance of 43.05 feet, to the P.C. of a curve concave Northeasterly having a radius of 25.00 feet and a central angle of 84° 47' 48", thence Westerly along the arc of said curve, a distance of 37.00 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 59° 27' 15" W. 33.71 feet), to a point of compound curvature with a curve concave Easterly, having a radius of 560.00 feet and a central angle of 28° 32' 49", thence Northerly along the arc of said curve, a distance of 279.01 feet, to the P.T. of said curve (chord bearing and distance between said points being N. 02° 46' 57" W. 276.14 feet), to the point of intersection with a non-tangent line, thence S. 88° 51' 58" E. a distance of 378.56 feet, thence S. 01° 08' 02" W. a distance of 87.02 feet, thence S. 21° 23' 54" W. a distance of 222.57 feet, to the Point of Beginning.

CONTAINING 2.295 ACRES ±.

AND, LESS AND EXCEPT,

The Northeast 1/4 of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida.

AND ADDING THE FOLLOWING 3 PARCELS:

The Northeast 1/4 of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida.

CONTAINING 161.46 ACRES ±.

AND

The Southwest 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, Citrus County, Florida.

CONTAINING 160.57 ACRES ±.

AND

Commence at the Northeast corner of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST; thence S. 88° 20' 00" W. along the North line of said Section 1 a distance of 995.09 feet to a point on the Northerly projection of the East line of lands in Deed recorded in Official Record Book 315, page 595, public records of Citrus County, Florida, thence S. 01° 40' 00" E. along said Northerly projection and along the East line of said lands a distance of 1382.55 feet to the Point of Beginning, thence continue S. 01° 40' 00" E. along said East line a distance of 317.45 feet to the Southeast Corner of said lands, thence S. 88° 20' 00" W. along the South line of said lands a distance of 1377.72 feet to the most Southerly Corner of said lands, thence N. 01° 40' 00" W. parallel to said East line a distance of 317.45 feet, thence N. 88° 20' 00" E. parallel to said South line a distance of 1377.72 feet to the Point of Beginning. Described in Official Record Book 916, page 1895, public records of Citrus County, Florida.

CONTAINING 10.04 ACRES ±.

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 6-18-03, Amended 3-9-08.

ATTACHMENT 2

Proof of Publication
from the
CITRUS COUNTY CHRONICLE
Crystal River, Citrus County, Florida
PUBLISHED DAILY

STATE OF FLORIDA
COUNTY OF CITRUS
Before the undersigned authority personally appeared

Mary Ann Naczi and/or Deborah Crawford

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

593-1115 TUCRN PUBLIC NOTICE NOTICE OF MEETING TUSCANY COMMUNITY DEVELOPMENT DISTRICT A meeting of the Board of Supervisors of the Allen Plantation Community Development District will be held on November 22, 2011 at 12:00 PM at the Law Offices of Clark S

Court, was published in said newspaper in the issues of November 15th, 2011.

Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Marion County and Levy County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Ann Naczi
The forgoing instrument was acknowledged before me

This 15th day of November 2011
By: Mary Ann Naczi and/or Deborah Crawford

who is personally known to me and who did take an oath.

Notary Public

Sharon Conrad



Sharon L. Conrad
COMMISSION # EE069033
EXPIRES: MAR. 01, 2015
WWW.AARONNOTARY.COM

593-1115 TUCRN
PUBLIC NOTICE
NOTICE OF MEETING

TUSCANY COMMUNITY DEVELOPMENT DISTRICT

A meeting of the Board of Supervisors of the Allen Plantation Community Development District will be held on November 22, 2011 at 12:00 PM at the Law Offices of Clark S. Clark 328 U.S. Highway 41 South, Inverness, Florida 34450. The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts. A copy of the meeting agenda may be obtained from the District Manager at 13574 Village Park Drive, Suite 255, Orlando, FL 32837. This meeting may be continued to a date, time, and place to be specified on the record at the meeting.

There may be occasions when one or more Supervisors, Staff or other individuals will participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (407) 841-6624 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service: 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any action taken at these meetings is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

George S. Flint
Governmental Management Services - Central Florida
District Manager

November 15, 2011.

TUSCANY COMMUNITY DEVELOPMENT DISTRICT

A meeting of the Board of Supervisors of the Tuscany Community Development District was held Tuesday, November 22, 2011 at 12:00 p.m. in the Law Offices of Clark Stillwell, 320 U. S. Highway 41 South, Inverness, Florida.

Present and constituting a quorum were:

Taylor B. Collins
Dale R. Miller
Jim Cassia
Betty Ferris

Chairman by telephone
Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

George Flint
Tucker Mackie
Ronnie Collins
John Patten

District Manager
District Counsel - by telephone
Beverly Hills - by telephone
Beverly Hills - by telephone

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the August 18, 2006 Meeting

Mr. Flint stated the next item is approval of the minutes of the August 18, 2006 meeting. Those were provided to you in your agenda packet. Are there any additions, deletions or corrections to the minutes?

There not being any

On MOTION by Mr. Miller seconded by Mr. Collins with all in favor the minutes of the August 18, 2006 meeting were approved as presented.

THIRD ORDER OF BUSINESS

Consideration of Dissolution of the District

Mr. Flint stated item three is the primary reason we are meeting today and it is to address issues associated with dissolving the community development district. Ms. Mackie, District Counsel will walk the Board through the individual items.

A. Presentation of Letter Requesting Dissolution

Ms. Mackie stated I work with Brian Crumbaker at Hopping Green & Sams. The first item under agenda item three is the presentation of the letter requesting dissolution. It is my understanding that John Cotton was going to be forwarding this letter and it may not have arrived in time for distribution today but basically the developer has reevaluated the financing mechanisms, which it was intending to fund infrastructure within the District. Given current economic conditions and the fact that the planned community development improvements that were identified in the District Engineer's Report can be provided by the developer and/or the landowners at a future time and at equal or lesser cost and of an equal quality compared to the provision by the District the developer is requesting that the Board consider the dissolution of the District.

The remainder of the agenda items address how the District would seek dissolution. The District was established by the Florida Land and Water Adjudicatory Commission given its size therefore, the District needs to petition that same agency for dissolution. Given that the District doesn't own or maintain any improvements, that the District hasn't issued any bonds to fund the infrastructure within the District nor has it levied any assessments the dissolution process is fairly straightforward. However, I can go through these items individually at this point unless the Board members have any official questions regarding dissolution.

B. Presentation of Form of consent Joinder of Landowner to the Dissolution of the District

Ms. Mackie stated item 3B is the form of consent that we would be looking for landowners within the District to execute. It is something that will be attached to the petition once it is filed with FLWAC. There is nothing the Board needs to approve here we are just providing this information for informational purposes.

C. Consideration of Resolution 2012-01 Dissolving the District

Ms. Mackie stated item 3C is consideration of Resolution 2012-01 dissolving the District and basically this resolution sets forth the reasons why the District is considering dissolution. It requests that a petition be filed with FLWAC and it attaches a plan of dissolution as an exhibit to this resolution. As I stated previously the District doesn't have any infrastructure that it owns or maintains so it will be fairly straightforward and the plan of dissolution is fairly brief. The current staff that provides services to the District is District Counsel and the District Manager and they would be retained for purposes of finalizing the dissolution and the plan of dissolution provides for payment of those services and once that is done and once FLWAC revises the rule the District will be effectively dissolved. There are few ministerial items that occur post dissolution relating to the records of the District and transmittal of those to the Department of Economic Opportunity and that is fairly ministerial but unless there are any questions I would be looking for a motion to approve Resolution 2012-01.

On MOTION by Mr. Collins seconded by Ms. Ferris with all in favor Resolution 2012-01 was approved.

D. Consideration of Dissolution Agreement with Beverly Hills Development Corporation

Ms. Mackie stated item 3D is consideration of the dissolution agreement with Beverly Hills Development Corporation and the District. Basically this just provides for the funding of the District through dissolution. It is fairly straightforward, however, I would be happy to answer any questions the Board may have. The developer has agreed to fund those expenses as they relate to dissolution.

On MOTION by Mr. Miller seconded by Ms. Ferris with all in favor the dissolution agreement with Beverly Hills Development Corporation was approved.

E. Consideration of Form of Notice of Intent to Dissolve

Ms. Mackie stated item 3E is provided for informational purposes, the notice of intent to dissolve the District. In working with FLWAC on previous dissolutions they have requested a similar notice be posted and basically it just provides them the comfort that notice has been put out that the District intends to dissolve and it provides opportunity for anyone who wishes to

raise an objection to provide that information. Unless there are any other questions I don't think there is any action that needs to be taken by the Board relative we just wanted to provide this for informational purposes.

F. Approval of Forms of Professional Agreement and Release for District Counsel and District Manager

Ms. Mackie stated the next item is the forms of agreement and release. As I stated when speaking about the resolution and the plan of dissolution the District will enter into these agreements and releases once District staff has finalized everything it needs to as it relates to the dissolution. It is fairly straightforward and I would be happy to answer any questions you may have but I'm looking for a motion to approve as to form the two agreements and releases included within the agenda package.

On MOTION by Mr. Collins seconded by Mr. Miller with all in favor the form of the agreements and releases for District Counsel and District Manager were approved.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Mackie stated in terms of letting the Board know the process moving forward we will be preparing the petition and as soon as we receive the consent to dissolution we will be filing the petition with FLWAC. There will be some time involved in FLWAC staff reviewing the petition but it will be placed on the agenda once approved and it is our understanding that FLWAC now has a revised process wherein the first time FLWAC hears the agenda item and assuming there is no objection it is approved at that point, however, they will have it as a consent item on the agenda. It needs to go before the commission for both rule formation and rule adoption but rule adoption at that point would be ministerial.

B. Engineer

There not being any, the next item followed.

