

**This Instrument Prepared by  
And return to:  
Heritage Harbour South Community Development District  
c/o James P. Ward  
513 Northeast 13th Avenue  
Ft. Lauderdale, Florida 33301**

OR BOOK 02333 PAGES 6685 - 6692  
MANATEE COUNTY CLERK COURT  
8 PAGES(S)  
RECORDED; 3/31/2010 11:45:00



**DISCLOSURE OF PUBLIC FINANCING  
HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT**

**Heritage Harbour South Community Development District  
(the "CDD")**

The CDD is a special purpose form of local government created to serve the long-term specific needs of its community. Created pursuant to chapter 190, Florida Statutes, a CDD's main powers are to plan, finance, construct, operate and maintain community-wide infrastructure and services specifically for the benefit of its residents. The CDD encompasses approximately 980.7899 acres of land located entirely within the jurisdictional boundaries of Manatee County, Florida. The legal description of the lands encompassed within the CDD is attached hereto as Exhibit "A."

**What will the CDD Do?**

Through a CDD, the community can offer its residents a broad range of community-related services and infrastructure to help ensure the highest quality of life possible.

The public infrastructure necessary to support the CDD's development program includes, but is not limited to: public roadways, utilities, earthwork, water management, landscape and irrigation and wetland mitigation. To plan the infrastructure improvements necessary for the CDD, the CDD adopted an Engineer's Report, which details the improvements included in the CDD's improvement plan. A copy of the Engineer's Report is available for review in the CDD's public records.

**How the CDD Operates**

The CDD is governed by its Board of Supervisors which was elected by the landowners within 90 days of the establishment of the CDD. Elections are then held every two years in November. Commencing six years after the initial appointment of Supervisors and when the CDD attains a minimum of 250 qualified electors, Supervisors whose terms are expiring will begin to be elected by qualified electors of the CDD. A "qualified elector" is any person at least 18 years of age who is a US Citizen, a legal resident of Florida and the CDD, and who is registered to vote with the Supervisor of Elections in Manatee County. After that transition, like all municipal, county, state, and national elections, the Office of the Supervisor of Elections oversees the vote. Beginning with the election scheduled for November, 2010 those members of the Board whose terms are set to expire will be elected by qualified electors. Like any other public official, CDD Supervisors are subject to state ethics and financial disclosure laws. Please contact the

District Manager at the address set forth herein for a list of the individuals currently sitting on the CDD's Board.

The CDD's business is conducted in the "Sunshine," which means all meetings and records are open to the public. Board meetings are noticed in the local newspaper and conducted in a public forum in which public participation is permitted. Consistent with Florida's public records laws, the records of the CDD are available for public inspection during normal business hours. Elected members of Board are similarly bound by the States open meetings law and are generally subject to the same disclosure requirements as other elected officials under the State's ethics laws. The CDD is also required to have its financial records audited by an independent certified public accountant at least once a year.

### **Relationship with Home Owner's Associations**

The CDD complements the responsibilities of the community home owner's associations (HOAs). Many of the maintenance functions handled by these associations in other communities may be handled by the CDD. However, the associations have other responsibilities such as operating amenities and ensuring that deed restrictions and other quality standards are enforced. The CDD currently contracts with the Master Home Owners Association to perform maintenance functions, such as the maintenance of the CDD's stormwater drainage system.

### **Benefits to Residents**

Residents within the CDD may expect to receive three major classes of benefits. First, the CDD provides landowners consistently high levels of public facilities and services managed and financed through self-imposed fees and assessments. Second, the CDD ensures that these community development facilities and services will be completed concurrently with other parts of the development. Third, CDD landowners and electors choose the Board of Supervisors, which is able to determine the type, quality and expense of CDD facilities and services.

Other savings are realized because the CDD is subject to the same laws and regulations that apply to other government entities. The CDD is able to borrow money to finance its facilities at lower, tax-exempt, interest rates, the same as cities and counties. Many contracts for goods and services, such as annually negotiated maintenance contracts, are subject to publicly advertised competitive bidding.

