

# Hopping Green & Sams

Attorneys and Counselors

May 11, 2021

**Via Electronic Mail and U.S. Mail**

Susan C. Grandin  
Assistant General Counsel  
[SGrandin@coj.net](mailto:SGrandin@coj.net)  
City of Jacksonville, Florida  
117 West Duval Street, Suite 480  
Jacksonville, Florida 32202

*RE: Boggy Branch Community Development District  
Consent Request to Exercise Special Powers*

Dear Ms. Grandin:

The Board of Supervisors (“Board”) of Boggy Branch Community Development District (“District”) authorized District staff to request the consent of the City of Jacksonville (“City”) to grant certain special powers as authorized by Section 190.012(2)(a), (d) and (f), *Florida Statutes* (2020). Please reference the District’s Resolution 2020-09, a copy of which is attached hereto as Exhibit A. Specifically, the District is seeking consent to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for 1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses, 2) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies, and 3) waste collection and disposal.

In support of this request, the District wishes to submit the following information and documentation as required by Section 92.15 of the *City of Jacksonville Code of Ordinances*:

1. The District has been validly established by the City’s Ordinance 2019-483-E. A copy of the ordinance is attached hereto as Exhibit B. The District is in good legal standing and is duly operating in compliance with the requirements of Chapter 190, *Florida Statutes* (2020).
2. Pursuant to Section 190.0485, *Florida Statutes* (2020), the District has recorded a Notice of Establishment (“Notice”) in the public records of Duval County. A copy of the Notice is attached hereto as Exhibit C.
3. Pursuant to Resolution 2019-04, attached hereto as Exhibit D, the Board has appointed the Craig Wrathell as its registered agent and his office located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, as its registered office. This information has also been submitted to the DEO in compliance with Section 189.416, *Florida Statutes* (2020).
4. The District currently contemplates the design and construction of a master amenity center and neighborhood amenity centers and parks (together, “Recreational Facilities”) within its boundaries. The construction and/or acquisition of the Recreational Facilities will be financed through the issuance of

Special Assessment Bonds to be paid by special assessments levied against the properties benefitted by the improvements. Once constructed, the District will own and maintain the Recreational Facilities. To fund the operations and maintenance of the Recreational Facilities, operations and maintenance assessments (“O&M Assessments”) will be determined and calculated annually by the Board and will be levied against all benefitted lands in the District.

5. The District currently contemplates the design and construction of security improvements, including but not limited to, guardhouses and fences (“Security Facilities”) within its boundaries. The construction and/or acquisition of the Security Facilities will be financed through the issuance of Special Assessment Bonds to be paid by special assessments levied against the properties benefitted by the improvements. Once constructed, the District will own and maintain the Security Facilities. To fund the operations and maintenance of the Security Facilities, O&M Assessments will be determined and calculated annually by the Board and will be levied against all benefitted lands in the District.

6. The District has been informally advised that the City may be unable to provide waste collection and disposal services (“Waste Collection”) to the land within the District’s boundaries due to the configuration of its rights of way. Accordingly, the District is investigating Waste Collection services and seeks to request this power in the event it is necessary for the District to include Waste Collection in its operation and maintenance services.

7. Pursuant to Section 92.15 of the *City of Jacksonville Code of Ordinances*, please find enclosed a check in the amount of \$1,500.00 for the Consent Request processing fee. Please return a receipt for the amount tendered in the enclosed stamped envelope.

8. For your convenience, a draft *Ordinance Consenting to the District’s Exercise of Certain Special Powers Related to Recreational and Security Infrastructure* (“Draft Ordinance”) is attached hereto as Exhibit E. Please let us know if you would like us to send you an electronic format of the Draft Ordinance.

Based on the forgoing, on behalf of the Board of the District, undersigned counsel respectfully requests that the Office of the General Counsel request an ordinance of the City Council of the City of Jacksonville to the Chief of Legislative Services granting the powers requested herein by the District for consideration by the City Council at the earliest possible date.

Respectfully Submitted,



Katie S. Buchanan  
District Counsel

cc: Kelly McCarrick, Chairperson

# EXHIBIT A

**RESOLUTION 2020-09**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE BOGGY BRANCH COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND DISTRICT STAFF TO SUBMIT A REQUEST TO THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, FLORIDA, FOR CONSENT TO EXERCISE SPECIAL POWERS; MAKING FINDINGS IN SUPPORT THEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, the Boggy Branch Community Development District (the “District”) is a local unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes* (“Uniform Act”), by Ordinance No. 2019-483-E, adopted by the City Council of the City of Jacksonville, effective August 30, 2019; and

**WHEREAS**, the District is located within the jurisdiction of the City of Jacksonville, Florida (“City”); and

**WHEREAS**, the District and all land uses and services planned within the District are not inconsistent with applicable elements or portions of the effective City of Jacksonville Comprehensive Plan; and

**WHEREAS**, all of the City’s applicable land use, zoning and permitting requirements govern the development of land within the District, including all activities of the District in the provision of its services and facilities; and

**WHEREAS**, the District is authorized to exercise general powers pursuant to section 190.011, *Florida Statutes*; and

**WHEREAS**, the District has identified the need for certain improvements within the boundaries of the District that it wishes to provide; and

**WHEREAS**, the District is required to obtain the consent of the local general-purpose government prior to the exercise of powers related to Section 190.012(2), *Florida Statutes*; and

**WHEREAS**, the Board of Supervisors of the District desires to submit a request to the City Council of the City of Jacksonville, Florida, for consent to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreation, cultural, and educational uses; security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; and waste collection and disposal.

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

**SECTION 1.** The representations, findings and determinations contained in above Recitals are recognized as true and accurate, and are expressly incorporated herein as a material part of this Resolution.

**SECTION 2.** The District respectfully requests that the City Council of the City of Jacksonville, Florida, grant the District the consent required to exercise the authority provided in Sections 190.012(2)(a), (d) and (f), *Florida Statutes*, as amended, which presently states, in relevant part, “to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for... (a) parks and facilities for indoor and outdoor recreational, cultural, and educational uses... (d) security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies... [and] (f) waste collection and disposal,” all of which are intended to be owned, operated and maintained by the District.

**SECTION 3.** The Board hereby directs the Chairman and District staff to proceed in an expeditious manner to transmit this Resolution requesting consent to exercise the special powers authorized in Sections 190.012(2)(a), (d) and (f), *Florida Statutes*, as amended, to the City Council of the City of Jacksonville, Florida. The Board further authorizes the Chairman and District staff to take all actions necessary to obtain the authority requested.

**SECTION 4.** This resolution shall become effective immediately upon its adoption.

**DULY ADOPTED** by the Board of Supervisors of the Boggy Branch Community Development District on this 3<sup>rd</sup> day of March, 2020.

ATTEST:

**BOGGY BRANCH COMMUNITY DEVELOPMENT DISTRICT**

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

  
\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

# EXHIBIT B

1 Introduced and amended by the Transportation, Energy and Utilities  
2 Committee:

3  
4  
5 **ORDINANCE 2019-483-E**

6 AN ORDINANCE ESTABLISHING BOGGY BRANCH  
7 COMMUNITY DEVELOPMENT DISTRICT ("BOGGY BRANCH  
8 CDD"); DESCRIBING THE EXTERNAL BOUNDARIES OF  
9 BOGGY BRANCH CDD; NAMING BOGGY BRANCH CDD;  
10 NAMING THE INITIAL BOGGY BRANCH CDD BOARD OF  
11 SUPERVISORS; AMENDING CHAPTER 92 (UNIFORM  
12 COMMUNITY DEVELOPMENT DISTRICTS), *ORDINANCE*  
13 *CODE*, SECTION 92.22 (EXISTING COMMUNITY  
14 DEVELOPMENT DISTRICTS) TO INCLUDE BOGGY BRANCH  
15 CDD; PROVIDING FOR CONFLICT AND SEVERABILITY;  
16 PROVIDING AN EFFECTIVE DATE.

17  
18 **WHEREAS**, Sawmill Timber, LLC, a Florida limited liability  
19 corporation, petitioned the City Council to establish a community  
20 development district named Boggy Branch Community Development  
21 District (the "Boggy Branch CDD") on approximately 556.56 acres  
22 lying wholly within the boundaries of the City pursuant to Section  
23 190.005(2), F.S., and Chapter 92, *Ordinance Code*, a copy of the  
24 Amended & Restated Petition to Establish Boggy Branch CDD  
25 ("Petition") is **Revised On File**, labeled as "Revised On File TEU -  
26 August 19, 2019" with the Legislative Services Division; and

27 **WHEREAS**, as required by Section 92.07, *Ordinance Code*, the  
28 Office of General Counsel has reviewed the Petition and finding  
29 that it was sufficient and complete to permit the fair and informed  
30 consideration of the matter by the Council has prepared and  
31 submitted its Final Report of Counsel, **attached hereto as Exhibit**

1 1; and

2 **WHEREAS**, the Planning and Development Department has provided  
3 its report and recommendation regarding the Petition to the  
4 Transportation, Energy and Utilities Committee; and

5 **WHEREAS**, Petitioner acknowledges that nothing about the  
6 adoption of this Ordinance shall in any way waive any of the  
7 City's, or any other governing or regulatory entities' rights to  
8 grant or not grant entitlements for the development to be serviced  
9 by Boggy Branch (the "Development"), or otherwise prejudice the  
10 City's, or any other governing or regulatory entities', ability to  
11 govern or regulate the planning or permitting of the Development;  
12 and

13 **WHEREAS**, the Counsel has determined the Petition adequately  
14 meets the requirements of Section 190.005, F.S. and Section 92.04,  
15 *Ordinance Code*, and is therefore complete and sufficient to permit  
16 fair and informed review thereof; and

17 **WHEREAS**, all notice requirements of Ch. 190, F.S., Section  
18 92.11, *Ordinance Code*, and other applicable laws were complied  
19 with, complete notice was timely given, and a public hearing held  
20 on the date and time noticed and conducted thereafter in compliance  
21 with Ch. 190, F.S. and all applicable laws; and

22 **WHEREAS**, in making its fair and informed determination whether  
23 to grant or deny the Petition, the Council has considered the  
24 Petition in light of the record developed at the public hearing and  
25 in relation to the six factors set forth in Section 190.005(1)(e),  
26 F.S., now, therefore

27 **BE IT ORDAINED** by the Council of the City of Jacksonville:

28 **Section 1. Name.** A community development district is  
29 hereby established within the City to be known hereafter as Boggy  
30 Branch Community Development District.

31 **Section 2. Boundaries.** The boundaries of Boggy Branch

1 Community Development District established by this ordinance are as  
2 set forth in the legal description contained in the Petition to  
3 Establish Boggy Branch Community Development District ("Petition")  
4 which is **Revised On File**, labeled as "Revised On File TEU - August  
5 19, 2019" with the Legislative Services Division. The legal  
6 description and boundary sketch found within the Petition are  
7 **attached hereto as Revised Exhibit 2**, labeled as "Revised Exhibit  
8 2, Rev Legal Description TEU - August 19, 2019".

9 **Section 3. Board of Supervisors.** The following five  
10 persons, as set forth in the Petition, are designated to be the  
11 initial members of the governing Board of Supervisors ("Board") of  
12 Boggy Branch Community Development District:

- 13 a. Jan Malcolm Jones, Jr.
- 14 b. Arthur Chester Skinner, IV
- 15 c. James DuBois Farrar, III
- 16 d. Breanna Danae Bohlen
- 17 e. Bryan David Hassel

18 **Section 4. Amending Chapter 92 (Uniform Community**  
19 **Development Districts), Section 92.22 (Existing Community**  
20 **Development Districts), Ordinance Code.** Section 92.22, Ordinance  
21 Code, is hereby amended to read as follows:

22 **Sec. 92.22. - Existing Community Development Districts.**

23 The following CDDs have been established in the City:

- 24 (1) *Bainebridge Community Development District.* The  
25 Bainebridge Community Development District was  
26 established in Ordinance 2005-1417-E. The City granted  
27 consent to the Bainebridge Community Development District  
28 to exercise special powers related to parks and  
29 facilities for indoor and outdoor recreational, cultural  
30 and educational uses in Ordinance 2006-592-E.

31 \* \* \*

1        (19) Boggy Branch Community Development District. Boggy  
2        Branch Community Development District was established in  
3        Ordinance 2019-483-E.

4        **Section 5. Conflict and Severability.** Any portion of  
5 this ordinance determined finally by a court of competent  
6 jurisdiction to be in conflict with prevailing law shall not be  
7 effective to the extent of such conflict, and shall be deemed  
8 severable and the remainder shall continue in full force and effect  
9 to the extent legally possible.

10       **Section 6. Effective Date.** This ordinance shall become  
11 effective upon signature by the Mayor or upon becoming law without  
12 the Mayor's signature.

13  
14 Form Approved:

15   
16 \_\_\_\_\_

17 Office of General Counsel

18 Legislation Prepared By: Susan C. Grandin

19 GC-#1301872-v1-2019-483-E.doc

OFFICE OF GENERAL COUNSEL  
CITY OF JACKSONVILLE

JASON R. GABRIEL\*  
GENERAL COUNSEL



CITY HALL, ST. JAMES BUILDING  
117 WEST DUVAL STREET, SUITE 480  
JACKSONVILLE, FLORIDA 32202

WENDY L. BYNDLOSS  
KAREN M. CHASTAIN  
DERRI Q. CHATMON  
JEFFERY C. CLARK  
JULIA B. DAVIS  
STEPHEN M. DURDEN  
SHANNON K. ELLER  
CRAIG D. FEINER  
GILBERT L. FELDER, JR.  
LORIE L. FRENCH  
CHRISTOPHER GARRETT  
KYLE GAVIN  
SEAN B. GRANAT  
SUSAN C. GRANDIN  
KATY A. HARRIS  
LAWSIKIA J. HODGES  
SONYA HARRIET HOEHLER  
PAGE HORNS JOHNSTON  
EMERSON LOTZLA  
REEM M. MAIRS

JAMES R. MCCAIN, JR.  
WENDY L. MUMMAW  
KELLY H. PAPA  
KURT PARDE  
JACOB J. PAYNE  
JON R. PHILLIPS  
CHERRY SHAW POLLOCK  
STEPHEN J. POWELL  
LYNNE C. RHODE  
ASHLEY B. RUTHERFORD  
TIFFANY DOUGLAS SAPI  
R. ANTHONY SALIM  
JOHN C. SAWYER, JR.  
MARGARET M. SIDMAN  
SANDRA P. STOCKWELL  
JASON R. TEAL  
ADINA TEBODORISCU  
KEALY WEST  
STANLEY M. WESTON  
GABY YOUNG

\*BOARD CERTIFIED CITY, COUNTY  
AND LOCAL GOVERNMENT LAW

July 2, 2019

Katie S. Buchanan, Esq.  
Hopping Green & Sams, P.A.  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301

RE: Office of General Counsel Final Report  
On the Petition to Establish the Boggy Branch Community Development District

Dear Ms. Buchanan:

The Office of General Counsel ("Counsel"), pursuant to Section 92.07, *Ordinance Code*, has completed its review of the Petition to Establish the Boggy Branch Community Development District (the "Petition"), submitted May 23, 2019.

Counsel has determined that the Petition is sufficient and complete to permit the fair and informed consideration of the matter by the City Council. I only had one question and that was regarding the Proposed Board Members. Sec. 92.04(d), *Ordinance Code*, requires that if any proposed board member is a "relative" of a landowner or petitioner within the meaning of Sec. 112.3143, Florida Statutes, then the "nature and extent" of such relationship shall be disclosed. Thank you for providing this explanation, which is attached hereto as **Attachment 1 to the Final Report of Counsel**.

This Final Report will be forwarded to the Planning and Development Department for their use in drafting a Department report and recommendation. All the statements contained in the Petition not intended to be disposed of by the Department report and recommendation are true and correct, and the Petition is not contrary to any provision of applicable general or special law or the City Charter.

July 2, 2019

Page 2

We note that you have requested consent for the Boggy Branch Community Development District to exercise special powers regarding recreational facilities and for security. Unfortunately, this request will not be included in the legislation regarding the establishment Petition. Pursuant to Sec. 92.15, *Ordinance Code*, as we discussed, that request must attach a formal resolution of the CDD's governing board of supervisors, which, of course, will not be formed until this current Petition is approved and your board of supervisors has a meeting and passes a resolution requesting these powers.

We anticipate that the legislation to move this Petition forward will be introduced at the City Council meeting on July 23, 2019. In your notice regarding the Petition that is to run for four consecutive weeks prior to the Council public hearing, based on the Introduction date of July 23, 2019, the public hearing required before the full Council should be noticed as August 27, 2019. The various Committees of Council to which it will be assigned are not yet known, but the week of August 19<sup>th</sup> will be when the Committee(s) will take up this bill. You are not required to include these Committee public meetings in your notice.

Sincerely,



Susan C. Grandin  
Assistant General Counsel

cc: William Killingsworth, Director, Planning and Development Department  
Kristen Reed, Planning and Development Department  
Shannon K. Eller, Chief, Land Use Division  
Jason Teal, Deputy General Counsel

*GC-#12915.30-v1-Boggy Creek\_CDD\_Final Report of Counsel.docx*

# Hopping Green & Sams

Attorneys and Counselors

June 28, 2019

**VIA OVERNIGHT DELIVERY**

Susan C. Grandin, Esq.  
Assistant General Counsel  
City of Jacksonville Office of General Counsel  
117 W. Duval Street, Suite 480  
Jacksonville, Florida 32202

Re: Petition to Establish the Boggy Branch Community Development District

Dear Ms. Grandin:

Please find below a description of the nature and extent of the relationships between the Managers of Petitioner, Sawmill Timber, LLC, and the proposed Board Members of the proposed Boggy Branch Community Development District, pursuant to Section 92.04(d) of Chapter 92, City of Jacksonville Uniform Community Development Ordinance Code and Section 112.3143, Florida Statutes:

BOGGY BRANCH CDD – PROPOSED BOARD MEMBERS		
	RELATIONSHIP TO CHRIS SKINNER (MANAGER)	RELATIONSHIP TO EDWARD JONES (MANAGER)
Jan Malcolm Jones, Jr.	Cousin	Brother
Arthur Chester Skinner, IV	Nephew	Cousin
James DuBois Farrar, III	No Relation	No Relation
Breanna Danae Bohlen	No Relation	No Relation
Bryan David Hassel	No Relation	No Relation

Please do not hesitate to contact me if you have any additional questions or concerns.

Sincerely,



Katie S. Buchanan

Revised July 19, 2019  
April 30, 2019  
Page 1 of 2

Work Order No. 19-078.01  
File No. 125D-17.01B

## Boggy Branch CDD

A portion of Sections 16 and 17, Township 3 South, Range 28 East, Duval County, Florida, being a portion of those lands described and recorded in Official Records Book 17036, page 2398, of the current Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the Southeasterly corner of said Section 17, thence South  $88^{\circ}15'27''$  West, along the Southerly line of said Section 17, a distance of 268.53 feet; thence North  $01^{\circ}44'33''$  West, departing said Southerly line, 141.57 feet; thence North  $85^{\circ}41'13''$  West, 241.67 feet to the point of curvature of a curve concave Southerly having a radius of 2000.00 feet; thence Westerly along the arc of said curve, through a central angle of  $06^{\circ}08'51''$ , an arc length of 214.59 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $88^{\circ}45'39''$  West, 214.48 feet; thence Due North, 2379.25 feet; thence Due East, 900.86 feet; thence North  $03^{\circ}28'08''$  East, 45.63 feet to a point on a curve concave Westerly having a radius of 1000.00 feet; thence Northerly along the arc of said curve, through a central angle of  $23^{\circ}00'46''$ , an arc length of 401.65 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North  $08^{\circ}02'15''$  West, 398.95 feet; thence Northerly along the arc of a curve concave Easterly having a radius of 1000.00 feet, through a central angle of  $47^{\circ}11'47''$ , an arc length of 823.73 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $04^{\circ}03'15''$  East, 800.64 feet; thence Southeasterly along the arc of a curve concave Northeasterly having a radius of 500.00 feet, through a central angle of  $13^{\circ}18'17''$ , an arc length of 116.11 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $62^{\circ}15'25''$  East, 115.85 feet; thence South  $68^{\circ}54'33''$  East, 32.07 feet to the point of curvature of a curve concave Northerly having a radius of 985.00 feet; thence Easterly along the arc of said curve, through a central angle of  $62^{\circ}11'46''$ , an arc length of 1069.25 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $79^{\circ}59'33''$  East, 1017.51 feet; thence North  $48^{\circ}53'40''$  East, 248.66 feet to the point of curvature of a curve concave Southeasterly having a radius of 460.00 feet; thence Northeasterly along the arc of said curve, through a central angle of  $20^{\circ}12'00''$ , an arc length of 162.18 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $58^{\circ}59'41''$  East, 161.34 feet; thence South  $19^{\circ}55'14''$  East, 184.59 feet to the point of curvature of a curve concave Northeasterly having a radius of 1000.00 feet; thence Southeasterly along the arc of said curve, through a central angle of  $17^{\circ}29'38''$ , an arc length of 305.33 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South  $28^{\circ}40'03''$  East, 304.14 feet; thence North  $51^{\circ}02'54''$  East, 134.63 feet to the point of curvature of a curve concave Southeasterly having a radius of 1718.50 feet; thence Northeasterly along the arc of said curve,

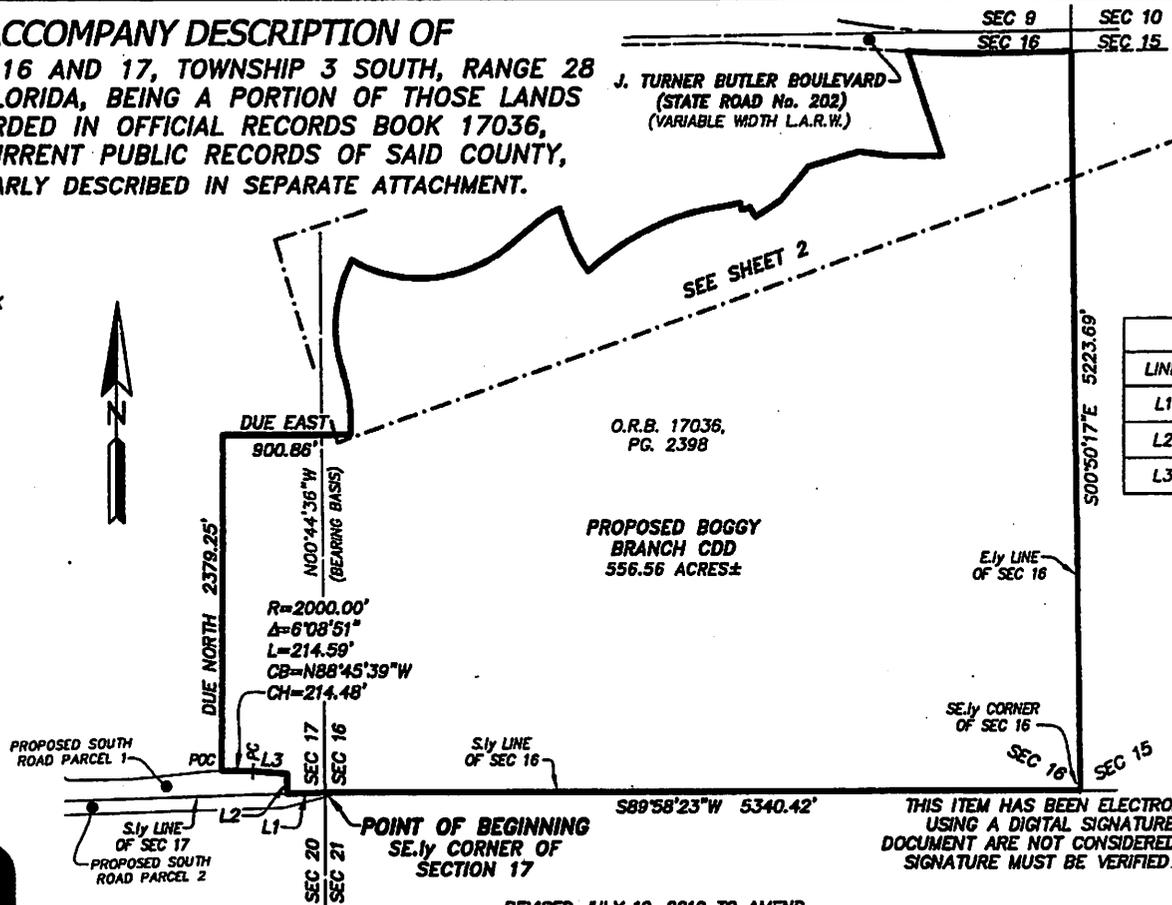
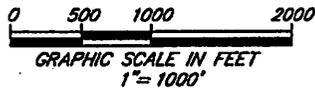
**Boggy Branch CDD (Continued)**

through a central angle of  $32^{\circ}04'51''$ , an arc length of 962.22 feet to a point of reverse curvature, said arc being by a chord bearing and distance of North  $67^{\circ}05'20''$  East, 949.70 feet; thence Easterly along the arc of a curve concave Northerly having a radius of 731.50 feet, through a central angle of  $08^{\circ}30'41''$ , an arc length of 108.67 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $78^{\circ}52'25''$  East, 108.57 feet; thence South  $15^{\circ}22'56''$  East, 48.50 feet to a point on a curve concave Northerly having a radius of 780.00 feet; thence Easterly along the arc of a said curve, through a central angle of  $04^{\circ}26'06''$ , an arc length of 60.38 feet to a point on said curve, said arc being subtended by a chord bearing a distance of North  $72^{\circ}24'01''$  East, 60.36 feet; thence South  $29^{\circ}44'09''$  East, 78.04 feet; thence North  $56^{\circ}48'40''$  East, 205.79 feet; thence North  $39^{\circ}29'40''$  East, 312.89 feet; thence North  $74^{\circ}06'23''$  East, 375.50 feet; thence South  $82^{\circ}31'23''$  East, 246.53 feet; thence North  $89^{\circ}57'01''$  East, 339.18 feet; thence North  $18^{\circ}25'21''$  West, 771.56 feet to a point lying on the Southerly limited access right of way line of J. Turner Boulevard, State Road No. 202, a variable width limited access right of way as presently established; thence Easterly, along said Southerly limited access right of way line the following 3 courses: Course 1, thence South  $86^{\circ}54'32''$  East, 100.45 feet to a point on a curve concave Northerly having a radius of 4733.66 feet; Course 2, thence Easterly along the arc of said curve, through a central angle of  $04^{\circ}32'32''$ , an arc length of 375.27 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $88^{\circ}41'55''$  East, 375.17 feet; Course 3, thence North  $89^{\circ}01'49''$  East, 676.51 feet to its intersection with the Easterly line of said Section 16; thence South  $00^{\circ}50'17''$  East, departing said Southerly limited access right of way line and along said Easterly line, 5223.69 feet to the Southeasterly corner thereof; thence South  $89^{\circ}58'23''$  West, along the Southerly line of said Section 16, a distance of 5340.42 feet to the Point of Beginning.

Containing 556.56 acres, more or less.

**SKETCH TO ACCOMPANY DESCRIPTION OF  
A PORTION OF SECTIONS 16 AND 17, TOWNSHIP 3 SOUTH, RANGE 28  
EAST, DUVAL COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS  
DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 17036,  
PAGE 2398, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY,  
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.**

- LEGEND:**  
O.R.B. OFFICIAL RECORDS BOOK  
PG. PAGE  
L.A.R.W. LIMITED ACCESS  
RIGHT OF WAY  
SEC SECTION  
PC POINT OF CURVATURE  
POC POINT ON CURVE  
R RADIUS  
Δ CENTRAL ANGLE  
L ARC LENGTH  
CB CHORD BEARING  
CH CHORD DISTANCE  
L1 TABULATED LINE DATA



THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



**ETM**  
**Surveying & Mapping, Inc.**  
**VISION • EXPERIENCE • RESULTS**  
14775 Old St. Augustine Road, Jacksonville, FL 32258  
Tel: (904) 642-8550 Fax: (904) 642-4185  
Certificate of Authorization No.: LB 3624

SHEET 1 OF 2  
**GENERAL NOTES:**  
1) THIS IS NOT A SURVEY.  
2) BEARINGS BASED ON THE EASTERLY LINE OF SECTION 17 AS BEING NORTH 00°44'36" WEST.

REVISED JULY 19, 2019 TO AMEND MAP AND LEGAL DESCRIPTION.  
REVISED MAY 7, 2019 TO AMEND MAP AND LEGAL DESCRIPTION.



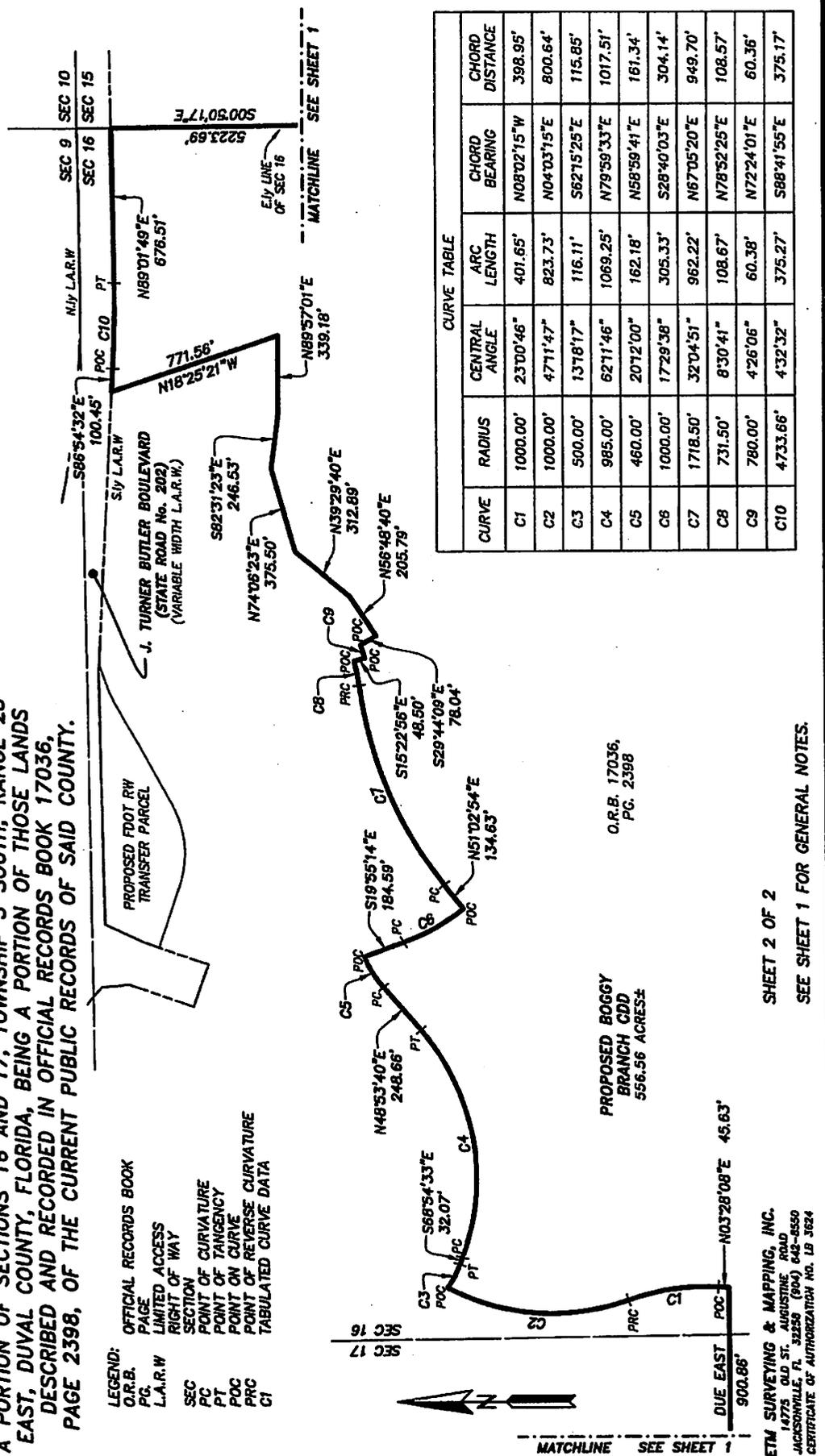
Digital Signature By:  
Damon J. Kelly, PSM

**DAMON J. KELLY**  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LS No. 6284

SCALE: 1"=1000'  
DATE: MAY 8, 2019

A PORTION OF SECTIONS 16 AND 17, TOWNSHIP 3 SOUTH, RANGE 28 EAST, DUVAL COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 17036, PAGE 2398, OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY.

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
  - PG. PAGE
  - L.A.R.W. LIMITED ACCESS
  - SEC SECTION
  - PT POINT OF CURVATURE
  - POC POINT OF TANGENCY
  - PRC POINT ON CURVE
  - PT POINT OF REVERSE CURVATURE
  - C1 TABULATED CURVE DATA



CURVE TABLE

CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	1000.00'	23°00'46"	401.65'	N08°02'15"W	398.95'
C2	1000.00'	47°11'47"	823.73'	N04°03'15"E	800.64'
C3	500.00'	13°18'17"	116.11'	S62°15'25"E	115.85'
C4	985.00'	62°11'46"	1069.25'	N79°59'33"E	1017.51'
C5	460.00'	20°12'00"	162.18'	N58°59'41"E	161.34'
C6	1000.00'	17°29'38"	305.33'	S28°40'03"E	304.14'
C7	1718.50'	32°04'51"	962.22'	N67°05'20"E	949.70'
C8	731.50'	8°30'41"	108.67'	N78°52'25"E	108.57'
C9	780.00'	4°26'06"	60.38'	N72°24'01"E	60.36'
C10	4733.66'	4°32'32"	375.27'	S88°41'55"E	375.17'

PROPOSED BOGGY BRANCH CDD  
556.56 ACRES±

O.R.B. 17036,  
PG. 2398

SHEET 2 OF 2  
SEE SHEET 1 FOR GENERAL NOTES.

ETM SURVEYING & MAPPING, INC.  
14775 OLD ST. AUGUSTINE ROAD  
JACKSONVILLE, FL 32256 (904) 642-8550  
CERTIFICATE OF AUTHORIZATION NO. LB 3624

ORDINANCE 2019-483-E

CERTIFICATE OF AUTHENTICATION

ENACTED BY THE COUNCIL

August 27, 2019



SCOTT WILSON  
COUNCIL PRESIDENT

AUG 30 2019

ATTEST:

APPROVED: \_\_\_\_\_



DR. CHERYL L. BROWN  
COUNCIL SECRETARY



LENNY CURRY, MAYOR



# EXHIBIT C

This instrument was prepared by  
and upon recording should be returned to:

HOPPING GREEN & SAMS, P.A.  
Katie S. Buchanan  
119 South Monroe Street, Suite 300  
Tallahassee, Florida 32301

---

**NOTICE OF ESTABLISHMENT OF THE  
BOGGY BRANCH COMMUNITY DEVELOPMENT DISTRICT**

PLEASE TAKE NOTICE that on August 27, 2019, and pursuant to a petition filed by Sawmill Timber, LLC, the City Council of the City Jacksonville, Florida adopted Ordinance No. 2019-483-E, which became effective August 30, 2019, establishing the Boggy Branch Community Development District (“**District**”). The legal description of the lands encompassed within the District is attached hereto as **Exhibit A**. The District is a special-purpose form of local government established pursuant to and governed by Chapter 190, *Florida Statutes*. More information on the powers, responsibilities, and duties of the District may be obtained by examining Chapter 190, *Florida Statutes*, or by contacting the District’s registered agent as designated to the Department of Economic Opportunity under Section 189.014, *Florida Statutes*.

**THE BOGGY BRANCH COMMUNITY DEVELOPMENT DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION AND MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENT TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY LAW.**

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, this Notice has been executed on this 18<sup>th</sup> day of September, 2019, and recorded in the Official Records of Duval County, Florida.

[Signature]  
Vice/Chairperson

[Signature]  
Witness

[Signature]  
Witness

Katie S. Buchanan  
Print Name

Lisa Dao  
Print Name

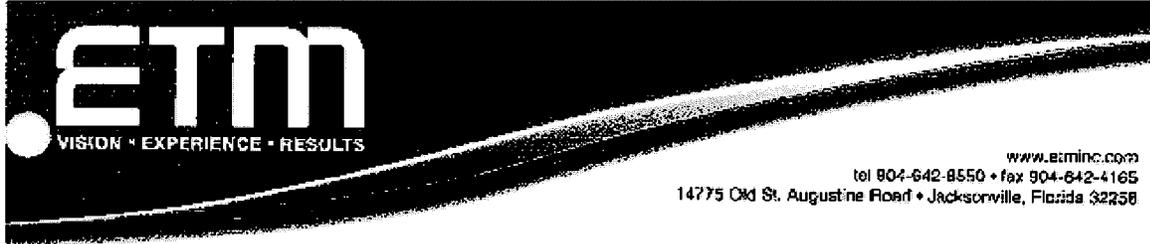
STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of September, 2019, by J. Malcom Jones, Jr., as Vice/Chairperson of the Boggy Branch Community Development District, who is personally known to me.

[Signature]  
Print Name: Diane C. Carbone  
Notary Public, State of Florida  
Commission No.: FF 9 57443  
My Commission Expires: Feb. 4, 2020



## Exhibit A Property Description



Revised July 19, 2019  
April 30, 2019  
Page 1 of 2

Work Order No. 19-078.01  
File No. 125D-17.01B

### Boggy Branch CDD

A portion of Sections 16 and 17, Township 3 South, Range 28 East, Duval County, Florida, being a portion of those lands described and recorded in Official Records Book 17036, page 2398, of the current Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the Southeasterly corner of said Section 17, thence South  $88^{\circ}15'27''$  West, along the Southerly line of said Section 17, a distance of 268.53 feet; thence North  $01^{\circ}44'33''$  West, departing said Southerly line, 141.57 feet; thence North  $85^{\circ}41'13''$  West, 241.67 feet to the point of curvature of a curve concave Southerly having a radius of 2000.00 feet; thence Westerly along the arc of said curve, through a central angle of  $06^{\circ}08'51''$ , an arc length of 214.59 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $88^{\circ}45'39''$  West, 214.48 feet; thence Due North, 2379.25 feet; thence Due East, 900.86 feet; thence North  $03^{\circ}28'08''$  East, 45.63 feet to a point on a curve concave Westerly having a radius of 1000.00 feet; thence Northerly along the arc of said curve, through a central angle of  $23^{\circ}00'46''$ , an arc length of 401.65 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North  $08^{\circ}02'15''$  West, 398.95 feet; thence Northerly along the arc of a curve concave Easterly having a radius of 1000.00 feet, through a central angle of  $47^{\circ}11'47''$ , an arc length of 823.73 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $04^{\circ}03'15''$  East, 800.64 feet; thence Southeasterly along the arc of a curve concave Northeasterly having a radius of 500.00 feet, through a central angle of  $13^{\circ}18'17''$ , an arc length of 116.11 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $62^{\circ}15'25''$  East, 115.85 feet; thence South  $68^{\circ}54'33''$  East, 32.07 feet to the point of curvature of a curve concave Northerly having a radius of 985.00 feet; thence Easterly along the arc of said curve, through a central angle of  $62^{\circ}11'46''$ , an arc length of 1069.25 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North  $79^{\circ}59'33''$  East, 1017.51 feet; thence North  $48^{\circ}53'40''$  East, 248.66 feet to the point of curvature of a curve concave Southeasterly having a radius of 460.00 feet; thence Northeasterly along the arc of said curve, through a central angle of  $20^{\circ}12'00''$ , an arc length of 162.18 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $58^{\circ}59'41''$  East, 161.34 feet; thence South  $19^{\circ}55'14''$  East, 184.59 feet to the point of curvature of a curve concave Northeasterly having a radius of 1000.00 feet; thence Southeasterly along the arc of said curve, through a central angle of  $17^{\circ}29'38''$ , an arc length of 305.33 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South  $28^{\circ}40'03''$  East, 304.14 feet; thence North  $51^{\circ}02'54''$  East, 134.63 feet to the point of curvature of a curve concave Southeasterly having a radius of 1718.50 feet; thence Northeasterly along the arc of said curve,

**ETM Surveying & Mapping, Inc.**

ENGINEERS • SURVEYORS • PLANNERS • GIS  
LB3624

Revised July 19, 2019  
 April 30, 2019  
 Page 2 of 2

Work Order No. 19-078.01  
 File No. 125D-17.01B

**Boggy Branch CDD (Continued)**

through a central angle of  $32^{\circ}04'51''$ , an arc length of 962.22 feet to a point of reverse curvature, said arc being by a chord bearing and distance of North  $67^{\circ}05'20''$  East, 949.70 feet; thence Easterly along the arc of a curve concave Northerly having a radius of 731.50 feet, through a central angle of  $08^{\circ}30'41''$ , an arc length of 108.67 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North  $78^{\circ}52'25''$  East, 108.57 feet; thence South  $15^{\circ}22'56''$  East, 48.50 feet to a point on a curve concave Northerly having a radius of 780.00 feet; thence Easterly along the arc of a said curve, through a central angle of  $04^{\circ}26'06''$ , an arc length of 60.38 feet to a point on said curve, said arc being subtended by a chord bearing a distance of North  $72^{\circ}24'01''$  East, 60.36 feet; thence South  $29^{\circ}44'09''$  East, 78.04 feet; thence North  $56^{\circ}48'40''$  East, 205.79 feet; thence North  $39^{\circ}29'40''$  East, 312.89 feet; thence North  $74^{\circ}06'23''$  East, 375.50 feet; thence South  $82^{\circ}31'23''$  East, 246.53 feet; thence North  $89^{\circ}57'01''$  East, 339.18 feet; thence North  $18^{\circ}25'21''$  West, 771.56 feet to a point lying on the Southerly limited access right of way line of J. Turner Boulevard, State Road No. 202, a variable width limited access right of way as presently established; thence Easterly, along said Southerly limited access right of way line the following 3 courses: Course 1, thence South  $86^{\circ}54'32''$  East, 100.45 feet to a point on a curve concave Northerly having a radius of 4733.66 feet; Course 2, thence Easterly along the arc of said curve, through a central angle of  $04^{\circ}32'32''$ , an arc length of 375.27 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South  $88^{\circ}41'55''$  East, 375.17 feet; Course 3, thence North  $89^{\circ}01'49''$  East, 676.51 feet to its intersection with the Easterly line of said Section 16; thence South  $00^{\circ}50'17''$  East, departing said Southerly limited access right of way line and along said Easterly line, 5223.69 feet to the Southeasterly corner thereof; thence South  $89^{\circ}58'23''$  West, along the Southerly line of said Section 16, a distance of 5340.42 feet to the Point of Beginning.

Containing 556.56 acres, more or less.

# EXHIBIT D

RESOLUTION 2019-04

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF BOGGY BRANCH COMMUNITY DEVELOPMENT DISTRICT DESIGNATING A REGISTERED AGENT AND REGISTERED OFFICE OF THE DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Boggy Branch Community Development District (hereinafter the "District") is a local unit of special-purpose government created and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within the City of Jacksonville, Duval County, Florida; and

**WHEREAS**, the District is statutorily required to designate a registered agent and a registered office location for the purposes of accepting any process, notice, or demand required or permitting by law to be served upon the District in accordance with Section 189.014(1), *Florida Statutes*.

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

**Section 1.** Craig Wrathell is hereby designated as Registered Agent for the Boggy Branch Community Development District.

**Section 2.** The District's Registered Office shall be located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431.

**Section 3.** In accordance with Section 189.014, *Florida Statutes*, the District's Secretary is hereby directed to file certified copies of this resolution with Lake County and the Florida Department of Economic Opportunity.

**Section 4.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** this 18<sup>th</sup> day of September, 2019.

**ATTEST:**

**BOGGY BRANCH COMMUNITY  
DEVELOPMENT DISTRICT**

Cindy Cubore  
Secretary/Assistant Secretary

[Signature]  
Chair/Vice Chair, Board of Supervisors

# EXHIBIT E

1 Introduced by the Council President pursuant to Chapter 92, *Ordinance*  
2 *Code*:

3 **ORDINANCE 2021-\_\_\_\_-\_\_**

4 AN ORDINANCE CONCERNING THE CITY OF  
5 JACKSONVILLE’S CONSENT TO THE BOGGY  
6 BRANCH COMMUNITY DEVELOPMENT  
7 DISTRICT’S (“CDD”) EXERCISE OF CERTAIN  
8 SPECIAL POWERS RELATED TO RECREATIONAL  
9 AND SECURITY INFRASTRUCTURE PURSUANT  
10 TO SECTION 190.012(2)(A), (D) AND (F), *FLORIDA*  
11 *STATUTES* AND SECTION 92.15, *ORDINANCE*  
12 *CODE*; AMENDING SECTION 92.22 (EXISTING  
13 COMMUNITY DEVELOPMENT DISTRICTS),  
14 *ORDINANCE CODE*, TO INCLUDE THE GRANT OF  
15 THIS CONSENT; PROVIDING AN EFFECTIVE  
16 DATE.

17  
18 **WHEREAS**, the Boggy Branch Community Development District (the  
19 “CDD”) was established by Ordinance 2019-483-E, on August 30, 2019; and

20 **WHEREAS**, pursuant to section 92.15, Ordinance Code, and as required by  
21 Section 190.012(2), Fla. Stat., the Board of Supervisors of the CDD, has by  
22 Resolution 2020-09, requested the City of Jacksonville to grant the City’s consent  
23 for the CDD to exercise the special power set forth in Section 190.012(2)(a), (d) and  
24 (f), Fla. Stat., to plan, establish, acquire, construct or reconstruct, enlarge or extend,  
25 equip, operate, and maintain additional systems and facilities for: 1) parks and  
26 facilities for indoor or outdoor recreational, cultural, and educational uses; 2)  
27 security facilities including, but not limited to, guardhouses, fences and gates,  
28 electronic intrusion-detection systems and patrol cars, and 3) waste collection and  
29 disposal (“Request for Special Powers”) and has paid the fee of \$1,500; and

30 **WHEREAS**, no action taken by the CDD shall be inconsistent with  
31 applicable comprehensive plans, ordinances or regulations of the city, and whereas

1 all governmental planning, environmental, and land development laws, regulations  
2 and ordinances apply to all development of land within, or as otherwise may be  
3 undertaken by, the CDD; and

4 **WHEREAS**, as states in the Request for Special Powers, the CDD has  
5 properly designated its registered office and agent, is in good legal standing and  
6 operating in compliance with the law, and has properly recorded a Notice of  
7 Establishment, all the foregoing done, alleged and submitted to the City in  
8 compliance with section 92.16, Ordinance Code; and

9 **WHEREAS**, based upon the materials submitted by the CDD, the Council  
10 finds there is good reason to grant the Request for Special Powers as petitioned  
11 therein.

12 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of  
13 Jacksonville:

14 **Section 1. Incorporation of Recitals.** Above stated recitals are  
15 hereby acknowledged as true and correct and by this reference is incorporated  
16 herein.

17 **Section 2. Grant of Consent.** Pursuant to the CDD's Request  
18 for Special Powers, a copy of which is on file in the Council Legislative Services  
19 Division, and in accordance with section 190.012(2), Fla. Stat., the City's consent is  
20 hereby granted to the CDD to exercise the power to plan, establish, acquire, construct  
21 or reconstruct, enlarge or extend, equip, operate and maintain additional systems and  
22 facilities for parks, recreation, and security, all the foregoing to be exercised only in  
23 compliance and consistent with all applicable laws including the City's  
24 Comprehensive Plan and City's land development regulations.

25 **Section 3. Amending Section 92.22 (Existing Community**  
26 **Development Districts), Chapter 92 (UNIFORM COMMUNITY**  
27 **DEVELOPMENT DISTRICTS), Ordinance Code.** Chapter 92 (UNIFORM

1 COMMUNITY DEVELOPMENT DISTRICTS), Section 92.22 (Existing  
2 Community Development Districts), Ordinance Code, is hereby amended to read as  
3 follows:

4 CHAPTER 92. UNIFORM COMMUNITY DEVELOPMENT DISTRICTS

5 \* \* \*

6 Sec. 92.22 Existing Community Development Districts.

7 The following CDDs have been established in the City:

8 \* \* \*

9 (19) Boggy Branch Community Development District.

10 The Boggy Branch Community Development District was established by  
11 Ordinance 2019-483-E. The City granted consent to the Boggy Branch Community  
12 Development District to exercise special powers related to parks and facilities for  
13 indoor and outdoor recreational, cultural and educational uses; security, including  
14 but not limited to, guardhouses, fences and gates, electronic intrusion detection  
15 systems, and patrol cars; and waste collection and disposal, in Ordinance 2021- -  
16 E.

17 **Section 4. Effective Date.** This Ordinance shall become effective  
18 upon signature by the Mayor or upon becoming law without the Mayor’s signature.

19  
20 Form Approved:

21  
22  
23 \_\_\_\_\_  
24 Office of General Counsel

25 Legislation Prepared By: Hopping Green & Sams, P.A.

Ordinance 2021-\_\_-E  
CERTIFICATE OF AUTHENTICATION  
ENACTED BY THE COUNCIL

\_\_\_\_\_, 2021

\_\_\_\_\_  
Scott Wilson  
Council President

ATTEST:

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
COUNCIL SECRETARY

\_\_\_\_\_  
LENNY CURRY, MAYOR

[*City of Jacksonville Seal here*]