C. Manager

i. 2007 & 2008 Registered Voter Letters

Mr. Flint stated each year we are required to announce the number of registered voters residing within the boundaries of the District and with the last meeting being in 2006 we provided the letters from 2007 and 2008 and there is no action required on that but we will just announce that in those two years there were no registered voters residing within the District.

FIFTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Cassia stated I would like to have Mr. Ronnie Collins give me a call if he would sometime today.

On MOTION by Ms. Ferris seconded by Mr. Collins with all in favor the meeting adjourned at 12:12 p.m.

Assistant Secretary

Chairman

DRAFT

ATTACHMENT 3

RESOLUTION 2012-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TUSCANY COMMUNITY DEVELOPMENT DISTRICT ADDRESSING CERTAIN ORGANIZATIONAL MATTERS AND APPROVING A PLAN OF DISSOLUTION; REQUESTING THAT THE FLORIDA LAND AND WATER ADJUDICATORY COMMISSION REPEAL RULE 42GG-1, FLORIDA ADMINISTRATIVE CODE; DIRECTING THE DISTRICT MANAGER AND DISTRICT COUNSEL TO TAKE APPROPRIATE ACTION TO DISSOLVE THE TUSCANY COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH THE PLAN OF DISSOLUTION AND THE REPEAL OF THE RULE; PROVIDING GENERAL AUTHORIZATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Tuscan Community Development District (the "District") was established by the Florida Land and Water Adjudicatory Commission ("FLWAC") on June 18, 2003, pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes*, by Rule 42GG-1, *Florida Administrative Code* (the "Rule"), as such Rule was amended on March 9, 2008.

WHEREAS, the District is located wholly within the boundaries of unincorporated Citrus County, Florida (the "County"); and

WHEREAS, the District operations are funded solely by the contributions, in lieu of taxes or assessments, of Beverly Hills Development Corporation, the developer and majority landholder within the District (the "Developer"). The District has not levied any special assessments against the assessable real property located within the District for the purposes of funding the District's ongoing operating costs; and

WHEREAS, the District has not taken any actions regarding planned community development services to the lands located within the District and has not levied any special assessments against the assessable real property located within the District for the purposes of funding any planned community development services; and

WHEREAS, the District has not issued any bonds, notes or other debt instruments in anticipation of making any planned community development improvements; and

WHEREAS, the District's Board of Supervisors has determined that based upon information provided to it by the Developer, and the current economic conditions and the level of improvements already completed within the District, that the planned community development services to be provided to the lands within the boundaries of the District may be provided by and through the Developer and/or owners of the lands located within the District (the "Landowners") in a manner as efficiently as the District and at a level of quality equal to the level of quality to

be delivered to the users of those services by the District, at an annual cost that would be equal to or lower than the annual assessment amount that could be levied by the District; and

WHEREAS, the District has received a written request from the Developer to dissolve the District; and

WHEREAS, the termination of the District will not harm or otherwise injure any interests of the Landowners of the District, nor harm nor otherwise injure any interests of any other party within or without the District; and

WHEREAS, the District's Board of Supervisors finds that it is in the best interest of the District, the Developer and the Landowners that the District be dissolved and that the planned community development services be provided by the Developer and/or Landowners; and

WHEREAS, the District has prepared a Plan of Dissolution that provides for the orderly dissolution of the District and for the final dispensation of all records, financial accounts and contracts; and

WHEREAS, the District's Board of Supervisors desires that FLWAC repeal the Rule resulting in the dissolution of the District in accord with section 190.046(9), *Florida Statutes*;

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

SECTION 1. INCORPORATION OF WHEREAS CLAUSES. All of the above representations, findings and determinations contained within the "Whereas Clauses" of this Resolution are recognized as true and accurate and are expressly incorporated into this Resolution.

SECTION 2. APPROVAL OF PLAN OF DISSOLUTION. As an organizational matter, the District hereby approves the Plan of Dissolution, attached to this Resolution as Exhibit A.

SECTION 3. REQUEST FOR ACTION. The District hereby requests that, after transmission of this Resolution and related petition to FLWAC by the District Manager or District Counsel consistent with Section 4 below, the Rule be repealed resulting in the dissolution of the District in accord with section 190.046(9), *Florida Statutes*.

SECTION 4. DIRECTION TO DISTRICT MANAGER AND DISTRICT COUNSEL. The District Manager and District Counsel are hereby directed to take the appropriate actions to transmit this Resolution and related petition to FLWAC. Upon repeal of the Rule, the District Manager and District Counsel are further directed to proceed with the necessary steps as outlined in the Plan of Dissolution to effectuate an orderly dissolution of the District.

SECTION 5. GENERAL AUTHORIZATION. The District's Chairman, District Manager, District Counsel, Secretary, and Assistant Secretaries are hereby authorized, upon the adoption of this Resolution, to do all acts and things required of them to carry out the Plan of Dissolution, and all acts and things that may be desirable or consistent with the requirements or intent hereof. The Chairman and Secretary are hereby further authorized to execute any and all documents necessary to affect the dissolution of the District. The Vice Chairman shall be authorized to undertake any action herein authorized to be taken by the Chairman, in the absence or unavailability of the Chairman, and any Assistant Secretary shall be authorized to undertake any action herein authorized to be taken by the Secretary, in the absence or unavailability of the Secretary.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon the passage and adoption of this Resolution by the Board of Supervisors of the Tuscany Community Development District.

PASSED AND ADOPTED in public session this 22nd day of November, 2011.

ATTEST:

**TUSCANY COMMUNITY
DEVELOPMENT DISTRICT**





George S. Flint
~~Assistant~~ Secretary

Taylor Collins
Chairperson, Board of Supervisors

Exhibit A: Plan of Dissolution

EXHIBIT A

**PLAN OF DISSOLUTION FOR
THE TUSCANY COMMUNITY DEVELOPMENT DISTRICT**

1. **PURPOSE.** The purpose of this Plan of Dissolution is to provide a framework for the dissolution of the Tuscany Community Development District (the "District").
2. **CONSTRUCTION.** This Plan of Dissolution shall be construed liberally to accomplish the smooth and orderly dissolution of the District.
3. **AUTHORITY.** Section 190.046(9), *Florida Statutes (2011)*, provides that if a district has no outstanding financial obligations and no operating or maintenance responsibilities, upon petition of the district, the district may be dissolved by a non-emergency ordinance of the local governmental entity that established the district, or, if the district was established by rule of the Florida Land and Water Adjudicatory Commission ("FLWAC"), the district may be dissolved by repeal of such rule of the commission.
4. **SERVICES.** The District is currently managed by Governmental Management Services – Central Florida, LLC ("District Manager"), and has no employees. Hopping Green & Sams, P.A. ("District Counsel"), has been retained to provide legal services to the District. The District does not own, operate, or maintain any real property or infrastructure improvements, and the District does not provide any community development district services to the owners of lands within the boundaries of the District. The District Manager and District Counsel shall be responsible for filing any final reports or other documents on behalf of the District required by law or for performing any and all other wrap-up activities on behalf of the District within thirty (30) days after the effective dissolution of the District.
5. **ASSETS AND LIABILITIES.** The District has no real property, infrastructure or other assets and has no debt or maintenance responsibilities.
6. **CONTRACTUAL OBLIGATIONS OF THE DISTRICT.**
 - A. All contractual obligations shall be addressed as follows:
 - (1) The District's agreement with the firm of Hopping Green & Sams, P.A., to serve as District Counsel shall terminate upon the completion of all steps necessary to dissolve the District. The District Manager will obtain an appropriate release from Hopping Green & Sams, P.A.
 - (2) The District's agreement with the firm of Governmental Management Services – Central Florida, LLC, to serve as District Manager shall terminate upon the completion of all steps necessary to dissolve the District. The District Manager will provide an appropriate release.

- (3) All other agreements of the District shall expire and be void upon the dissolution of the District, except as otherwise provided under subparagraph 6.B. herein.

B. The Dissolution Agreement dated November 22, 2011, and between the District and the Developer, which Dissolution Agreement among other things provides for the funding of all expenses associated with the dissolution, shall expire and be void upon final payment of, among other things, all financial obligations of the District, including but not limited to final payment to any third party beneficiary for services relating to the dissolution of the District. All other agreements, and other items not specifically identified herein shall expire and be void upon the termination of the District, including any and all rights and obligations of the District under such agreements and other items not otherwise previously assigned, transferred, or terminated.

7. **FINANCES.** The District has no outstanding financial obligations. Moreover, pursuant to the November 22, 2011 Dissolution Agreement, the Developer has agreed, among other things, to pay all future expenses and costs associated with dissolution. Further, upon the dissolution of the District, the District Manager will close all accounts as appropriate.

8. **OFFICIAL DISTRICT RECORDS.** Upon the dissolution of the District, the District Manager shall transfer all official records of the District to the Florida Department of State.

9. **MODIFICATION OF THE PLAN OF DISSOLUTION.** The District's Board of Supervisors may modify this Plan of Dissolution by Resolution prior to the effective date of any repeal of Rule 42GG-1, *Florida Administrative Code* ("Rule"), by FLWAC.

10. **OPERATION OF THIS PLAN OF DISSOLUTION.** This Plan of Dissolution shall become effective upon adoption of a Resolution by the District's Board of Supervisors approving this Plan of Dissolution. After the repeal of the Rule by FLWAC, the District will be dissolved without any further action. After adoption of a Resolution by the District's Board of Supervisors approving this Plan of Dissolution, and repeal of the Rule, District Counsel shall cause notice of repeal of the Rule to be transmitted to the Florida Department of Economic Opportunity, and shall further cause a Notice of Dissolution to be recorded in the Official Records of Citrus County, Florida in substantially the form attached hereto as **Attachment 1**.