Residents and property owners in the CDD set the standards of quality, which are then managed by the CDD. The CDD may provide perpetual maintenance of the environmental conservation areas. This consistent and quality-controlled method of management helps protect the long term property values in a community.

### **The Cost of a CDD**

The cost to operate a CDD is borne by those who benefit from its services. Property owners in the CDD are subject to non-ad valorem assessments, which appear on their annual property tax bill from the county tax collector and may consist of two parts—an annual assessment for operations and maintenance, which can fluctuate up and down from year to year based on the budget adopted for that fiscal year—and an annual capital assessment to repay bonds sold by the CDD to finance community infrastructure and facilities, which annual assessments are generally fixed for the term of the bonds.

The costs of the acquisition or construction of a portion of the infrastructure improvements described in the engineer's report has been financed by the CDD through the sale of its Capital Improvement

Revenue Bonds, Series 2007, in the amount of \$24,000,000. The annual debt service payments, including interest due thereon, for the Bonds are payable solely from and secured by the above-referenced annual capital assessments. Provided below are the current maximum annual assessment levels for the Bonds. Interested persons are encouraged to contact the District Manager for information regarding special assessments on a particular lot or parcel of land.

<u>Lot Type</u>	<u>Maximum Annual Assessment</u>
SF – 55'	\$ 550.00
SF – 65'	\$ 730.00
SF – 80'	\$ 910.00
SF – 85'	\$ 1,200.00
Two-Story	\$ 350.00
Villas	\$ 455.00
Golf Course	\$50,517.00
SF – 40'	\$ 400.00
Townhouse	\$ 300.00
Commercial	\$ 0.25/square foot

Note: The above assessment amounts have been grossed up to include collection costs levied by Manatee County government and a 4% maximum discount for early payment authorized by law.

A detailed description of all costs and allocations which result in the formulation of assessments, fees and charges is available for public inspection upon request.

The CDD may undertake the construction, acquisition, or installation of other future improvements and facilities, which may be financed by bonds, notes or other methods authorized by chapter 190, Florida Statutes.

#### **Assessment Collection**

The CDD's debt and maintenance assessments may appear on that portion of the annual real estate tax bill entitled "non-ad valorem assessments," and will be collected by the county tax collector in the same manner as county ad valorem taxes. Each property owner must pay both ad valorem and non-ad valorem assessments at the same time. Property owners will, however, be entitled to the same discounts as provided for ad valorem taxes. As with any tax bill, if all taxes and assessments due are not paid within the prescribed time limit, the tax collector is required to sell tax certificates that, if not timely redeemed, may result in the loss of title to the property. The CDD may also elect to collect the assessments directly.

#### **Lasting Value**

The CDD makes it possible for our community to offer the most desirable elements of a master-planned community. Residents enjoy high quality infrastructure facilities and services with the comfort and assurance of knowing that the standards of the community will be maintained long after the developer is gone. With a CDD in place, residents are assured of the ability to control quality and value for years to come.

**How Do I Find Out More About Community Development Districts?**

If you would like more information about Community Development Districts, please contact the District Manager's Office at the following address:

**James P. Ward**  
**District Manager**  
**513 Northeast 13th Avenue**  
**Ft. Lauderdale, FL 33301**  
**Telephone (954) 658-4900**

IN WITNESS WHEREOF, this Disclosure of Public Financing has been executed as of the 4th day of MARCH, 2010 and recorded in the Official Records of Manatee County, Florida.

**HERITAGE HARBOUR SOUTH  
COMMUNITY DEVELOPMENT DISTRICT**

Philip Martinetti  
Witness  
Print Name: PHILIP MARTINETTI  
Carol Eichert  
Witness  
Print Name: CAROL EICHERT