ATTACHMENT 1

This space reserved for use by
the Clerk of the Circuit Court

This instrument was prepared by
and should be returned to:

Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 South Monroe Street, Suite 300
Tallahassee, Florida 32301

NOTICE OF DISSOLUTION OF THE TUSCANY COMMUNITY DEVELOPMENT DISTRICT

PLEASE TAKE NOTICE that on November 22, 2011, the Tuscan Community Development District's (the "District") Board of Supervisors adopted Resolution 2012-01, approving a Plan of Dissolution for the District and requesting that the Florida Land and Water Adjudicatory Commission (the "Commission") repeal Rule 42GG-1 of the Florida Administrative Code which established the District (the "Rule"). Effective _____, 2012, and following public notice and a hearing, the Commission repealed the Rule. Resolution 2012-01 and a copy of repealed Rule were subsequently filed with the Florida Department of Economic Opportunity. A legal description of the dissolved District is attached hereto.

[Remainder of page left intentionally blank]

IN WITNESS WHEREOF, this Notice has been executed as of the ____ day of _____, 2012, and recorded in the Official Records of Citrus County, Florida.

TUSCANY COMMUNITY DEVELOPMENT DISTRICT

By: _____
Printed Name: _____
Its: _____

Witness

Witness

Print Name

Print Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2012, by _____ as _____ of TUSCANY COMMUNITY DEVELOPMENT DISTRICT, a special purpose unit of local government established under Chapter 190 of the Florida Statutes, on behalf of the district.

(SEAL)

Signature of Notary Public

Name of Notary Public
(Typed, Printed or Stamped)

Personally Known _____ OR Produced Identification _____
Type of Identification Produced: _____

ATTACHMENT: Legal Description

ATTACHMENT 4

This space reserved for use by the Clerk of
the Circuit Court

This instrument prepared by
and return to:

Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314

**Consent and Joinder of Landowner(s) to the Dissolution of
the Tuscany Community Development District**

The undersigned understands and acknowledges that actions are being taken to secure the dissolution of the Tuscany Community Development District (the "District") in accordance with the provisions of Florida law, including but not limited to Chapters 120, 189 and 190 of the Florida Statutes. As an owner of lands within the District, the undersigned hereby consents to the dissolution of the District. A description of the District lands owned by the undersigned is more fully described in **Exhibit A** (the "Property") attached hereto and made a part hereof.

The undersigned acknowledges that this consent and joinder will remain in full force and effect until the District is dissolved; provided that if the dissolution is not effected within three (3) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to Brian A. Crumbaker, Esq., at the address first listed above, as well as the Florida Land and Water Adjudicatory Commission, within any time thereafter, but prior to final approval of the dissolution.

This consent and joinder shall be deemed a covenant running with the land, binding upon the undersigned, its successors and assigns, and all persons claiming any right, title, or interest in the Property and all subsequent purchasers of the Property or any part thereof, their heirs, personal representatives, successors and/or assigns. 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Executed this 8th day of December, 2011.

Witnessed:

Beverly Hills Development Corporation

Pamela Hill
Print Name: Pamela Hill

By: [Signature]
Its: President

Marylee Bitner
Print Name: Marylee Bitner

STATE OF FLORIDA
COUNTY OF LAKE

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared John W. Patton, III,
President of Beverly Hills Development Corporation who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of LAKE and State of FLORIDA this 7th day of December, 2011.

[Signature]
Notary Public

Personally known: X
Produced Identification: _____
Type of Identification: _____

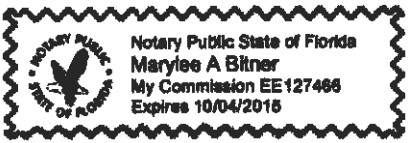


EXHIBIT A

(the "Property")

Beverly Hills Development Corporation

**Parcel Identification Nos.: 18E18S0142000; 18E18S0110000; 19E18S0630000;
19E18S0740000; 18E18S1244200; 18E18S1210000; and, 18E18S0141200
Citrus County, Florida**

This space reserved for use by the Clerk of
the Circuit Court

This instrument prepared by
and return to:

Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314

**Consent and Joinder of Landowner(s) to the Dissolution of
the Tuscany Community Development District**

The undersigned understands and acknowledges that actions are being taken to secure the dissolution of the Tuscany Community Development District (the "District") in accordance with the provisions of Florida law, including but not limited to Chapters 120, 189 and 190 of the Florida Statutes. As an owner of lands within the District, the undersigned hereby consents to the dissolution of the District. A description of the District lands owned by the undersigned is more fully described in **Exhibit A** (the "Property") attached hereto and made a part hereof.

The undersigned acknowledges that this consent and joinder will remain in full force and effect until the District is dissolved; provided that if the dissolution is not effected within three (3) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to Brian A. Crumbaker, Esq., at the address first listed above, as well as the Florida Land and Water Adjudicatory Commission, within any time thereafter, but prior to final approval of the dissolution.

This consent and joinder shall be deemed a covenant running with the land, binding upon the undersigned, its successors and assigns, and all persons claiming any right, title, or interest in the Property and all subsequent purchasers of the Property or any part thereof, their heirs, personal representatives, successors and/or assigns. 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Executed this 8th day of December, 2011.

Witnessed:
Corporation

Tuscany Ranch Partners, LLC

Pamela Hill
Print Name: Pamela Hill

By: John W. Patton III
Its: President

Marylee Bitner
Print Name: Marylee Bitner

STATE OF FLORIDA
COUNTY OF LAKE

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared John W. Patton, III,
President of Tuscany Ranch Partners, LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Lake and State of Florida this 7th day of December, 2011.

Marylee A. Bitner
Notary Public

Personally known: X
Produced Identification: _____
Type of Identification: _____

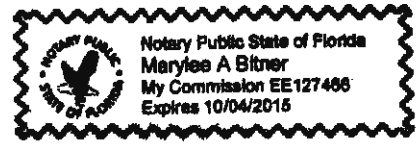


EXHIBIT A

(the "Property")

Tuscany Ranch Partners, LLC

**Parcel Identification No.: 18E18S0132000
Citrus County, Florida**

**This space reserved for use by the Clerk of
the Circuit Court**

**This instrument prepared by
and return to:**

**Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314**

**Consent and Joinder of Landowner(s) to the Dissolution of
the Tuscany Community Development District**

The undersigned understands and acknowledges that actions are being taken to secure the dissolution of the Tuscany Community Development District (the "District") in accordance with the provisions of Florida law, including but not limited to Chapters 120, 189 and 190 of the Florida Statutes. As an owner of lands within the District, the undersigned hereby consents to the dissolution of the District. A description of the District lands owned by the undersigned is more fully described in Exhibit A (the "Property") attached hereto and made a part hereof.

The undersigned acknowledges that this consent and joinder will remain in full force and effect until the District is dissolved; provided that if the dissolution is not effected within three (3) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to Brian A. Crumbaker, Esq., at the address first listed above, as well as the Florida Land and Water Adjudicatory Commission, within any time thereafter, but prior to final approval of the dissolution.

This consent and joinder shall be deemed a covenant running with the land, binding upon the undersigned, its successors and assigns, and all persons claiming any right, title, or interest in the Property and all subsequent purchasers of the Property or any part thereof, their heirs, personal representatives, successors and/or assigns. 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Executed this 8th day of DECEMBER, 2011.

Witnessed:

R. P. King T187 Land Trust UTA dated July 6, 1987, as amended

Pamela Hill
Print Name: Pamela Hill

By: William H. Cauthen
Its: President Trustee

Marylee Bitner
Print Name: Marylee Bitner

STATE OF FLORIDA
COUNTY OF LAKE

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared William H. Cauthen,
Trustee of R.P. King T187 Land Trust, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Lake and State of FLORIDA this 7th day of December, 2011.

Marylee Bitner
Notary Public
Marylee Bitner

Personally known: X
Produced Identification: _____
Type of Identification: _____



EXHIBIT A

(the "Property")

William H. Cauthen, Trustee of R.P. King T187 Land Trust

**Parcel Identification Nos.: 19E18S0611000; 19E18S0612000; 19E18S0710000;
19E18S0730000; 19E18S0732300; and, 18E18S1221000
Citrus County, Florida**

This space reserved for use by the Clerk of
the Circuit Court

This instrument prepared by
and return to:

Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314

**Consent and Joinder of Landowner(s) to the Dissolution of
the Tuscany Community Development District**

The undersigned understands and acknowledges that actions are being taken to secure the dissolution of the Tuscany Community Development District (the "District") in accordance with the provisions of Florida law, including but not limited to Chapters 120, 189 and 190 of the Florida Statutes. As an owner of lands within the District, the undersigned hereby consents to the dissolution of the District. A description of the District lands owned by the undersigned is more fully described in Exhibit A (the "Property") attached hereto and made a part hereof.

The undersigned acknowledges that this consent and joinder will remain in full force and effect until the District is dissolved; provided that if the dissolution is not effected within three (3) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to Brian A. Crumbaker, Esq., at the address first listed above, as well as the Florida Land and Water Adjudicatory Commission, within any time thereafter, but prior to final approval of the dissolution.

This consent and joinder shall be deemed a covenant running with the land, binding upon the undersigned, its successors and assigns, and all persons claiming any right, title, or interest in the Property and all subsequent purchasers of the Property or any part thereof, their heirs, personal representatives, successors and/or assigns. 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Executed this 17 day of July, 2012.

OAKWOOD VILLAGE HOA, INC.

Witnessed:

[Signature]
Print Name: _____

WAYNE S. BROWN
Print Name: S. E. B.
Suzanne E-Beal

[Signature]

By: Dee Brown
Its: President

STATE OF Florida
COUNTY OF Citrus

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Dee Brown of Oakwood Village H.O.A. Inc., who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Citrus and State of Florida this 17 day of July, 2012.

[Signature]
Notary Public



Personally known: _____
Produced Identification: FLDL# B1030174-47511-C
Type of Identification: _____

EXHIBIT A

(the "Property")

Oakwood Village H.O.A., Inc.