Charles Faust  
Charles Faust, Chairman

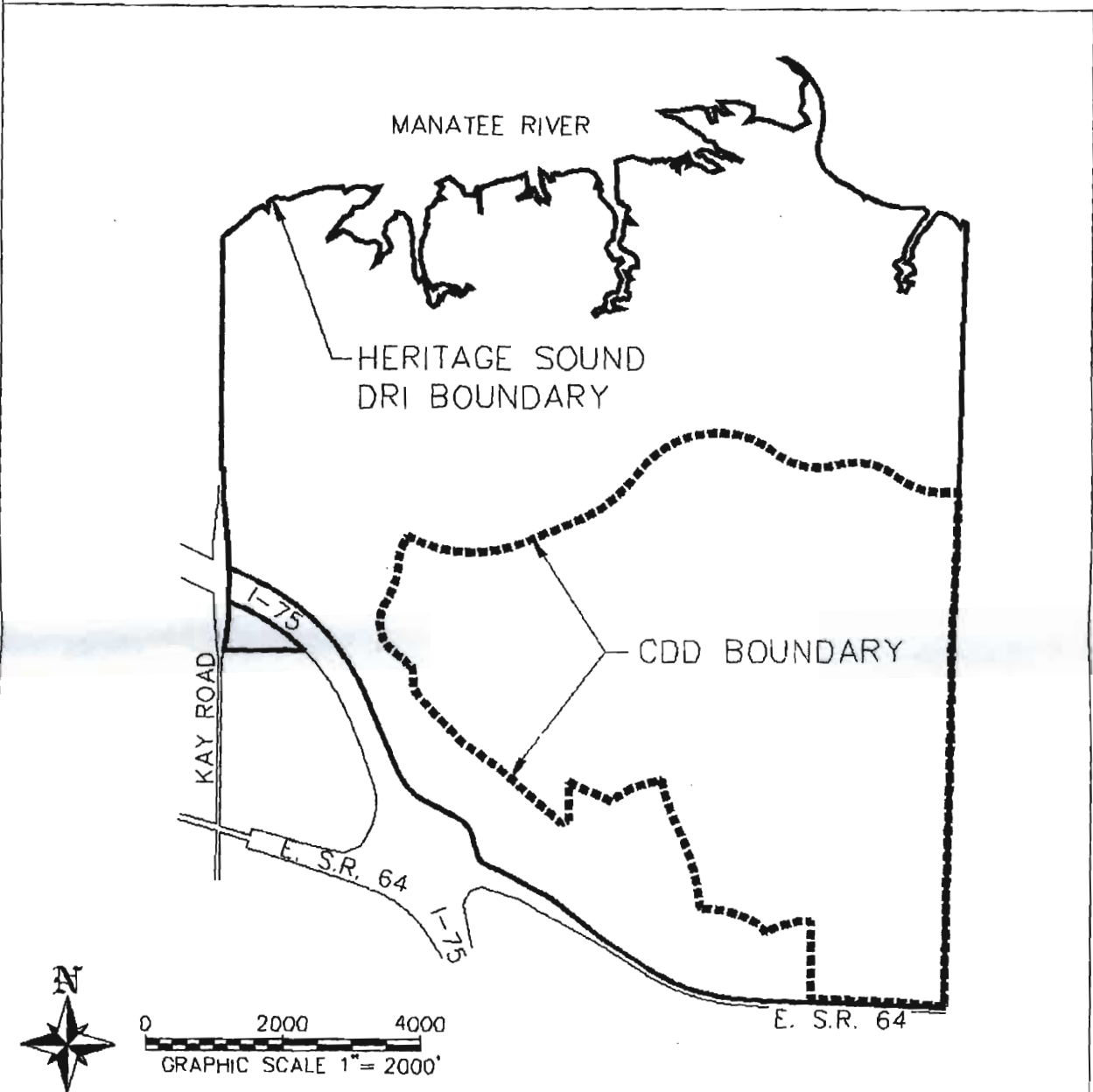
**STATE OF FLORIDA  
COUNTY OF MANATEE**

The foregoing instrument was acknowledged before me this 4th day of March, 2010, by Charles Faust, Chairman of the Heritage Harbour South Community Development District, who is personally known to me or who has produced \_\_\_\_\_ as identification, and did [ ] or did not [  ] take the oath.