Parcel Identification No.: 18E18S12002000B0
Citrus County, Florida

This space reserved for use by the Clerk of
the Circuit Court

This instrument prepared by
and return to:

Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314

**Consent and Joinder of Landowner(s) to the Dissolution of
the Tuscany Community Development District**

The undersigned understands and acknowledges that actions are being taken to secure the dissolution of the Tuscany Community Development District (the "District") in accordance with the provisions of Florida law, including but not limited to Chapters 120, 189 and 190 of the Florida Statutes. As an owner of lands within the District, the undersigned hereby consents to the dissolution of the District. A description of the District lands owned by the undersigned is more fully described in **Exhibit A** (the "Property") attached hereto and made a part hereof.

The undersigned acknowledges that this consent and joinder will remain in full force and effect until the District is dissolved; provided that if the dissolution is not effected within three (3) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to Brian A. Crumbaker, Esq., at the address first listed above, as well as the Florida Land and Water Adjudicatory Commission, within any time thereafter, but prior to final approval of the dissolution.

This consent and joinder shall be deemed a covenant running with the land, binding upon the undersigned, its successors and assigns, and all persons claiming any right, title, or interest in the Property and all subsequent purchasers of the Property or any part thereof, their heirs, personal representatives, successors and/or assigns. 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Executed this 26th day of January, 2012.

Witnessed:

[Signature]
Print Name: Blaz Kovacic

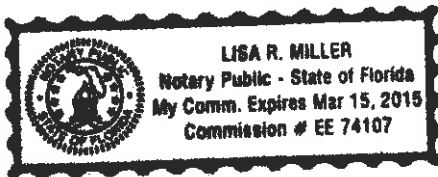
[Signature]
Print Name: Alice Cleary

Heartwood 91-2 LLC
By: [Signature]
Its: J.P.

STATE OF Florida
COUNTY OF Broward

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Bruce J Parker Vice President, of Heartwood 91-2 LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of Broward and State of Florida this 26th day of January, 2012.



[Signature]
Notary Public

Personally known: yes
Produced Identification: _____
Type of Identification: _____

EXHIBIT A

(the "Property")

Heartwood 91-2, LLC

**Parcel Identification No.: 18E18S1111000
Citrus County, Florida**

**This space reserved for use by the Clerk of
the Circuit Court**

**This instrument prepared by
and return to:**

**Brian A. Crumbaker, Esq.
HOPPING GREEN & SAMS, P.A.
119 S. Monroe Street, Suite 300 (32301)
Post Office Box 6526
Tallahassee, Florida 32314**

**Consent and Joinder of Landowner(s) to the Dissolution of
the Tuscany Community Development District**

The undersigned understands and acknowledges that actions are being taken to secure the dissolution of the Tuscany Community Development District (the "District") in accordance with the provisions of Florida law, including but not limited to Chapters 120, 189 and 190 of the Florida Statutes. As an owner of lands within the District, the undersigned hereby consents to the dissolution of the District. A description of the District lands owned by the undersigned is more fully described in **Exhibit A** (the "Property") attached hereto and made a part hereof.

The undersigned acknowledges that this consent and joinder will remain in full force and effect until the District is dissolved; provided that if the dissolution is not effected within three (3) years from the date hereof, the undersigned shall have the right to withdraw this consent by delivering written notice to Brian A. Crumbaker, Esq., at the address first listed above, as well as the Florida Land and Water Adjudicatory Commission, within any time thereafter, but prior to final approval of the dissolution.

This consent and joinder shall be deemed a covenant running with the land, binding upon the undersigned, its successors and assigns, and all persons claiming any right, title, or interest in the Property and all subsequent purchasers of the Property or any part thereof, their heirs, personal representatives, successors and/or assigns. 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.

[THIS SPACE INTENTIONALLY LEFT BLANK]

Executed this 17 day of February, 2012.

Witnessed:

Shirley Klein
Print Name: SHIRLEY HEIN

Sandra E. Watson
Print Name: SANDRA E. WATSON

Twisted Oaks Properties, LLC

By: [Signature]
Its: Manager

STATE OF FLORIDA
COUNTY OF BROWARD

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared STEVEN FISCHER, MANAGER of TWISTED OAKS PROPERTIES LLC, who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal in the County of BROWARD and State of FLORIDA this 17 day of FEBRUARY, 2012.

Melissa L. Munson
Notary Public



Personally known: X
Produced Identification: _____
Type of Identification: _____

EXHIBIT A

(the "Property")

Twisted Oaks Properties, LLC

Parcel Identification No.: 18E18S1244100
Citrus County, Florida

**SUPPLEMENT TO THE PETITION TO DISSOLVE THE
TUSCANY COMMUNITY DEVELOPMENT DISTRICT**

Hopping Green & Sams

Attorneys and Counselors

October 3, 2012

Barbara Leighty
Florida Land and Water Adjudicatory Commission
State of Florida
Office of the Governor
The Capitol
Tallahassee, Florida 32399-0001

RE: Supplement to the Petition to Dissolve the Tuscany Community Development District

Dear Ms. Leighty,

We are writing in response to your request for supplemental information regarding the Petition to Dissolve the Tuscany Community Development District, previously filed on September 5, 2012. Please find the following responses to the items raised in our discussion:

1. Evidence of submission of the Petition to the applicable general purpose local government.

RESPONSE: Please find attached correspondence to Citrus County under Tab A, along with proof of delivery of same.

2. Evidence of publication, for at least two consecutive weeks, of notice of the Petition or the District's intent to dissolve in a newspaper of general circulation in the county or municipality in which the territory of the District is located.

RESPONSE: Please find attached under Tab B a copy of the affidavit and proof of publication of the District's notice of intent to dissolve, which was published in the Citrus County Chronicle on September 23 and September 30, 2012.

3. Minutes of the last three District Board of Supervisors' meetings.

RESPONSE: Please find the attached minutes of the meetings held on May 12, 2006, August 18, 2006, and November 22, 2011, provided by the District's Manager under Tab C.

4. Copies of the last three annual financial reports of the District.

RESPONSE: Please find the attached under Tab D the Annual Financial Reports of the District for the fiscal years ending September 30, 2009, 2010 and 2011.

5. Record (written or oral) of any objections submitted during any formal or informal meetings discussing the dissolution of the District. (A synopsis of each objection is sufficient to respond to this request.)

RESPONSE: The District is not aware of any such objections.

Please let me know if you have any further questions. I appreciate your help in addressing the petition.

Sincerely,



Tucker F. Mackie
District Counsel

Enclosures

TAB A

Hopping Green & Sams

Attorneys and Counselors

September 14, 2012

Via Overnight Delivery

Richard Wesch, Esq.
Citrus County Attorney
Office of the County Attorney
110 N. Apopka Avenue
Inverness, Florida 34450

Re: Petition to Dissolve the Tuscany Community Development District

Dear Mr. Wesch:

Please find enclosed a copy of the Petition to Dissolve the Tuscany Community Development District ("Petition"). The Petition was filed with the Florida Land and Water Adjudicatory Commission ("FLWAC") on September 5, 2012. The Petition requests that FLWAC commence the process to repeal Chapter 42GG-1, F.A.C., which established the Tuscany Community Development District (the "District"), located in Citrus County, Florida. FLWAC has begun that process. While there is no statutory requirement to submit a petition for dissolution to the local general purpose government, FLWAC has asked us to provide a copy to the County. There is no obligation for the County to take any action. Assuming the successful dissolution of the District, we will provide you with notice of same upon its completion.

In the meantime, if you or others in the County have any questions, if we can provide any other assistance, or if you get any inquiry from the public, please do not hesitate to contact us.

Sincerely,


Tucker F. Mackie

TFM/dw

Enclosures

Tracking Summary

Tracking Numbers

Tracking Number: 1Z 203 3WE 01 9163 479 1
Type: Package
Status: **Delivered**
Delivered On: 09/17/2012
11:54 A.M.
Delivered To: INVERNESS, FL, US
Signed By: FINNEY
Service: NEXT DAY AIR

Tracking results provided by UPS: 09/17/2012 4:14 P.M. ET

NOTICE: UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

 [Feedback](#)

 [Close Window](#)

Copyright © 1994-2012 United Parcel Service of America, Inc. All rights reserved.

TAB B

Proof of Publication

from the
CITRUS COUNTY CHRONICLE
Crystal River, Citrus County, Florida
PUBLISHED DAILY

STATE OF FLORIDA
COUNTY OF CITRUS

Before the undersigned authority personally appeared

Mary Ann Naczi and/or Christine Bayley

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

326-0930 SUCRN PUBLIC NOTICE NOTICE OF MEETING TUSCANY COMMUNITY DEVELOPMENT DISTRICT NOTICE OF INTENT TO DISSOLVE DISTRICT Notice is hereby given that the Board of Supervisors of the Tuscany Community Development District (the "District") has filed

Court, was published in said newspaper in the issues of September 23rd, 2012, September 30th, 2012.

Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Marion County and Levy County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The forgoing instrument was acknowledged before me

This 30th day of September, 2012
By: Mary Ann Naczi and/or Christine Bayley

who is personally known to me and who did take an oath.

Notary Public

Linda Gilroy
LINDA GILROY
Commission # **00 903264**
Expires **June 29, 2013**
Recall That They Print Inverness 352-385-7600

326-0930 SUCRN
PUBLIC NOTICE
NOTICE OF MEETING
TUSCANY COMMUNITY DEVELOPMENT DISTRICT
NOTICE OF INTENT TO DISSOLVE DISTRICT

Notice is hereby given that the Board of Supervisors of the Tuscany Community Development District (the "District") has filed a petition with the Florida Land and Water Adjudication Commission (the "Commission") seeking to dissolve the District (the "Petition"). The District was established by Rule 42GG-1, Florida Administrative Code, adopted by the Commission pursuant to Chapters 190 and 120, Florida Statutes, on June 18, 2008 (the "Rule"), as such Rule was amended on March 9, 2009. The District has asked the Commission to repeal the Rule establishing the District. The District includes approximately 1,710.93 acres, and is located in Citrus County. The District is generally located east and south of County Road 491, north of County Road 486 and west of U.S. Highway 41. The Commission is presently reviewing the Petition. Anyone objecting to the dissolution shall file such objections no later than October 8, 2012 with the office of the District's Counsel, Hopping Green & Sons, 119 South Monroe Street, Suite 300, Tallahassee, Florida 32301, attention: Brian A. Crumbarak, Esq. A copy of this Petition is on file at the District's Records Office, 13674 Village Park Drive, Suite 265, Orlando, Florida 32837, and may be obtained by contacting the District Manager, phone number (327) 841-5524, during normal business hours.

George First
District Manager
September 23 and 30, 2012.

TAB C

**MINUTES OF MEETING
TUSCANY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Tuscan Community Development District was held Friday, May 12, 2006 at 12:00 p.m. in the Law Offices of Clark Stillwell, 320 U. S. Highway 41 South, Inverness, Florida.

Present and constituting a quorum were:

Taylor B. Collins	Chairman
Dale R. Miller	Vice Chairman
Jim Cassia	Assistant Secretary
Michael Collins	Supervisor

Also present were:

George Flint	District Manager
Brian Crumbaker	District Counsel
Darrin Mossing	GMS by telephone

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order at 12:00 p.m.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the November 1, 2005 Meeting

Mr. Flint stated the next item is approval of the minutes of the November 1, 2005 meeting which were provided to the Board prior to the meeting for review. Are there any comments or corrections?

There not being any,

On MOTION by Mr. Taylor Collins seconded by Mr. Miller with all in favor the minutes of the November 1, 2006 meeting were approved as submitted.

Mr. Flint stated I understand there may be an appointment to the Board of Supervisors.

Mr. Collins stated yes.

Mr. Flint stated there is currently a vacancy on the Board is there a nomination to fill that vacancy?

Mr. Taylor Collins nominated Michael Collins to fill the unexpired term of office and there being no further nominations Mr. Michael Collins was appointed to fill the unexpired term of office.

Mr. Flint being a notary public of the State of Florida administered the oath of office to Michael Collins.

Mr. Flint stated I have given Mr. Michael Collins a guide to the sunshine amendment as well as the form 1 and explained that that needs to be filed within 30 days with the Supervisor of Elections in the county in which he resides. I will provide the contact information to file that form.

THIRD ORDER OF BUSINESS

Ranking of Engineering Firm Proposals and Selection of District Engineer

Mr. Flint stated the next item is the ranking of engineering firm proposals and selection of District Engineer. At the last meeting you authorized staff to advertise for proposals for District Engineer. We did that and followed the CCNA requirements and that was advertised at least 30 days before the responses were due. We received two responses and those have been provided to the Board prior to the meeting. One is from American Heritage Engineering of Florida, Inc. which is located in Ocala, Florida and the other response is from Countryside Engineering, Inc. which is located on Brooksville, Florida. In talking with District Counsel prior to the meeting, because there was not a set of ranking criteria that was provided to the respondents prior to this meeting, it is our belief that the selection can be based on a discussion of the pros and cons of each submittal.

Mr. Crumbaker stated since you have the scoring sheet in front of you I would at least loosely discuss the various categories and the strengths and weaknesses of each proposal so that we can have a reasonable basis for the Board's final determination.

Mr. Taylor Collins stated I looked over both of these and as I looked at the ranking sheet with Countryside and American Heritage, the one that is the most familiar with the project is definitely Countryside Engineering. They have done projects right up the street. They have

worked on other aspects of this project and they are very knowledgeable with the Citrus County region. I am not aware of many Districts that American Heritage has done in the past. They have done some. Staffing ability, I believe Countryside's staffing is up to par with keeping up with this and the requirements. They are close to the location which means a lot. They are there, they are not a firm out of Ocala or Orlando or Tampa which means that we can call them and they are there and onsite and have the pulse of the project. Their credibility with the permitting agencies is flawless with the county. That is very important, especially in getting things pushed through. My pick personally is Countryside Engineering. American Heritage is a very good engineering firm; I just think Countryside better suits this project and the location.

Mr. Miller stated my only question would be do they have the staff to take this project on with everything else they have.

Mr. Taylor Collins responded Richard Olsen who owns Countryside Engineering and I have had discussions and I asked him that question. I said would you be prepared to watch this through and handle it and he told me that he does not have a problem and he would put an engineer strictly on this project and he would oversee it.

Mr. Miller stated with that in mind, I am in agreement with you. I am not familiar with American Heritage, I am with Countryside and I know the type of work they do and that they are familiar with our area and our project. I think they would be an excellent choice.

Mr. Cassia stated I'm not familiar with either one but what you just said makes a lot of sense.

Mr. Michael Collins stated I am familiar with Countryside but not American Heritage so I will go with your recommendation.

On MOTION by Mr. Taylor Collins seconded by Mr. Miller with all in favor Countryside Engineering was selected as the District Engineer.

Mr. Crumbaker asked will the District Manager proceed with sending a notice to both firms so they know the outcome.

Mr. Flint responded yes.

FOURTH ORDER OF BUSINESS

**Consideration of Resolution 2006-03
Authorizing the Boundary Amendment**

Mr. Flint stated the next two items we have are items that District Counsel requested be included on the agenda. I will turn this over to Mr. Crumbaker.

Mr. Crumbaker stated the resolution in the agenda package is regarding the boundary amendment that we will be filing in the very near future. Under Chapter 190 in order to do so we need to evidence the District's consent and the best way to do so is by resolution. Attached to this will be an Exhibit A that is going to be the legal description of the area to be incorporated within the District which is a 151 acre piece. Unless there are any questions I request a motion approving Resolution 2006-03.

Mr. Miller stated I know the parcel is 160 acres. Can you tell me which part of the parcel is not going in?

Mr. Taylor Collins responded the side where the industrial park is located, we cut out 9 acres.

Mr. Crumbaker stated we will file this with FLAWAC which is the Governor and Cabinet and Citrus County. Citrus County has an opportunity within 45 days to hold a public hearing which we anticipate they won't do. If they do, we will deal with that but the process is shorter than going through a full boundary amendment process which usually takes about 8 months. This hopefully, will take between four and five months. I just want to give you a timeframe as to when we think it will be effective.

On MOTION by Mr. Taylor Collins seconded by Mr. Michael Collins with all in favor Resolution 2006-03 was approved.

FIFTH ORDER OF BUSINESS

**Consideration of Boundary Amendment
Funding Agreement**

Mr. Crumbaker stated there are consultants involved, there are fees associated with the court reporters, filing fees, etc. and the District will need a funding agreement with the primary developer in order to fund those costs. In your package there is a boundary amendment funding agreement between the District and Beverly Hills Development Corporation. Unlike the advance funding agreement you may see for the purpose for advancing construction, boundary amendment funding agreements is not a reimbursable expense. Any fees incurred during the process of amending the boundaries is similar to when you first established the District, they will

not be reimbursed by this District's bond funds. I request a motion to approve the boundary amendment funding agreement and we will have this executed by the developer.

Mr. Flint stated I just noticed the contact information for the District, you need to change the address.

Mr. Crumbaker stated no problem we will do that.

On MOTION by Mr. Taylor Collins seconded by Mr. Michael Collins with all in favor the boundary amendment funding agreement was approved subject to the contact information being changed as noted.

SIXTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Mr. Crumbaker stated we will be filing hopefully within the next week and we will keep you posted on the status of that at the next Board meeting and when we anticipate the incorporation will be complete.

The only other thing is that over the next month we will likely have another meeting in order to hire bond counsel and begin the process of retaining counsel in order for us to go to bond validation, etc. That will be for a later date.

Mr. Taylor Collins asked what is the timeframe once we have bond counsel to the validation? What is the process we can expect to go through and the timeframe?

Mr. Crumbaker responded it usually takes a couple of months to get validated. One of the things we will have to talk about with bond counsel, depending on who it is, is whether they want to wait until after the incorporation has been completed, which is likely or if they are comfortable with proceeding. The reason why it is likely they will wait until after the boundary amendment is completed is because your engineer's report will contemplate costs that are outside the District currently and until we bring that in it is difficult to validate a project that exceeds the scope of the District's ability to construct.

Mr. Taylor Collins stated you are saying the normal timeframe for the boundary amendment is 4 months.

Mr. Crumbaker responded that is correct.

Mr. Taylor Collins stated at the end of that four month period, can we coincide so in the fifth month, five months from now we get that validation processed? I would like to have everything tied up in a bow by years end, the end of the fourth quarter of 2006. I would like to have the validation, the boundary amendment, and all of the other aspects we need for the District tied up.

Mr. Crumbaker stated the validation usually takes about 6 to 8 weeks. Say it takes conservatively 4 ½ months to get through this and we file this week so by the end of September and we file for validation immediately after the effective date of the rule on the outside two months so you are looking at the end of November. By the end of the year you would have that parcel incorporated and also have validation. As soon as we get through validation you can issue your long term debt.

B. Engineer

There not being any, the next item followed.