James P. Ward  
Notary Public, State of Florida

Print Name: \_\_\_\_\_  
Commission: JAMES P. WARD  
Commission DD 762513  
My Commission Expires February 26, 2012  
Bonded Thru Troy Fain Insurance 800-385-7019

# EXHIBIT A



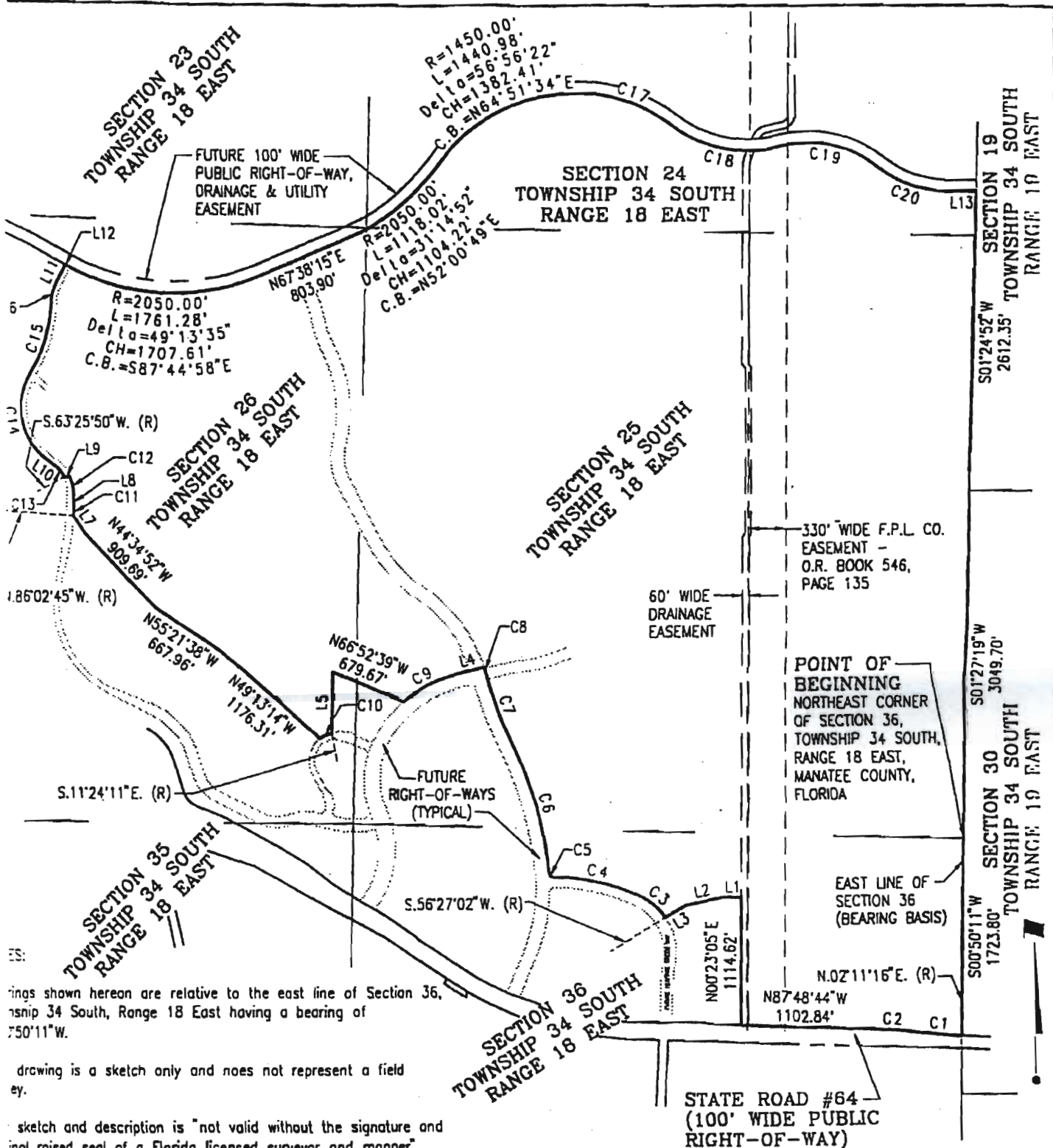
PROJECT: *HERITAGE HARBOUR SOUTH COMMUNITY DEVELOPMENT DISTRICT*

APPLICANT: *HARBOURVEST, LLC*

**Banks Engineering, Inc.**

Professional Engineers, Planners & Land Surveyors  
 FORT MYERS • NAPLES • SARASOTA  
 10511 50th Mile Cypress Parkway - Suite 101  
 Fort Myers, Florida 33912  
 PHONE: (841)838-5400 FAX: (841)939-5523  
 ENGINEERING LICENSE # EB 6489  
 SURVEY LICENSE # LB 8890