C. Manager

i. Number of Registered Voters

Mr. Flint stated each year we are required to contact the Supervisor of Elections and find out the number of registered voters residing within the District as of April 15. We have done that and included an email in your packet from the Supervisor of Elections that indicates that there are no registered voters currently residing within the District. When the District reaches 6 years and at least 250 registered voters within this District, after 6 years from the date it is created it, two seats will go to general election and they would be on the November ballot for resident members of the Board. Each year we are required to announce in the record the number of registered voters.

ii. Consideration of Resolution 2006-04 Approving the Proposed Fiscal Year 2007 Budget and Setting a Public Hearing

Mr. Flint stated the next item is Resolution 2006-04 approving the proposed budget and setting the date, place and time of the final public hearing for adoption. The District is required to transmit the proposed budget in this case it would be to Citrus County at least 60 days prior to its final adoption. We have you adopt a resolution with the proposed budget attached in order to

allows us to transmit it to the county and also set the time, date and place of the public hearing. Generally we like to have the date of the final adoption in the month of August. That gives us plenty of time. It has to be adopted by September 30, each year but we like to get them out of the way in August in case there are any issues with noticing or anything that comes up at the last minute. I have attached the proposed budget for your review and consideration. It is a fairly basic budget at this point and you can see the comparison of the current year budget to the proposed budget. The only difference is that insurance has gone up by \$2,000 and computer time by \$500. Other than that it is identical to your current budget. We have a policy with the Florida League of Cities and there is an anticipation that the cost of the insurance policy would increase next year.

Mr. Taylor Collins stated the insurance policy is to protect the Board.

Mr. Flint responded yes.

Mr. Taylor Collins stated that is the insurance policy in case of a lawsuit.

Mr. Flint responded yes. At this point there is no property covered by that insurance policy but once there are assets in place those assets would also be added to the policy so you would have a property insurance component to your policy as well. We need to set a date and time in August for the public hearing to adopt the budget.

It was the consensus of the Board to hold the public hearing August 18, 2006 at 12:00 p.m. at the same location.

On MOTION by Mr. Miller seconded by Mr. Taylor Collins with all in favor Resolution 2006-04 was approved.

iii. Balance Sheet and Income Statement

Mr. Flint stated we have provided you a balance sheet and income statement. This is provided to you for informational purposes. It doesn't require any action by the Board. This represents the period from October 1, 2005 through March 31, 2006.

iv. Consideration of Funding Requests 10 & 11

Mr. Flint stated we have two funding requests, funding request 10 in the amount of \$13,627.57 dated April 4, 2006 and funding request 11 dated May 4, 2006 in the amount of \$512.49.

Mr. Crumbaker stated on funding request no. 11, Hopping Green & Sams, invoice no. 1 which is project finance should slide over into capital because that is reimbursable whenever we issue the debt.

Mr. Flint stated we will put that in the capital column and make sure that once bonds are issued, the general fund gets reimbursed for that.

Mr. Taylor Collins asked does the CDD get reimbursed i.e. does the developer get reimbursed for these funds once the bonds are issued?

Mr. Crumbaker stated only the capital costs.

Mr. Flint stated eventually when you levy assessments, the developer funding piece will crank down and the assessments will crank up.

On MOTION by Mr. Taylor Collins seconded by Mr. Michael Collins with all in favor funding request 10 in the amount of \$13,627.57 was approved.

Mr. Flint stated as noted we will move the \$154 invoice to the capital column.

On MOTION by Mr. Taylor Collins seconded by Mr. Miller with all in favor funding request no. 11 in the amount of \$512.49 was approved.

Mr. Mossing stated while we are under the Manager's Report, the Board ranked Countryside Engineering as the number one ranked engineering firm. I think for the next agenda we need to put on the approval of a standard form contract with the engineer that I think Mr. Crumbaker will provide.

Mr. Crumbaker stated that is correct.

Mr. Flint stated we will bring that back and that will be on the next agenda.

Mr. Crumbaker stated I will get a schedule of fees from Countryside.

SEVENTH ORDER OF BUSINESS

Supervisor's Requests

May 12, 2006

Tuscany CDD

There not being any, the next item followed.

EIGHTH ORDER OF BUSINESS

Audience Comments

There not being any,

On MOTION by Mr. Taylor Collins seconded by Mr. Michael Collins with all in favor the meeting adjourned at 12:20 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman

**MINUTES OF MEETING
TUSCANY COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Tuscany Community Development District was held Friday, August 18, 2006 at 12:00 p.m. in the Law Offices of Clark Stillwell, 320 U. S. Highway 41 South, Inverness, Florida.

Present and constituting a quorum were:

Taylor B. Collins	Chairman
Dale R. Miller	Vice Chairman
Jim Cassia	Assistant Secretary
Michael Cameron Collins	Supervisor
Betty Muscara Ferris	Assistant Secretary

Also present were:

George Flint	District Manager
Brian Crumbaker	District Counsel

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order at 12:00 p.m.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the May 12, 2006 Meeting

Mr. Flint stated the first item of business is approval of the minutes of the May 12, 2006 meeting. They have been provided to the Board in the agenda packet. I will note that Cameron Collins' name is referenced as Michael Collins.

Mr. Taylor stated that is his first name.

Mr. Flint stated if that is okay we can leave it like that and in the future we can refer to him as Cameron.

Mr. Taylor Collins stated my middle initial is "B".

Mr. Flint stated we will correct that.

On MOTION by Mr. Taylor Collins seconded by Mr. Miller with all in favor the minutes of the May 12, 2006 meeting were approved as amended.

THIRD ORDER OF BUSINESS

Public Hearing

Public Hearing to Consider Resolution 2006-05 Adopting the Fiscal Year 2007 Budget

Mr. Flint stated the next item of business is a public hearing to consider Resolution 2006-05 adopting the Fiscal Year 2007 budget. The Board approved the preliminary budget on May 12, 2006 by Resolution 2006-04 and that was transmitted to Citrus County at least 60 days prior to this meeting. This hearing was advertised 21 days and 14 days in advance as required by Florida Statute. The budget is attached to the resolution and is in the amount of \$111,350 and there is a narrative explanation of the individual line items. We don't have any members of the public present so I will bring it back to the Board for discussion and consideration.

Mr. Taylor Collins stated the proposed budget is fine with me I just wanted to have a chance if we adopt it, to go back and look at some of the management contracts to look at the fee agreements.

On MOTION by Mr. Taylor Collins seconded by Ms. Ferris with all in favor Resolution 2006-05 adopting the budget for Fiscal Year 2007 was approved with the comment that the Chairman having the authority to discuss the management contract.

FOURTH ORDER OF BUSINESS

Consideration of Fiscal Year 2007 Developer Funding Agreement

Mr. Flint stated the next item of business is consideration of the Fiscal Year 2007 developer funding agreement. This is something that you adopted last year as well. It is an agreement between the District and the developer. The budget is attached and the agreement says that the developer is obligated to fund the contribution indicated in the budget. I think Mr. Crumbaker brought a copy of the draft funding agreement with him.

Mr. Crumbaker stated the only change I will note is the Beverly Hills Development Corporation will not be funding the District any further, it will be Tuscany Ranch Partners, LLC so we will adjust the agreement accordingly.

On MOTION by Mr. Taylor Collins seconded by Ms. Ferris with all in favor the Fiscal Year 2007 developer funding agreement was approved as amended.

Mr. Cameron Collins joined the meeting just prior to the vote.

FIFTH ORDER OF BUSINESS

Consideration of Amendment to Resolution 2006-03 Ratifying the Board's Approval of a Boundary Amendment

Mr. Flint stated you adopted Resolution 2006-03 addressing the boundary amendment and Brian has brought Resolution 2006-06 with him to correct that action as a result of some changes that have taken place since the prior resolution was adopted.

Mr. Crumbaker stated before you is Resolution 2006-06 which is a resolution amending Resolution 2006-03 that you previously adopted regarding the amendment of the District's boundaries. Previously the resolution that was approved authorized the amendment of the boundaries to include an addition of approximately 150 acres. Since that time we received a request from the principal landowners adjacent to the District to include some additional lands which now total 332 acres. This resolution in effect authorizes District staff and approves the filing of a petition to amend the boundaries to include the entire 332 acres.

Mr. Taylor Collins stated to clarify, this includes the 160 acres and the piece of land that is the trust.

Mr. Crumbaker responded there are actually three pieces. It is a 10-acre piece on the north end, which is in the northeast 161 acres and there is a 160 acre piece. One is 161.46 acres, 160.57 acres and the other is 10.04 acres.

On MOTION by Mr. Taylor Collins seconded by Mr. Miller with all in favor Resolution 2006-06 was approved.

Mr. Crumbaker stated we have everything ready and I will take this back today and Federal Express it out.

Ms. Ferris asked what does that bring the total acreage to?

Mr. Crumbaker responded 1,710.93 acres.

SIXTH ORDER OF BUSINESS

**Consideration of Agreement with
Countryside Engineering to Provide
Engineering Services**

Mr. Flint stated the next item of business is consideration of Agreement with Countryside Engineering to provide engineering services. The Board had hired Countryside Engineering as the interim engineer. We issued an RFP for District engineering services in accordance with the CCNA. We received two responses and at your last meeting you ranked Countryside number one and authorized staff to negotiate an agreement. That agreement is contained in your agenda packet. I believe Brian has reviewed the agreement as well. It has me as District Manager signing it and we will change that to have the Chairman execute the agreement.

On MOTION by Mr. Taylor Collins seconded by Ms. Ferris with all in favor the agreement with Countryside Engineering was approved.

SEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney

There not being any, the next item followed.

B. Engineer

There not being any, the next item followed.

C. Manager

i. Designation of Fiscal Year 2007 Meeting Dates

Mr. Flint stated next is the designation of your annual meeting schedule. We are required to advertise a notice each year for your annual meetings and in the past we have advertised a notice saying that you will meet on an as needed basis and when you do meet it will be legally advertised at least 7 days in advance of the meeting. If you want to continue with that practice we have a proposed notice in your agenda packet. You do have the option of setting specific dates in the year to meet but you may want to continue on an as needed basis as you have in the past.

Mr. Taylor stated I like the as needed basis.

On MOTION by Mr. Miller seconded by Mr. Taylor Collins with all in favor the Board will continue to meet on an as needed basis and the manager was authorized to notice same.

ii. Balance Sheet and Income Statement

Mr. Flint stated the next item is your balance sheet and statement of revenue and expenditures. This is for the period ending July 31, 2006. It shows you have total assets of \$35,143 and total liabilities and fund equity of \$35,143. The next page is your statement of revenue and expenditures which shows the activity for the District for the year. There is no action required on this item.

iii. Consideration of Funding Request #12

Mr. Flint stated the next item is funding request no. 12 and you will see the general fund is \$15,042.64 and the capital fund which is recoverable through bond proceeds is \$227.50 and there is a boundary amendment amount of \$2,875.36. The boundary amendment activity from Hopping Green will be billed directly to the developer and is not an expense of the District.

Mr. Crumbaker stated it is funded through the District but it is funded by the developer.

Mr. Flint stated the total amount is \$18,145.50.

Mr. Taylor Collins asked is that number included in the number on the previous page?

Mr. Flint responded yes.

Mr. Taylor Collins stated the \$18,000 is included in the \$35,000.

Mr. Flint responded I will have to check on that. Because this is through July 31 and this funding request is dated August 1. It may not be in there.

Mr. Taylor Collins stated I need to know if it is the \$35,000 plus the \$18,000.

Mr. Flint responded all of the outstanding funding requests, we will take those and this and send it to the new entity to recap where we are at as far as what is outstanding.

Mr. Taylor Collins stated that is fine.

On MOTION by Mr. Taylor Collins seconded by Mr. Cameron Collins with all in favor funding request no. 12 in the amount of \$18,145.50 was approved.

EIGHTH ORDER OF BUSINESS

Supervisor's Requests

There not being any, the next item followed.

NINTH ORDER OF BUSINESS

Audience Comments

There not being any,

On MOTION by Mr. Taylor Collins seconded by Ms. Ferris with all in favor the meeting adjourned at 12:15 p.m.


Secretary/Assistant Secretary


Chairman/Vice Chairman

TUSCANY COMMUNITY DEVELOPMENT DISTRICT

A meeting of the Board of Supervisors of the Tuscany Community Development District was held Tuesday, November 22, 2011 at 12:00 p.m. in the Law Offices of Clark Stillwell, 320 U. S. Highway 41 South, Inverness, Florida.

Present and constituting a quorum were:

Taylor B. Collins
Dale R. Miller
Jim Cassia
Betty Ferris

Chairman by telephone
Vice Chairman
Assistant Secretary
Assistant Secretary

Also present were:

George Flint
Tucker Mackie
Ronnie Collins
John Patten

District Manager
District Counsel - by telephone
Beverly Hills - by telephone
Beverly Hills - by telephone

FIRST ORDER OF BUSINESS

Roll Call

Mr. Flint called the meeting to order.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the August 18, 2006 Meeting

Mr. Flint stated the next item is approval of the minutes of the August 18, 2006 meeting. Those were provided to you in your agenda packet. Are there any additions, deletions or corrections to the minutes?

There not being any

On **MOTION** by Mr. Miller seconded by Mr. Collins with all in favor the minutes of the August 18, 2006 meeting were approved as presented.

THIRD ORDER OF BUSINESS

Consideration of Dissolution of the District

Mr. Flint stated item three is the primary reason we are meeting today and it is to address issues associated with dissolving the community development district. Ms. Mackie, District Counsel will walk the Board through the individual items.

A. Presentation of Letter Requesting Dissolution

Ms. Mackie stated I work with Brian Crumbaker at Hopping Green & Sams. The first item under agenda item three is the presentation of the letter requesting dissolution. It is my understanding that John Cotton was going to be forwarding this letter and it may not have arrived in time for distribution today but basically the developer has reevaluated the financing mechanisms, which it was intending to fund infrastructure within the District. Given current economic conditions and the fact that the planned community development improvements that were identified in the District Engineer's Report can be provided by the developer and/or the landowners at a future time and at equal or lesser cost and at an equal quality compared to the provision by the District the developer is requesting that the Board consider the dissolution of the District.

The remainder of the agenda items address how the District would seek dissolution. The District was established by the Florida Land and Water Adjudicatory Commission given its size therefore, the District needs to petition that same agency for dissolution. Given that the District doesn't own or maintain any improvements, that the District hasn't issued any bonds to fund the infrastructure within the District nor has it levied any assessments the dissolution process is fairly straightforward. However, I can go through these items individually at this point unless the Board members have any initial questions regarding dissolution.

B. Presentation of Form of consent Joinder of Landowner to the Dissolution of the District

Ms. Mackie stated item 3B is the form of consent that we would be looking for landowners within the District to execute. It is something that will be attached to the petition once it is filed with FLWAC. There is nothing the Board needs to approve here we are just providing this information for informational purposes.

C. Consideration of Resolution 2012-01 Dissolving the District

Ms. Mackie stated item 3C is consideration of Resolution 2012-01 dissolving the District and basically this resolution sets forth the reasons why the District is considering dissolution. It requests that a petition be filed with FLWAC and it attaches a plan of dissolution as an exhibit to this resolution. As I stated previously the District doesn't have any infrastructure that it owns or maintains so it will be fairly straightforward and the plan of dissolution is fairly brief. The current staff that provides services to the District is District Counsel and the District Manager and they would be retained for purposes of finalizing the dissolution and the plan of dissolution provides for payment of those services and once that is done and once FLWAC revises the rule the District will be effectively dissolved. There are few ministerial items that occur post dissolution relating to the records of the District and transmittal of those to the Department of Economic Opportunity and that is fairly ministerial but unless there are any questions I would be looking for a motion to approve Resolution 2012-01.

On MOTION by Mr. Collins seconded by Ms. Ferris with all in favor Resolution 2012-01 was approved.

D. Consideration of Dissolution Agreement with Beverly Hills Development Corporation

Ms. Mackie stated item 3D is consideration of the dissolution agreement with Beverly Hills Development Corporation and the District. Basically this just provides for the funding of the District through dissolution. It is fairly straightforward, however, I would be happy to answer any questions the Board may have. The developer has agreed to fund those expenses as they relate to dissolution.

On MOTION by Mr. Miller seconded by Ms. Ferris with all in favor the dissolution agreement with Beverly Hills Development Corporation was approved.

E. Consideration of Form of Notice of Intent to Dissolve

Ms. Mackie stated item 3E is provided for informational purposes, the notice of intent to dissolve the District. In working with FLWAC on previous dissolutions they have requested a similar notice be posted and basically it just provides them the comfort that notice has been put out that the District intends to dissolve and it provides opportunity for anyone who wishes to

raise an objection to provide that information. Unless there are any other questions I don't think there is any action that needs to be taken by the Board relative we just wanted to provide this for informational purposes.

F. Approval of Forms of Professional Agreement and Release for District Counsel and District Manager

Ms. Mackie stated the next item is the forms of agreement and release. As I stated when speaking about the resolution and the plan of dissolution the District will enter into these agreements and releases once District staff has finalized everything it needs to as it relates to the dissolution. It is fairly straightforward and I would be happy to answer any questions you may have but I'm looking for a motion to approve as to form the two agreements and releases included within the agenda package.

On MOTION by Mr. Collins seconded by Mr. Miller with all in favor the form of the agreements and releases for District Counsel and District Manager were approved.

FOURTH ORDER OF BUSINESS

Staff Reports

A. Attorney

Ms. Mackie stated in terms of letting the Board know the process moving forward we will be preparing the petition and as soon as we receive the consent to dissolution we will be filing the petition with FLWAC. There will be some time involved in FLWAC staff reviewing the petition but it will be placed on the agenda once approved and it is our understanding that FLWAC now has a revised process wherein the first time FLWAC hears the agenda item and assuming there is no objection it is approved at that point, however, they will have it as a consent item on the agenda. It needs to go before the commission for both rule formation and rule adoption but rule adoption at that point would be ministerial.

B. Engineer

There not being any, the next item followed.

C. Manager

i. 2007 & 2008 Registered Voter Letters

Mr. Flint stated each year we are required to announce the number of registered voters residing within the boundaries of the District and with the last meeting being in 2006 we provided the letters from 2007 and 2008 and there is no action required on that but we will just announce that in those two years there were no registered voters residing within the District.

FIFTH ORDER OF BUSINESS

Other Business

There not being any, the next item followed.

SIXTH ORDER OF BUSINESS

Supervisors Requests and Audience Comments

Mr. Cassia stated I would like to have Mr. Ronnie Collins give me a call if he would sometime today.

On MOTION by Ms. Ferris seconded by Mr. Collins with all in favor the meeting adjourned at 12:12 p.m.

Assistant Secretary

Chairman

DRAFT

TAB D

Unit Information

Unit ID: 301442 Year: 2009

Unit Name: Tuscany Community Development District

Unit Status: Active Unit Dependency: Independent

Location Information

Name: Mr. Ariel Lovera
Title: Treasurer

Phone: (407) 841-5524
Fax: (407) 839-1526

Address:
201 East Pine Street, Suite 950
Orlando, FL 32801

Contact Information

Name: Mr. Ariel Lovera
Title: Treasurer

Phone: (407) 841-5524
Email: alovera@govmgisvc.com

Address:
201 East Pine Street, Suite 950
Orlando, FL 32801

AFR Details

Original AFR

AFR Status: Certified
AFR Received Date: 4/30/2010
Audit Received Date:
Submission Type: Electronic

Debt Information

Long-Term Debt: \$0

Audit Information

Was an audit performed? No

Audit Performed Date:

Auditor Name:

Address:

Certification

Chief Financial Officer

Name: Ariel Lovera
Title: Treasurer

Chairman/Elected Official

Name: Taylor Collins
Title: Chairman

Yes No

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Have You Experienced a Financial Emergency in this year?

If Yes, Have You Compiled With Section 218.503(2), Florida Statutes?