COUNTY	MANATEE	DATE	12/14/01
PROJECT	1376	(S-T-R) SECTION	13, 14, 23-26, 35
DRAW BY	JLR	TOWNSHIP	36-54 S., RANGE 18 E.
REV NO.		CHECKED BY	RAG
		SHEET NO.	1 OF 1

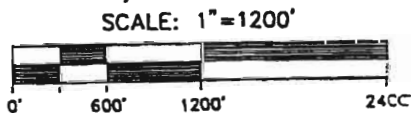


Angles shown hereon are relative to the east line of Section 36, Township 34 South, Range 18 East having a bearing of  $N50^{\circ}11'11''W$ .

This drawing is a sketch only and does not represent a field survey.

This sketch and description is "not valid without the signature and professional raised seal of a Florida licensed surveyor and mapper".

Date: \_\_\_\_\_



John H. Fisher, Professional Surveyor & Mapper  
Florida License No. 4769

Company: HARBOURVEST, LLC

Date: Mar 28, 2001 - 09:36:39

This is NOT a Survey.  
MGCENCAREIX:\SUR\02940\300\Sketches\cddsketch\294081sk.dwg

TITLE & DESCRIPTION OF PROPERTY  
BOUNDARY, HERITAGE HARBOUR SOUTH  
SECTIONS 24, 26, & 36, TOWNSHIP 34 S., RANGE 18 E.  
MANATEE COUNTY, FLORIDA

**Wilson Miller**

Partners - Engineers - Ecologists - Surveyors - Landscape Architects - Transportation Consultants

Wilson Miller, Inc.

Headquarters: Fort Myers • Sarasota • Bradenton • Tampa • Tallahassee

6000 Professional Parkway East, Suite 100 • Sarasota, Florida 34240-6661 • Phone 941-557-9500 • Fax 941-557-9510 • Web Site www.wilsonmiller.com

CODE: GCCDD	DRAWN BY: HJG	CHECKED BY: JHF	CAD FILE: 294081SK	PROJECT NO: 2940-302-000	SHEET 1 OF 3	DRAWING INDEX NO: A2940-302-081	REV:
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LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°36'55"W	161.25'
L2	S78°20'59"W	323.41'
L3	S59°28'05"W	206.36'
L4	S76°14'47"W	248.87'
L5	S00°17'50"W	536.54'
L7	N34°34'52"W	172.76'
L8	N02°03'22"W	113.38'
L9	S85°13'58"W	53.20'
L10	N55°02'00"W	118.00'
L11	N26°51'50"E	181.27'
L12	S63°08'10"E	25.00'
L13	S89°45'12"E	253.23'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BRG. -
C1	4175.00'	405.19'	05°33'38"	405.03'	N85°01'55"W
C2	4325.00'	419.75'	05°33'38"	419.59'	N85°01'55"W
C3	545.00'	298.10'	31°20'22"	294.40'	N49°13'09"W
C4	1710.00'	721.94'	24°11'23"	716.59'	N76°59'01"W
C5	35.00'	51.43'	84°12'00"	46.93'	N46°58'42"W
C6	3060.00'	1169.13'	21°53'28"	1162.04'	N15°49'26"W
C7	2940.00'	667.88'	13°00'57"	666.44'	N20°15'42"W
C8	1260.00'	62.53'	02°50'36"	62.52'	N15°10'31"W
C9	1162.50'	544.11'	26°49'03"	539.16'	S62°50'15"W
C10	250.00'	116.06'	26°35'54"	115.02'	S65°17'53"W
C11	2043.00'	63.53'	01°46'54"	63.53'	N03°03'48"E
C12	460.00'	168.82'	21°01'39"	167.87'	N12°34'11"W
C13	275.00'	136.62'	28°27'51"	135.22'	N40°48'05"W
C14	525.00'	810.23'	88°25'29"	732.19'	N10°49'16"W
C15	1225.00'	660.49'	30°53'33"	652.52'	N17°56'42"E
C16	425.00'	180.73'	24°21'54"	179.37'	N14°40'53"E
C17	1250.00'	768.10'	35°12'25"	756.07'	S69°04'02"E
C18	1050.00'	990.01'	54°01'21"	953.75'	S78°28'30"E
C19	950.00'	889.97'	53°40'30"	857.78'	S78°38'55"E
C20	1050.00'	695.33'	37°56'32"	682.69'	S70°46'56"E

This is NOT a Survey.

IR: HARBOURVEST, LLC

TCH & DESCRIPTION OF  
 D BOUNDARY, HERITAGE HARBOUR SOUTH  
 ECTIONS 24, 25, 26, & 36, TOWNSHIP 34 S., RANGE 18 E.  
 ANATEE COUNTY, FLORIDA

**WilsonMiller**

Planners - Engineers - Ecologists - Surveyors - Landscape Architects - Transportation Consultants

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Orlando - Fort Myers - Sarasota - Bradenton - Tampa - Tallahassee

8000 Professional Parkway East, Suite 100 - Sarasota, Florida 34240-4641 - Phone 941-557-6600 - Fax 941-557-6500 - Web Site www.wilsonmiller.com

CODE: GCCDD	DRAWN BY: HJG	CHECKED BY: JHF	CAD FILE: 2940815K	PROJECT NO: 2940-302-000	SHEET 7 OF 3	DRAWING INDEX NO: A2940-302-081*	REV:
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DESCRIPTION (Prepared by certifying surveyor)

tract of land lying in Sections 24, 25, 26, & 36, Township 34 South, Range 18 East, Manatee County, Florida and more particularly described follows:

Commence at the northeast corner of said Section 36; thence S.00°50'11"W. along the east line of Section 36, a distance of 1,723.80 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.02°11'16"E., a radial distance of 4,175.00 feet; said point being on the northerly right-of-way line of State Road 64; (the following three courses being along the northerly right-of-way line of State Road 64) thence westerly along the arc of said curve, through a central angle of 05°33'38", an arc length of 405.19 feet to the point of reverse curvature of a curve to the left having a radius of 4,325.00 feet and a central angle of 05°33'38"; thence westerly along the arc of said curve, a distance of 419.75 feet; thence N.87°48'44"W., a distance of 1,102.84 feet; thence N.00°23'05"E., a distance of 1,114.62 feet; thence N.89°36'55"W., a distance of 161.25 feet; thence S.78°20'59"W., a distance of 323.41 feet; thence S.59°28'05"W., a distance of 206.36 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.56°27'02"W., a radial distance of 545.00 feet; thence northwesterly along the arc of said curve, through a central angle of 31°20'22", an arc length of 298.10 feet to the point of compound curvature of a curve to the left having a radius of 1,710.00 feet and a central angle of 24°11'23"; thence westerly along the arc of said curve, an arc length of 721.94 feet to the point of reverse curvature of a curve to the right having a radius of 35.00 feet and a central angle of 34°12'00"; thence northwesterly along the arc of said curve, a distance of 51.43 feet to the point of reverse curvature of a curve to the left having a radius of 3,060.00 feet and a central angle of 21°53'28"; thence northerly along the arc of said curve, a distance of 1,169.13 feet to the point of reverse curvature of a curve to the right having a radius of 2,940.00 feet and a central angle of 13°00'57"; thence northerly along the arc of said curve, a distance of 667.88 feet to the point of reverse curvature of a curve to the left having a radius of 1,260.00 feet and a central angle of 02°50'36"; thence northerly along the arc of said curve, a distance of 62.53 feet; thence S.76°14'47"W., a distance of 248.87 feet to the point of curvature of a curve to the left, having a radius of 1,162.50 feet and a central angle of 26°49'03"; thence southwesterly along the arc of said curve, an arc length of 544.11 feet; thence N.66°52'39"W., a distance of 679.67 feet; thence S.00°17'50"W., a distance of 536.54 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.11°24'11"E., a radial distance of 250.00 feet; thence southwesterly along the arc of said curve, through a central angle of 26°35'54", an arc length of 116.06 feet; thence N.49°13'14"W., a distance of 1,176.31 feet; thence N.55°21'38"W., a distance of 667.96 feet; thence N.44°34'52"W., a distance of 909.69 feet; thence N.34°34'52"W., a distance of 172.76 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.86°02'45"W., a radial distance of 2,043.00 feet; thence northerly along the arc of said curve, through a central angle of 01°46'54", an arc length of 63.53 feet; thence N.02°03'22"W., a distance of 113.38 feet to the point of curvature of a curve to the left having a radius of 460.00 feet and a central angle of 21°01'39"; thence northerly along the arc of said curve, an arc length of 168.82 feet; thence S.85°13'58"W., a distance of 53.20 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.63°25'50"W., a radial distance of 275.00 feet; thence northwesterly along the arc of said curve, through a central angle of 28°27'51", an arc length of 136.62 feet; thence N.55°02'00"W., a distance of 118.00 feet to the point of curvature of a curve to the right having a radius of 525.00 feet and a central angle of 88°25'29"; thence northerly along the arc of said curve, an arc length of 810.23 feet to the point of reverse curvature of a curve to the left having a radius of 1,225.00 feet and a central angle of 30°53'33"; thence northerly along the arc of said curve, a distance of 660.49 feet to the point of reverse curvature of a curve to the right having a radius of 425.00 feet and a central angle of 24°21'54"; thence northerly along the arc of said curve, a distance of 180.73 feet; thence N.26°51'50"E., a distance of 181.27 feet; thence S.63°08'10"E., a distance of 25.00 feet to the point of curvature of a curve to the left having a radius of 2,050.00 feet and a central angle of 49°13'35"; thence easterly along the arc of said curve, an arc length of 1,761.28 feet; thence N.67°38'15"E., a distance of 803.90 feet to the point of curvature of a curve to the left having a radius of 2,050.00 feet and a central angle of 31°14'52"; thence northeasterly along the arc of said curve, an arc length of 1,118.02 feet to the point of reverse curvature of a curve to the right having a radius of 1,450.00 feet and a central angle of 56°56'22"; thence northeasterly along the arc of said curve, a distance of 1,440.98 feet to the point of compound curvature of a curve to the right having a radius of 1,250.00 feet and a central angle of 35°12'25"; thence easterly along the arc of said curve, an arc length of 768.10 feet to the point of reverse curvature of a curve to the left having a radius of 1,050.00 feet and a central angle of 54°01'21"; thence easterly along the arc of said curve, a distance of 990.01 feet to the point of reverse curvature of a curve to the right having a radius of 950.00 feet and a central angle of 53°40'30"; thence easterly along the arc of said curve, a distance of 889.97 feet to the point of reverse curvature of a curve to the left having a radius of 1,050.00 feet and a central angle of 37°56'32"; thence easterly along the arc of said curve, a distance of 595.33 feet; thence S.89°45'12"E., a distance of 253.23 feet to the east line of aforementioned Section 24; thence S.01°24'52"W., along the east line of Sections 24 and 25 a distance of 2,612.35 feet to the southeast corner of Section 19, Township 34 S., Range 19 E.; thence S.01°27'19"W., along the east line of Section 25 a distance of 3,049.70 feet to the POINT OF BEGINNING.

Tract contains 42,723,209.51 square feet or 980.7899 acres, more or less.

This is NOT a Survey.

BY: HARBOURVEST, LLC

TITLE & DESCRIPTION OF  
 BOUNDARY, HERITAGE HARBOUR SOUTH  
 SECTIONS 24, 25, 26, & 36, TOWNSHIP 34 S., RANGE 18 E.  
 MANATEE COUNTY, FLORIDA

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CODE GCCDD	DRAWN BY HJG	CHECKED BY JHF	CAD FILE 294081SK	PROJECT NO. 2940-302-000	SHEET 3 OF 3	DRAWING INDEX NO. A2940-302-081	REV:
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