Auditor General Rule: Section 10.554(1)(h)6.b): If applicable, does the Annual Financial Report agree with the Audited Financial Statement? (Do total revenues and expenditures per fund group on the AFR balance to the audited Statement of Revenues and Expenditures?)

Revenues Report for FYE 2009

Expenditures Report for FYE 2009

Data Element Worksheet Report for FYE: 2009, Unit ID: 301442, Tuscan Community Development District

Number	Title	Amount
1	Unreserved Fund Balance	0
2	Unrestricted Net Assets	0
3	Cash and Investments	0
4	Cash and Investments (Propriet	0
5	Current Liabilities	0
6	Current Liabilities	0
7	Long-Term Debt	0
8	Total Revenues	0
9	Intergovernmental Revenues	0
10	Total Expenditures	0
11	Debt Service Expenditures	0
12	Total Operating (Proprietary) Re	0
13	Intergovernmental Revenues (Pr	0
14	Total Operating (Proprietary) Ex	0

Component Unit	Type	Total Revenues	Total Expenditures	Total Debt
----------------	------	----------------	--------------------	------------

Unit Information

Unit ID: 301442 Year: 2010

Unit Name: Tuscany Community Development District

Unit Status: Active Unit Dependency: Independent

Location Information

Name: Mr. Ariel Lovera
Title: Treasurer
Phone: (407) 841-5524
Fax: (407) 839-1526
Address:
13574 Village Park Drive, Ste.265
Orlando, FL 32837

Contact Information

Name: Mr. Ariel Lovera
Title: Treasurer
Phone: (407) 841-5524
Email: alovera@govmgtisvc.com
Address:
13574 Village Park Drive, Ste.265
Orlando, FL 32837

AFR Details

Original AFR

AFR Status: Submitted
AFR Received Date: 4/21/2011
Audit Received Date:
Submission Type: Electronic

Debt Information

Long-Term Debt: \$0

Audit Information

Was an audit performed? No
Audit Performed Date:
Auditor Name:
Address:

Unit Information

Unit ID: 301442 Year: 2010

Unit Name: Tuscany Community Development District

Unit Status: Active Unit Dependency: Independent

Location Information

Name: Mr. Ariel Lovera
Title: Treasurer
Phone: (407) 841-5524
Fax: (407) 839-1526
Address:
13574 Village Park Drive, Ste.265
Orlando, FL 32837

Contact Information

Name: Mr. Ariel Lovera
Title: Treasurer
Phone: (407) 841-5524
Email: alovera@govmgtisvc.com
Address:
13574 Village Park Drive, Ste.265
Orlando, FL 32837

Certification

Chief Financial Officer

Name: Ariel Lovera
Title: Treasurer

Chairman/Elected Official

Name: Taylor Collins
Title: Chairman

Have You Experienced a Financial Emergency in this year?

If Yes, Have You Complied With Section 218.503(2), Florida Statutes?

Auditor General Rule: Section 10.554(1)(h)(6.b); If applicable, does the Annual Financial Report agree with the Audited Financial Statement? (Do total revenues and expenditures per fund group on the AFR balance to the audited Statement of Revenues and Expenditures?)

	Yes	No
Have You Experienced a Financial Emergency in this year?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, Have You Complied With Section 218.503(2), Florida Statutes?	<input type="checkbox"/>	<input type="checkbox"/>
Auditor General Rule: Section 10.554(1)(h)(6.b); If applicable, does the Annual Financial Report agree with the Audited Financial Statement? (Do total revenues and expenditures per fund group on the AFR balance to the audited Statement of Revenues and Expenditures?)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Revenues Report for FYE 2010

Expenditures Report for FYE 2010

Data Element Worksheet Report for FYE: 2010, Unit ID: 301442, Tuscany Community Development District

Number	Title	Amount
1	Unreserved Fund Balance	0
2	Unrestricted Net Assets	0
3	Cash and Investments	0
4	Cash and Investments	0
5	Current Liabilities	0
6	Current Liabilities	0
7	Long-Term Debt	0
8	Total Revenues	0
9	Intergovernmental Revenues	0
10	Total Expenditures	0
11	Debt Service Expenditures	0
12	Total Operating (Proprietary) Re	0
13	Intergovernmental Revenues - P	0
14	Total Operating (Proprietary) Ex	0

Component Unit	Type	Total Revenues	Total Expenditures	Total Debt
----------------	------	----------------	--------------------	------------

Unit Information

Unit ID: 301442 Year: 2011

Unit Name: Tuscany Community Development District

Unit Status: Active

Unit Dependency: Independent

Location Information

Name: Mr. Ariel Lovera

Title: Treasurer

Phone: (407) 841-5524

Fax: (407) 839-1526

Address:

13574 Village Park Drive, Ste.265
Orlando, FL 32837

Contact Information

Name: Mr. Ariel Lovera

Title: Treasurer

Phone: (407) 841-5524

Email: alovera@govmgtsvc.com

Address:

13574 Village Park Drive, Ste.265
Orlando, FL 32837

AFR Details

Original AFR

AFR Status: Submitted

AFR Received Date: 7/27/2012

Audit Received Date:

Submission Type: Electronic

Debt Information

Long-Term Debt: \$0

Audit Information

Was an audit performed? No

Audit Performed Date:

Auditor Name:

Address:

Certification

Chief Financial Officer

Name: Ariel Lovera

Title: Treasurer

Chairman/Elected Official

Name: Taylor Collins

Title: Chairman

Have You Experienced a Financial Emergency in this year?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

If Yes, Have You Complied With Section 218.503(2), Florida Statutes?

Auditor General Rule: Section 10.554(1)(h)(6.b): If applicable, does the Annual Financial Report agree with the Audited Financial Statement? (Do total revenues and expenditures per fund group on the AFR balance to the audited Statement of Revenues and Expenditures?)

Revenues Report for FYE 2011

Expenditures Report for FYE 2011

Data Element Worksheet Report for FYE: 2011, Unit ID: 301442, Tuscan Community Development District

Number	Title	Amount
1	Unreserved Fund Balance	0
2	Unrestricted Net Assets - Propri	0
3	Cash and Investments	0
4	Cash and Investments - Propriet	0
5	Current Liabilities	0
6	Current Liabilities - Proprietary	0
7	Long-Term Debt	0
8	Total Revenues	0
9	Intergovernmental Revenues	0
10	Total Expenditures	0
11	Debt Service Expenditures	0
12	Total Operating Revenues - Pro	0
13	Intergovernmental Revenues - P	0
14	Total Operating Expenses - Pro	0

Component Unit		Type	Total Revenues	Total Expenditures	Total Debt
----------------	--	------	----------------	--------------------	------------

DEO COMMENT LETTER

Keola
10/1/12

cc: TED

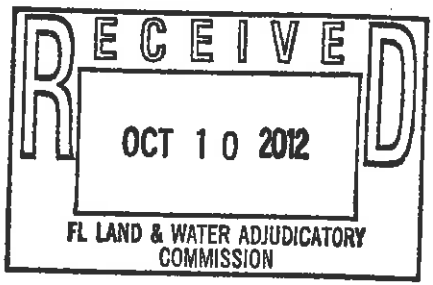
01-37-01PC2
Rick Scott
GOVERNOR



Hunting F. Deutsch
EXECUTIVE DIRECTOR

**FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY**

September 27, 2012



Mr. Jerry L. McDaniel, Secretary
Florida Land and Water Adjudicatory Commission
Office of the Governor
The Capitol, Room 1801
Tallahassee, Florida 32399-0001

RE: Petition to Dissolve the Tuscany Community Development District (FLWAC Case No. CDD-12-003)

Dear Mr. McDaniel: *Jerry*

The Department of Economic Opportunity received from your office a petition to dissolve the Tuscany Community Development District (CDD). The Tuscany CDD was established to provide infrastructure and services to a 1,710.93-acre project located in Citrus County, known as the Beverly Hills Development of Regional Impact. We have completed our review of the petition from the standpoint of our Department's programs and responsibilities and we have no comments.

We appreciate the opportunity to review this petition. If you have any questions regarding this matter, please contact Nia Clark, Planning Analyst, at (850) 717-8492, or by email at nia.clark@deo.myflorida.com.

Sincerely,

Mike McDaniel, Chief
Bureau of Community Planning

MM/nc

cc: Bruce Day, Planning Director, Withlacoochee Regional Planning Council
Brian A. Crumbaker, Esq., and Tucker F. Mackie, Esq., Hopping Green & Sams, P.A.
Eric C. Williams, Director of Geographic Resources and Community Planning, Citrus County

NOTICE OF RULE REPEAL

Notice of Proposed Rule

LAND AND WATER ADJUDICATORY COMMISSION**Tuscany Community Development District**

RULE NO.: RULE TITLE:

42GG-1.001: Establishment**42GG-1.002**: Boundary**42GG-1.003**: Supervisors

PURPOSE AND EFFECT: The Commission proposes repeal of the rules in order to dissolve the District in response to a request of the District Board and consent of all landowners within the District.

SUMMARY: The District requests repeal of the rules in order to dissolve the District. The District was originally created by the Commission in 2003. The development plan contemplated at that time has changed and the landowners of the District have consented to the dissolution of the District.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 190.005, 190.046, F.S.

LAW IMPLEMENTED: 190.004, 190.005, 190.046, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, telephone (850) 717-9513.

THE FULL TEXT OF THE PROPOSED RULE IS:

**CHAPTER 42GG-1
TUSCANY COMMUNITY DEVELOPMENT DISTRICT**

42GG-1.001 Establishment.

Specific Authority 190.005 FS. Law Implemented 190.005 FS. History—New 6-18-03, Repealed

42GG-1.002 Boundary.

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 6-18-03, Amended 3-9-08, Repealed

42GG-1.003 Supervisors.

Specific Authority 190.005 FS. Law Implemented 190.006(1) FS. History—New 6-18-03, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Land and Water Adjudicatory Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: