

**AMENDED PETITION TO ESTABLISH
DARBY COMMUNITY
DEVELOPMENT DISTRICT**

Submitted By:

Wesley S. Haber
Florida Bar No. 420069
Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301
Phone: (850) 692-7300
Fax: (850) 692-7319
Attorney for Petitioner

Name: Andy Allen
Address: 1819 Goodwin Street
Jacksonville, Florida 32204
Relationship: CEO of Petitioner

Name: George Leone
Address: 1819 Goodwin Street
Jacksonville, Florida 32204
Relationship: COO of Petitioner

Name: Rick Egger
Address: 2105 River Boulevard, Suite 2
Jacksonville, Florida 32204
Relationship: Vice President of Construction, Breeze Homes

Name: Don Wenner
Address: 405 Golfway West Drive
Jacksonville, Florida 32095
Relationship: Founder and CEO, DLP Capital

Name: William English, III
Address: 5159 Thorden Road
Jacksonville, Florida 32207
Relationship: COO, Atlantic Site & Marine

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America. As noted in more detail above, Mr. Allen and Mr. Leone are officers and/or employees of the Petitioner, as defined in Sections 112.312 or 112.3143, Florida Statutes.

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

6. Future Land Uses. The general distribution, location, and extent of the public and private future land uses proposed for the District, in accordance with the future land use plan element of the City's Future Land Use Plan, is identified on **Exhibit 4**.

7. Major Water, Wastewater Facilities. The major trunk water mains and sewer interceptors and outfalls in the immediate vicinity of the District are depicted in **Exhibit 5**. In addition, **Exhibit 6** contains a copy of the letter of availability issued by JEA confirming the

availability of potable water, sanitary sewer mains and reclaimed water services for development of all of the lands within the proposed District.

8. District Facilities and Services. **Exhibit 7** identifies the type of facilities Petitioner presently expects the District to finance, construct, acquire or install, as well as the ultimate expected owner and entity responsible for maintenance. The estimated costs of these facilities (and an annual outlay of such costs) are also shown in **Exhibit 7**. At present, these improvements are estimated to be made over the time period from 2023 through 2024. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions as contemplated and allowed by Section 190.005(1)(a), Florida Statutes. It is contemplated that the District shall exercise those special powers relating recreational facilities as contemplated by Section 190.012(2)(a), Florida Statutes in connection with the facilities.

9. Statement of Estimated Regulatory Costs. **Exhibit 8** is the statement of estimated regulatory costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The authorized agent for the Petitioner is Kutak Rock LLP. See **Exhibit 9** for Authorization of Agent. Copies of all correspondence and official notices should also be sent to:

Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301
Attn: Wesley S. Haber
Wesley.Haber@Kutakrock.com

11. The Petitioner has reviewed the contents of this petition and has executed the Affidavit of Petition regarding the truth and accuracy of the information contained herein. The affidavit is contained in **Exhibit 10**.

12. Pursuant to Section 190.005(2)(e), Florida Statutes, the City must review the petition against the factors set forth in Section 190.005(1)(e), Florida Statutes.

13. Accordingly, this petition to establish Darby Community Development District should be granted for the following reasons:

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

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

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

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

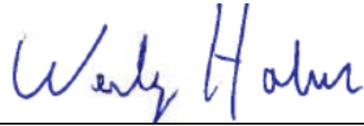
services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities.

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

WHEREFORE, Petitioner respectfully requests the City Council of the City of Jacksonville to:

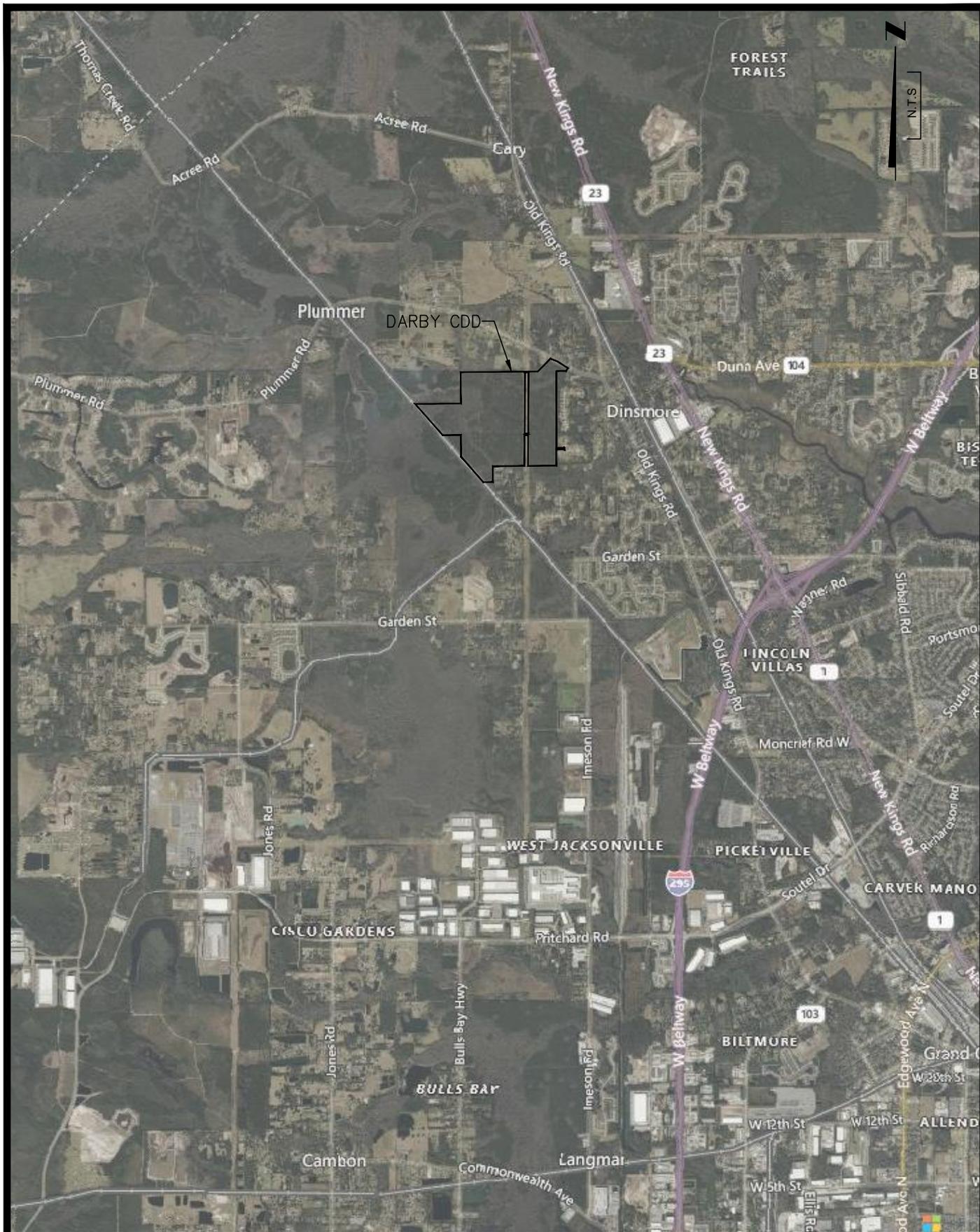
- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), Florida Statutes;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, Florida Statutes;
- c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses all as authorized and described by Section 190.012 (2)(a), Florida Statutes; and
- d. grant such other relief as appropriate.

RESPECTFULLY SUBMITTED, this 9th day of May, 2023.



Wesley S. Haber
Florida Bar No. 420069
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Kutak Rock LLP
107 West College Avenue
Tallahassee, Florida 32301
(850) 692-7300 (telephone)
(850) 692-7319 (facsimile)
Attorneys for Petitioner

EXHIBIT 1



Connelly & Wicker Inc.

Planning • Engineering • Landscape Architecture

GENERAL LOCATION

21-01-0046

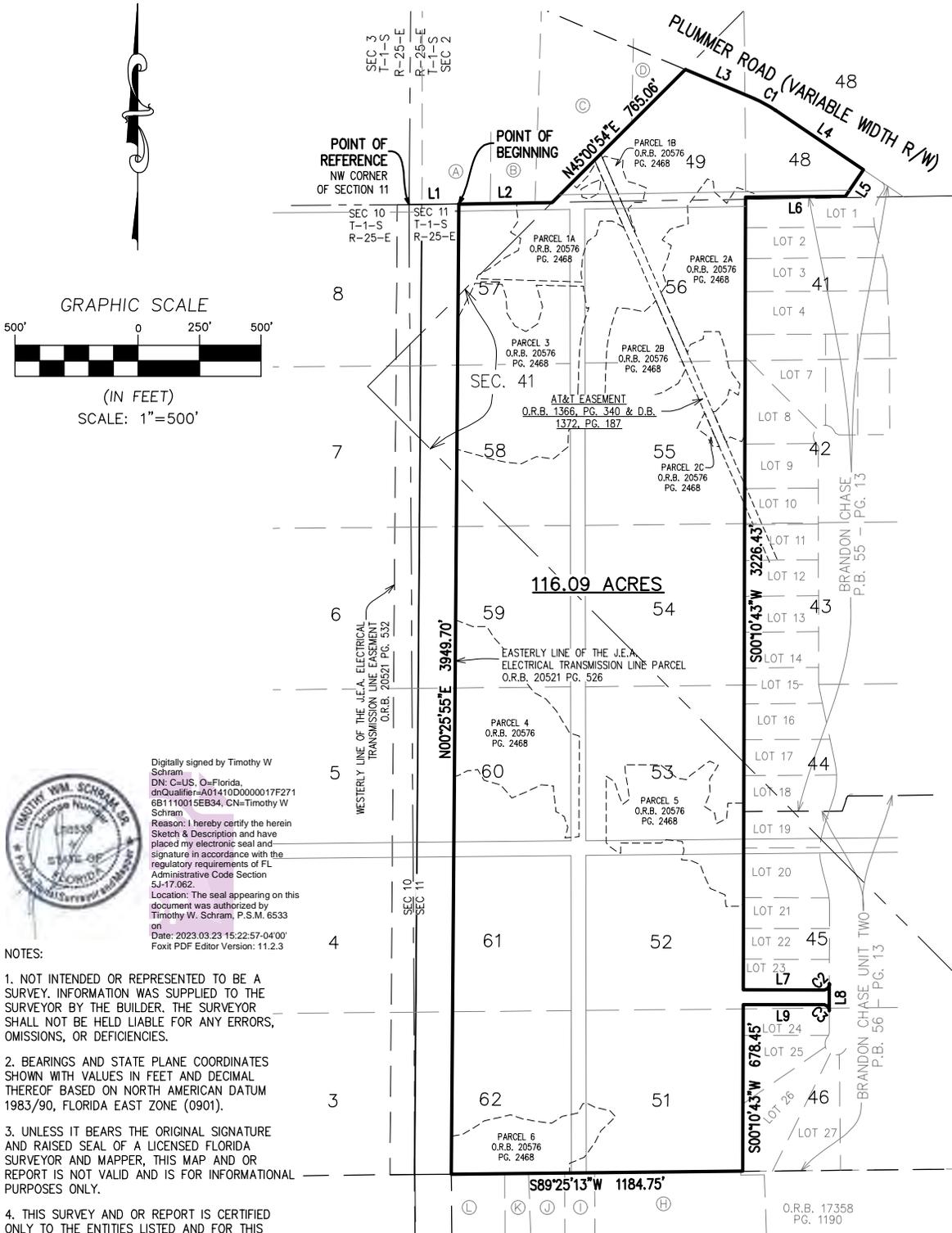
MARCH 15, 2023

Revised on File

EXHIBIT 2

MAP SHOWING SKETCH & DESCRIPTION OF

EAST PARCEL
(SEE SHEET 3 FOR LEGAL DESCRIPTION)



Digitally signed by Timothy W Schram
DN: cn=US, o=Florida, dnQualifier=A01410D0000017F2716B1110015EB34, cn=Timothy W Schram
Reason: I hereby certify the herein Sketch & Description and have placed my electronic seal and signature in accordance with the regulatory requirements of FL Administrative Code Section 5J-17.062.
Location: The seal appearing on this document was authorized by Timothy W. Schram, P.S.M. 6533 on
Date: 2023.03.23 15:22:57-04'00'
Foxit PDF Editor Version: 11.2.3

NOTES:

1. NOT INTENDED OR REPRESENTED TO BE A SURVEY, INFORMATION WAS SUPPLIED TO THE SURVEYOR BY THE BUILDER. THE SURVEYOR SHALL NOT BE HELD LIABLE FOR ANY ERRORS, OMISSIONS, OR DEFICIENCIES.
2. BEARINGS AND STATE PLANE COORDINATES SHOWN WITH VALUES IN FEET AND DECIMAL THEREOF BASED ON NORTH AMERICAN DATUM 1983/90, FLORIDA EAST ZONE (0901).
3. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER, THIS MAP AND OR REPORT IS NOT VALID AND IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SURVEY AND OR REPORT IS CERTIFIED ONLY TO THE ENTITIES LISTED AND FOR THIS TRANSACTION ONLY.
5. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHT-OF-WAYS, EASEMENTS OR OTHER INSTRUMENTS OF RECORD.

SHEET 1 OF 3
SEE SHEET 2 FOR TABLES
SEE SHEET 3 FOR DESCRIPTION
(NOT VALID WITHOUT ALL SHEETS)



Surveyed and Prepared By:
RICHARD P. CLARSON AND ASSOCIATES, INC.
Professional Surveyors and Mappers
1643 Naldo Avenue, Jacksonville, FL 32207
Phone: 904.396.2623 Website: clarsonfl.com

I hereby certify that this survey, performed under my responsible direction meets the standards of practice for Land Surveys in accordance with Chapter 5J-17, Florida Administrative Code (Pursuant to Section 472.027, Florida Statutes), and further certify that there are no visible encroachments upon the subject property except as shown.
Date of Survey: MARCH 17, 2023 Drafted By: DNS
Survey Scale: 1"=500' Reviewed By: TWS
Project No. 21-096

- Proudly Surveying in Jacksonville and Northeast Florida since 1952 -

Professional Surveyor and Mapper No. 6533, State of Florida
TIMOTHY W. SCHRAM, SR.
SURVEY NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL

LINE TABLE		
LINE #	LENGTH	DIRECTION
L2	379.78'	N89°04'50"E
L3	304.38'	S67°05'14"E
L4	432.34'	S55°54'20"E
L5	131.51'	S34°05'15"W
L6	405.07'	S89°36'31"W
L7	325.00'	S89°49'17"E
L8	110.00'	S00°10'43"W
L9	325.00'	N89°49'17"W
L1	202.11'	N89°04'50"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DIST
C1	98.94'	506.96'	11°10'54"	S61°29'47"E	98.78'
C2	39.28'	25.00'	90°00'54"	N45°10'43"E	35.36'
C3	39.28'	25.00'	90°00'54"	N44°49'17"W	35.36'

(A)	NOW OR FORMERLY OWNER: LINDA GAIL PATRICK PIN: 002596-0010 O.R.B. 13508 PG. 984
(B)	NOW OR FORMERLY OWNER: LINDA GAIL PATRICK PIN: 002596-0030 O.R.B. 17675 PG. 1777
(C)	NOW OR FORMERLY OWNER: ANDREW R. SMITH PIN: 002595-0000 O.R.B. 11752 PG. 355
(D)	NOW OR FORMERLY OWNER: PRESCO RETIREMENT TRUST PIN: 002596-0000 O.R.B. 18325 PG. 2381
(H)	NOW OR FORMERLY OWNER: SHAMEEK R. BELSCHES PIN: 002670-0020 O.R.B. 18992 PG. 1210
(I)	NOW OR FORMERLY OWNER: JASON MILLER OQUINN ESTATE PIN: 002670-0050 O.R.B. 15464 PG. 9
(J)	NOW OR FORMERLY OWNER: JENNIFER HOLDEN PIN: 002670-0060 O.R.B. 17215 PG. 220
(K)	NOW OR FORMERLY OWNER: JOHN T. OQUINN PIN: 002670-0070 O.R.B. 15464 PG. 11
(L)	NOW OR FORMERLY OWNER: JAX HOME INVESTMENTS LLC PIN: 002670-0000 O.R.B. 20000 PG. 259

SHEET 2 OF 3
SEE SHEET 1 FOR SKETCH & NOTES
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THAT PART OF FARMS 48 & 49 LYING SOUTH OF PLUMMER ROAD (EXCEPT PART IN OFFICIAL RECORDS BOOK 6511, PAGE 144), SECTION 41, TOWNSHIP 1 SOUTH, RANGE 25 EAST; PART OF FARMS 45, 46, 57, 58, 59, 60, 61 AND 62; ALL OF FARMS 51 TO 56 (EXCEPT OFFICIAL RECORDS BOOK 20521, PAGE 526), SECTIONS 41 AND 11, TOWNSHIP 1 SOUTH, RANGE 25 EAST; ALL ACCORDING TO THE DINSMORE COMPANY'S OFFICIAL MAP OF DINSMORE AND DINSMORE FARMS, PREPARED AUGUST 1933 UNDER DIRECTION OF ROBERT M. ANGUS, CIVIL ENGINEER, ALL IN DUVAL COUNTY, FLORIDA.

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 25 EAST OF SAID DUVAL COUNTY; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 11 AND THE SOUTH LINE OF OFFICIAL RECORDS BOOK 13508, PAGE 984 NORTH 89° 04' 50" EAST, A DISTANCE OF 202.11 FEET TO THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING THUS DESCRIBED CONTINUE ALONG THE NORTH LINE OF SAID SECTION 11 AND THE SOUTH LINES OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 13508, PAGE 984, OFFICIAL RECORDS BOOK 17675, PAGE 1777 AND OFFICIAL RECORDS BOOK 11752, PAGE 355, NORTH 89° 04' 50" EAST, A DISTANCE OF 379.78 FEET, TO ITS INTERSECTION WITH THE NORTHWEST LINE OF SECTION 41; THENCE NORTHEASTERLY ALONG THE NORTHWEST LINE OF SAID SECTION 41 AND THE SOUTHEASTERLY LINES OF OFFICIAL RECORDS BOOK 11752, PAGE 355 AND OFFICIAL RECORDS BOOK 18325, PAGE 2381, NORTH 45° 00' 54" EAST, A DISTANCE OF 765.06 FEET, TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PLUMMER ROAD, A VARIABLE WIDTH RIGHT-OF-WAY, SAID POINT REFERRED TO AS REFERENCE POINT "A"; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID PLUMMER ROAD AND THE NORTHEASTERLY LINE OF OFFICIAL RECORDS BOOK 6508, PAGE 1628 THE FOLLOWING THREE (3) COURSES AND DISTANCES; COURSE NO. 1: SOUTH 67° 05' 14" EAST, A DISTANCE OF 304.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 506.96 FEET, A CENTRAL ANGLE OF 11° 10' 54" AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 61° 29' 47" EAST, 98.78 FEET; COURSE NO. 2: THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 98.94 FEET TO A POINT OF TANGENCY; COURSE NO. 3: SOUTH 55° 54' 20" EAST, A DISTANCE OF 432.34 FEET TO THE MOST NORTHERLY CORNER OF TRACT "A", AS SHOWN ON THE PLAT OF BRANDON CHASE, AS RECORDED IN PLAT BOOK 55, PAGE 13 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTHWESTERLY ALONG THE NORTHWEST LINE OF SAID TRACT "A", SOUTH 34° 05' 15" WEST, A DISTANCE OF 131.51 FEET TO A POINT ON THE NORTH LINE OF LOT 1 AS SHOWN ON THE PLAT OF SAID BRANDON CHASE; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 1, SOUTH 89° 36' 31" WEST, A DISTANCE OF 405.07 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH ALONG THE WEST LINE OF LOTS 1 THROUGH 18 AS SHOWN ON THE PLAT OF SAID BRANDON CHASE AND LOTS 19 THROUGH 23 AS SHOWN ON THE PLAT OF BRANDON CHASE UNIT TWO, AS RECORDED IN PLAT BOOK 56, PAGE 13 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, SOUTH 00° 10' 43" WEST, A DISTANCE OF 3,226.43 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 23; THENCE ALONG THE SOUTH LINE OF SAID LOT 23, SOUTH 89° 49' 17" EAST, A DISTANCE OF 325.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'54" AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 45° 10' 43" EAST, 35.36 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC LENGTH OF 39.28 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BRANDON CHASE DRIVE, A 50 FOOT RIGHT-OF-WAY; THENCE SOUTH ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANDON CHASE DRIVE; THENCE SOUTH 00° 10' 43" WEST, A DISTANCE OF 110.00 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'54" AND BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 44° 49' 17" WEST, 35.36 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND THE NORTH LINE OF LOT 24 OF SAID BRANDON CHASE UNIT TWO AN ARC LENGTH OF 39.28 FEET TO A POINT OF TANGENCY; THENCE ALONG THE NORTH LINE OF SAID LOT 24, NORTH 89° 49' 17" WEST, A DISTANCE OF 325.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 24; THENCE ALONG THE WEST LINES OF LOTS 24 THROUGH 26 OF SAID BRANDON CHASE UNIT TWO, SOUTH 00° 10' 43" WEST, A DISTANCE OF 678.45 FEET TO THE SOUTHWEST CORNER OF SAID LOT 26, SAID POINT LYING ON THE NORTH LINE OF OFFICIAL RECORDS BOOK 17358, PAGE 1190; THENCE WEST ALONG THE NORTH LINE OF OFFICIAL RECORDS BOOK 18992, PAGE 1210, OFFICIAL RECORDS BOOK 15464, PAGE 9, OFFICIAL RECORDS BOOK 17215, PAGE 220, OFFICIAL RECORDS BOOK 15464, PAGE 11 AND OFFICIAL RECORDS BOOK 11930, PAGE 2217, SOUTH 89° 25' 13" WEST, A DISTANCE OF 1,184.75 FEET TO THE SOUTHEAST CORNER OF LANDS CONVEYED TO JACKSONVILLE ELECTRIC AUTHORITY AS RECORDED IN OFFICIAL RECORDS BOOK 20521, PAGE 526; THENCE WITH THE EASTERLY LINE OF SAID JACKSONVILLE ELECTRIC AUTHORITY LANDS NORTH 00° 25' 55" EAST, A DISTANCE OF 3,949.70 FEET TO THE POINT OF BEGINNING.

LAND THUS DESCRIBED CONTAINS 116.09 ACRES, MORE OR LESS.

SHEET 3 OF 3
SEE SHEET 1 FOR SKETCH & NOTES
SEE SHEET 2 FOR TABLES
(NOT VALID WITHOUT ALL SHEETS)



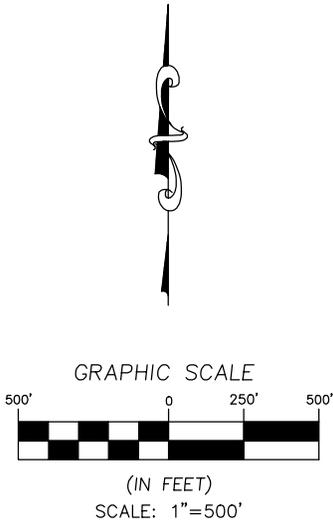
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Phone: 904.396.2623 Website: clarsonfl.com

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MAP SHOWING SKETCH & DESCRIPTION OF

WEST PARCEL

(SEE SHEET 3 FOR LEGAL DESCRIPTION)

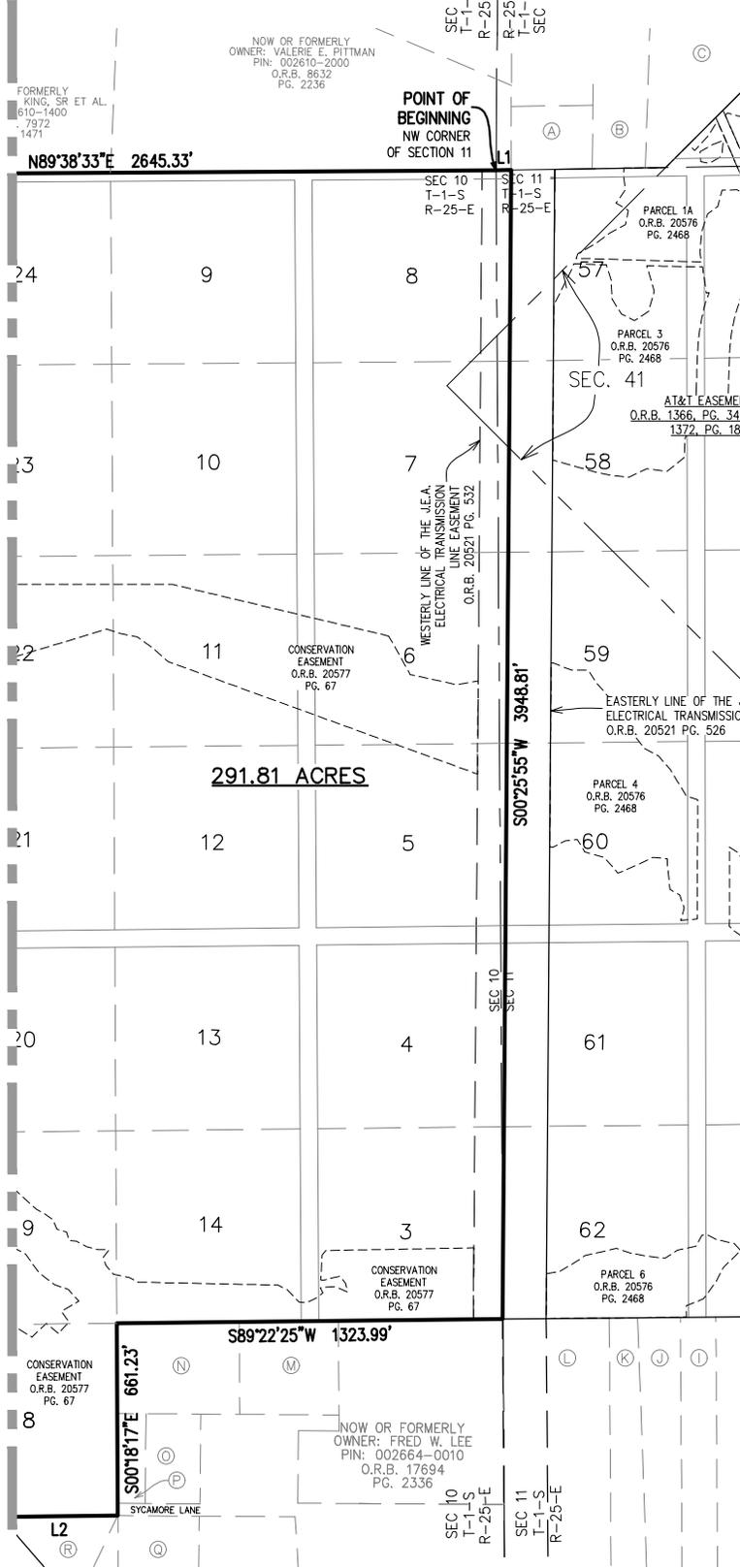


Digitally signed by Timothy W Schram
 DN: c=US, o=Florida, dnQualifier=A01410D0000017F2716
 B1110015EB34, CN=Timothy W Schram
 Reason: I hereby certify the herein Sketch & Description and have placed my electronic seal and signature in accordance with the regulatory requirements of FL Administrative Code Section 5J-17.062.
 Location: The seal appearing on this document was authorized by Timothy W. Schram, P.S.M. 6533 on Date: 2023.03.23 15:23:41-04'00'
 Foxit PDF Editor Version: 11.2.3

NOTES:

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3. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER, THIS MAP AND OR REPORT IS NOT VALID AND IS FOR INFORMATIONAL PURPOSES ONLY.
4. THIS SURVEY AND OR REPORT IS CERTIFIED ONLY TO THE ENTITIES LISTED AND FOR THIS TRANSACTION ONLY.
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SHEET 1 OF 4
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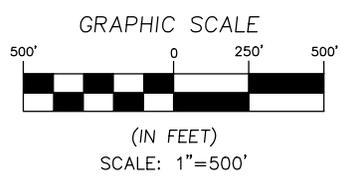
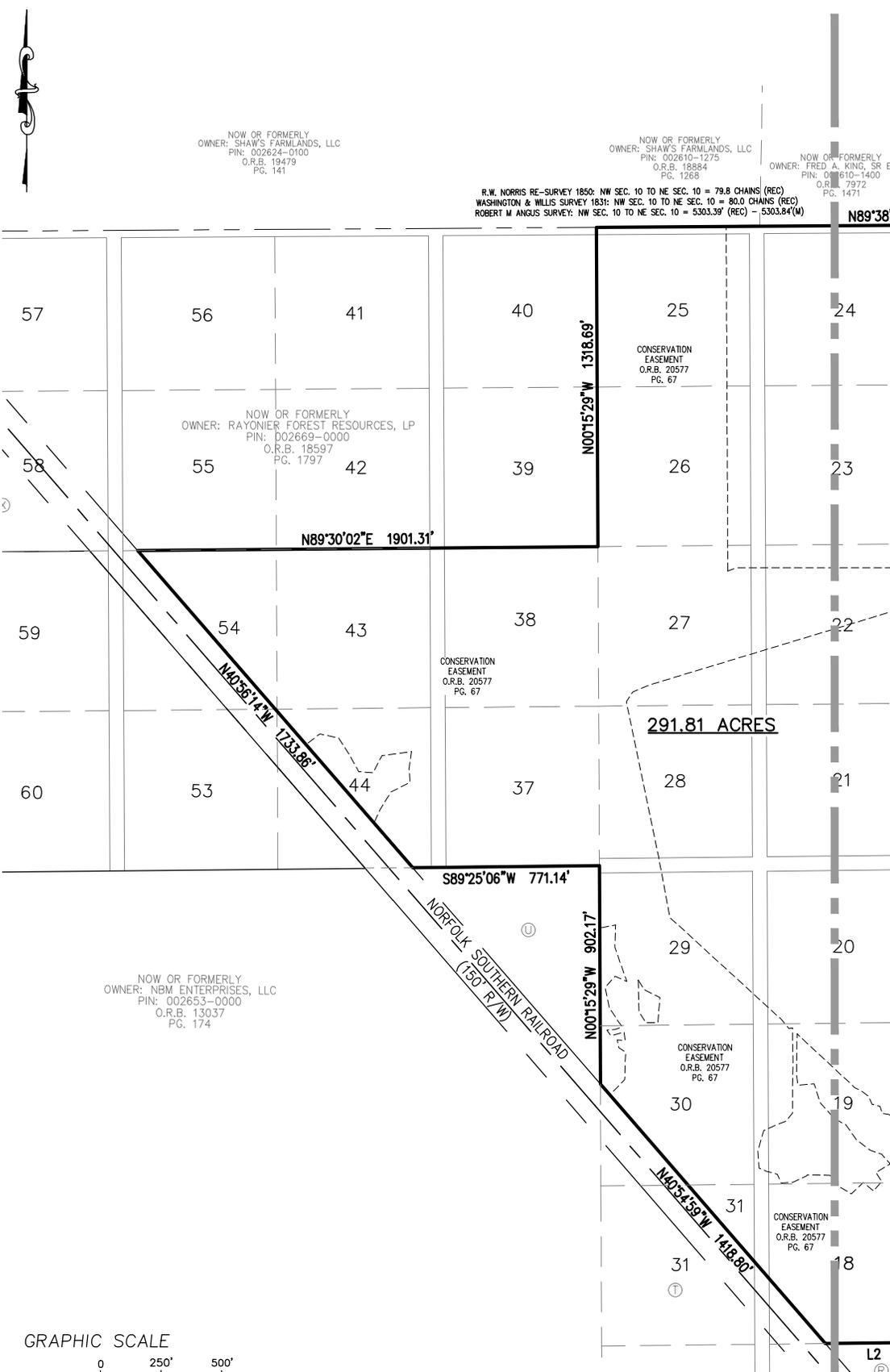
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I hereby certify that this survey, performed under my responsible direction meets the standards of practice for Land Surveyors in accordance with Chapter 5J-17, Florida Administrative Code (Pursuant to Section 472.027, Florida Statutes), and further certify that there are no visible encroachments upon the subject property except as shown.
 Date of Survey: MARCH 20, 2023 Drafted By: DNS
 Survey Scale: 1"=500' Reviewed By: TWS
 Project No. 21-096

Professional Surveyor and Mapper No. 6533, State of Florida
TIMOTHY W. SCHRAM, SR.
 SURVEY NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL



SHEET 1 OF 4
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(A) NOW OR FORMERLY OWNER: LINDA GAIL PATRICK PIN: 002596-0010 O.R.B. 13508 PG. 984	(M) NOW OR FORMERLY OWNER: SHIRLEY A. KROGER PIN: 002666-0030 O.R.B. 15043 PG. 1557
(B) NOW OR FORMERLY OWNER: LINDA GAIL PATRICK PIN: 002596-0030 O.R.B. 17675 PG. 1777	(N) NOW OR FORMERLY OWNER: SHIRLEY A. KROGER PIN: 002666-0040 O.R.B. 6913 PG. 557
(C) NOW OR FORMERLY OWNER: ANDREW R. SMITH PIN: 002596-0000 O.R.B. 11752 PG. 355	(O) NOW OR FORMERLY OWNER: RICHARD FORTUNE PIN: 002666-0020 O.R.B. 11614 PG. 1973
(D) NOW OR FORMERLY PRESQO RETIREMENT TRUST OWNER: PIN: 002598-0000 O.R.B. 18325 PG. 2381	(P) NOW OR FORMERLY OWNER: RICHARD FORTUNE PIN: 002666-0100 O.R.B. 11614 PG. 1973
(E) NOW OR FORMERLY OWNER: JOSE CORNELIO IRIAS CRUZ PIN: 002597-0000 O.R.B. 19039 PG. 1208	(Q) NOW OR FORMERLY OWNER: CALVIN MARTIN, III PIN: 002666-0010 O.R.B. 18248 PG. 694
(F) NOW OR FORMERLY OWNER: CHARLES J. GRIFFIN PIN: 003834-0020 O.R.B. 3175 PG. 595	(R) NOW OR FORMERLY OWNER: JOAN RANA WILLIAMS PIN: 003843-0010 O.R.B. 11045 PG. 2081
(G) NOW OR FORMERLY OWNER: WILMAN MALDONADO PIN: 003835-0030 O.R.B. 18920 PG. 1770	(S) NOW OR FORMERLY OWNER: DARBY PARTNERSHIP PIN: 003843-0000 O.R.B. 6508 PG. 1628
(H) NOW OR FORMERLY OWNER: SHAMEEK R. BELSCHES PIN: 002670-0020 O.R.B. 18992 PG. 1210	(T) NOW OR FORMERLY OWNER: DARBY PARTNERSHIP PIN: 003843-0000 O.R.B. 6508 PG. 1628
(I) NOW OR FORMERLY OWNER: JASON MILLER OQUINN ESTATE PIN: 002670-0050 O.R.B. 15464 PG. 9	(U) NOW OR FORMERLY OWNER: NBM ENTERPRISES, LLC PIN: 002653-0000 O.R.B. 13037 PG. 174
(J) NOW OR FORMERLY OWNER: JENNIFER HOLDEN PIN: 002670-0060 O.R.B. 17215 PG. 220	(V) NOW OR FORMERLY OWNER: NBM ENTERPRISES, LLC PIN: 002653-0000 O.R.B. 13037 PG. 174
(K) NOW OR FORMERLY OWNER: JOHN T. OQUINN PIN: 002670-0070 O.R.B. 15464 PG. 11	(W) NOW OR FORMERLY OWNER: RAYONER FOREST RESOURCES, LP PIN: 002669-0000 O.R.B. 18597 PG. 1797
(L) NOW OR FORMERLY OWNER: JAX HOME INVESTMENTS LLC PIN: 002670-0000 O.R.B. 20000 PG. 259	(X) NOW OR FORMERLY OWNER: RAYONER FOREST RESOURCES, LP PIN: 002669-0000 O.R.B. 18597 PG. 1797

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	52.07'	N89°04'50"E
L2	402.01'	S89°21'40"W

SHEET 3 OF 4
SEE SHEET 1 & 2 FOR SKETCH & NOTES
SEE SHEET 4 FOR DESCRIPTION
(NOT VALID WITHOUT ALL SHEETS)



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Revised On File

PART OF FARMS 57, 58, 59, 60, 61 AND 62, SECTION 11, TOWNSHIP 1 SOUTH, RANGE 25 EAST; PART OF FARMS 7, 8, 57 AND 58 SECTION 41, TOWNSHIP 1 SOUTH, RANGE 25 EAST; PART OF FARMS 7, 8, 18, 30, 31, 44, 53 AND 54, SECTION 10 TOWNSHIP 1 SOUTH, RANGE 25 EAST; ALL OF FARMS 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 37, 38 AND 43, SECTION 10 TOWNSHIP 1 SOUTH, RANGE 25 EAST, ALL ACCORDING TO THE DINSMORE COMPANY'S OFFICIAL MAP OF DINSMORE AND DINSMORE FARMS, PREPARED AUGUST 1933 UNDER DIRECTION OF ROBERT M. ANGUS, CIVIL ENGINEER, ALL IN DUVAL COUNTY, FLORIDA.

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 25 EAST OF SAID DUVAL COUNTY; THENCE NORTH 89° 04' 50" EAST ALONG THE NORTH LINE OF SAID SECTION 11 AND THE SOUTH LINE OF OFFICIAL RECORDS BOOK 8632, PAGE 2236 AS RECORDED IN THE CURRENT PUBLIC RECORDS OF SAID COUNTY, A DISTANCE OF 52.07 FEET TO A POINT ON THE WESTERLY LINE OF LANDS CONVEYED TO JACKSONVILLE ELECTRIC AUTHORITY AS RECORDED IN OFFICIAL RECORDS BOOK 20521, PAGE 526, SAME LINE BEING THE EASTERLY LINE OF A 100 FOOT JACKSONVILLE ELECTRIC AUTHORITY ELECTRICAL TRANSMISSION LINE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 20521 PAGE 532; THENCE DEPART NORTH LINE OF SAID SECTION 11, SOUTH 00° 25' 55" WEST ALONG THE WEST LINE OF SAID JACKSONVILLE ELECTRIC AUTHORITY LANDS AND THE EAST LINE OF SAID JACKSONVILLE ELECTRIC AUTHORITY TRANSMISSION LINE EASEMENT, A DISTANCE OF 3,948.81 FEET TO THE NORTHEAST CORNER OF OFFICIAL RECORDS BOOK 17694, PAGE 2336; THENCE DEPART EAST LINE OF SAID JACKSONVILLE ELECTRIC AUTHORITY LANDS, SOUTH 89° 22' 25" WEST, ALONG THE NORTH LINE OF OFFICIAL RECORDS BOOK 17694, PAGE 2336, OFFICIAL RECORDS BOOK 15043, PAGE 1557, OFFICIAL RECORDS BOOK 6913, PAGE 557, A DISTANCE OF 1,323.99 FEET TO THE NORTHWEST CORNER OF OFFICIAL RECORD BOOK 6913, PAGE 557; THENCE ALONG THE WEST LINES OF OFFICIAL RECORDS BOOK 6913, PAGE 557, OFFICIAL RECORDS BOOK 11614, PAGE 1973 AND THE WESTERLY TERMINUS OF SYCAMORE LANE, SOUTH 00° 18' 17" EAST, A DISTANCE OF 661.23 FEET, TO THE NORTHEAST CORNER OF OFFICIAL RECORDS BOOK 18248, PAGE 694; THENCE ALONG THE NORTH LINE OF OFFICIAL RECORDS BOOK 18248, PAGE 694, SOUTH 89° 21' 40" WEST, A DISTANCE OF 402.01 FEET TO A POINT ON THE NORTHEAST RIGHT-OF-WAY LINE OF NORFOLK SOUTHERN RAILROAD; THENCE NORTHWEST ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID NORFOLK SOUTHERN RAILROAD AND THE SOUTHWEST LINE OF OFFICIAL RECORDS BOOK 6508, PAGE 1628 LYING NORTH OF SAID NORFOLK SOUTHERN RAILROAD, NORTH 40° 54' 59" WEST, A DISTANCE OF 1418.80 FEET TO A POINT IN THE WESTERLY LINE OF LOT NUMBER 30 AND THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 10 AND THE EAST LINE OF OFFICIAL RECORD BOOK 13037, PAGE 174; THENCE DEPARTING NORTHEAST RIGHT-OF-WAY LINE OF SAID NORFOLK SOUTHERN RAILROAD, NORTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 10 AND THE EAST LINE OF OFFICIAL RECORDS BOOK 13037, PAGE 174, NORTH 00° 15' 29" WEST, A DISTANCE OF 902.17 FEET, TO THE CENTERLINE OF A 60 FOOT UNRECORDED ROAD, THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 10 AND THE NORTHEAST CORNER OF OFFICIAL RECORDS BOOK 13037, PAGE 174; THENCE WEST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 10, THE NORTH LINE OF SAID OFFICIAL RECORDS BOOK 13037, PAGE 174 AND THE SOUTH LINE OF LOTS NUMBERED 37 AND 44, SOUTH 89° 25' 06" WEST, A DISTANCE OF 771.14 FEET, TO A POINT ON THE NORTHEAST RIGHT-OF-WAY LINE OF SAID NORFOLK SOUTHERN RAILROAD, SAID POINT REFERRED TO AS REFERENCE POINT "C"; THENCE NORTHWEST ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID NORFOLK SOUTHERN RAILROAD AND THE SOUTHWEST LINE OF OFFICIAL RECORDS BOOK 6508, PAGE 1628 LYING NORTH OF SAID NORFOLK SOUTHERN RAILROAD, NORTH 40° 56' 14" WEST, A DISTANCE OF 1,733.86 FEET, TO THE NORTH LINE OF LOT NUMBER 54, THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 10 AND TO ITS INTERSECTION WITH THE SOUTH LINE OF OFFICIAL RECORDS BOOK 18597, PAGE 1797; THENCE EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 10 AND THE SOUTH LINE OF SAID OFFICIAL RECORDS BOOK 18597, PAGE 1797, NORTH 89° 30' 02" EAST, A DISTANCE OF 1,901.31 FEET, TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 10 AND THE SOUTHWEST CORNER OF LOT NUMBER 26; THENCE NORTH ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 10 AND THE EAST LINE OF SAID OFFICIAL RECORDS BOOK 18597, PAGE 1997, NORTH 00° 15' 29" WEST, A DISTANCE OF 1,318.69 FEET, TO A POINT ON THE NORTH LINE OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 25 EAST, SAID POINT BEING THE NORTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 10 AND THE SOUTH LINE OF OFFICIAL RECORDS BOOK 18884, PAGE 1268; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 10 AND THE SOUTH LINES OF OFFICIAL RECORDS BOOK 18884, PAGE 1268, OFFICIAL RECORDS BOOK 7972, PAGE 1471 AND OFFICIAL RECORDS BOOK 8632, PAGE 2236, NORTH 89° 38' 33" EAST, A DISTANCE OF 2,645.33 FEET, TO THE POINT OF BEGINNING.

LAND THUS DESCRIBED CONTAINS 291.81 ACRES, MORE OR LESS.

SHEET 4 OF 4
SEE SHEETS 1 & 2 FOR SKETCH & NOTES
SEE SHEET 3 FOR TABLES
(NOT VALID WITHOUT ALL SHEETS)



Surveyed and Prepared By:
**RICHARD P.
CLARSON AND ASSOCIATES, INC.**

Professional Surveyors and Mappers
1643 Naldo Avenue, Jacksonville, FL 32207
Phone: 904.396.2623 Website: clarsonfl.com

- Proudly Surveying in Jacksonville and Northeast Florida since 1952 -

EXHIBIT 3

**CONSENT AND JOINDER TO ESTABLISHMENT
OF THE DARBY COMMUNITY DEVELOPMENT DISTRICT**

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

The undersigned understands and acknowledges that Plummer JV, LLC (“Petitioner”), has submitted an application to establish a community development district in accordance with the provisions of Chapter 190, Florida Statutes.

As the owner of lands which are intended to constitute the community development district, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, Florida Statutes, the Petitioner is required to include the written consent to the establishment of the community development district of one hundred percent (100%) of the owners of the lands to be included within the community development district.

The undersigned hereby consents to the establishment of the community development district, that the Property makes up the lands to be a part of the community development district, and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the community development district.

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

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

Executed this 16 day of March, 2023.

Witnessed:

PLUMMER JV, LLC,
a Florida limited liability company

[Signature]
Print Name: Michael Blevins

[Signature]
By: Christian A. Allen
Its: Manager

[Signature]
Print Name: Jeremy Westmoreland

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of March, 2023, by Christian A. Allen, as Manager of the Plummer JV, LLC, who is is personally known to me or produced _____ as identification.

[Signature]
Print Name: Justin Westmoreland

Notary Public, State of Florida

Exhibit A: Property Description

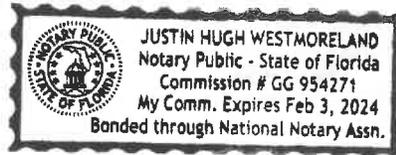


Exhibit A

THAT PART OF FARMS 48 & 49 LYING SOUTH OF PLUMMER ROAD (EXCEPT PART IN OFFICIAL RECORDS BOOK 6511, PAGE 144), SECTION 41, TOWNSHIP 1 SOUTH, RANGE 25 EAST; PART OF FARMS 45, 46, 57, 58, 59, 60, 61 AND 62; ALL OF FARMS 51 TO 56 (EXCEPT OFFICIAL RECORDS BOOK 20521, PAGE 526), SECTIONS 41 AND 11, TOWNSHIP 1 SOUTH, RANGE 25 EAST; ALL ACCORDING TO THE DINSMORE COMPANY'S OFFICIAL MAP OF DINSMORE AND DINSMORE FARMS, PREPARED AUGUST 1933 UNDER DIRECTION OF ROBERT M. ANGUS, CIVIL ENGINEER, ALL IN DUVAL COUNTY, FLORIDA.

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SHEET 3 OF 3
SEE SHEET 1 FOR SKETCH & NOTES
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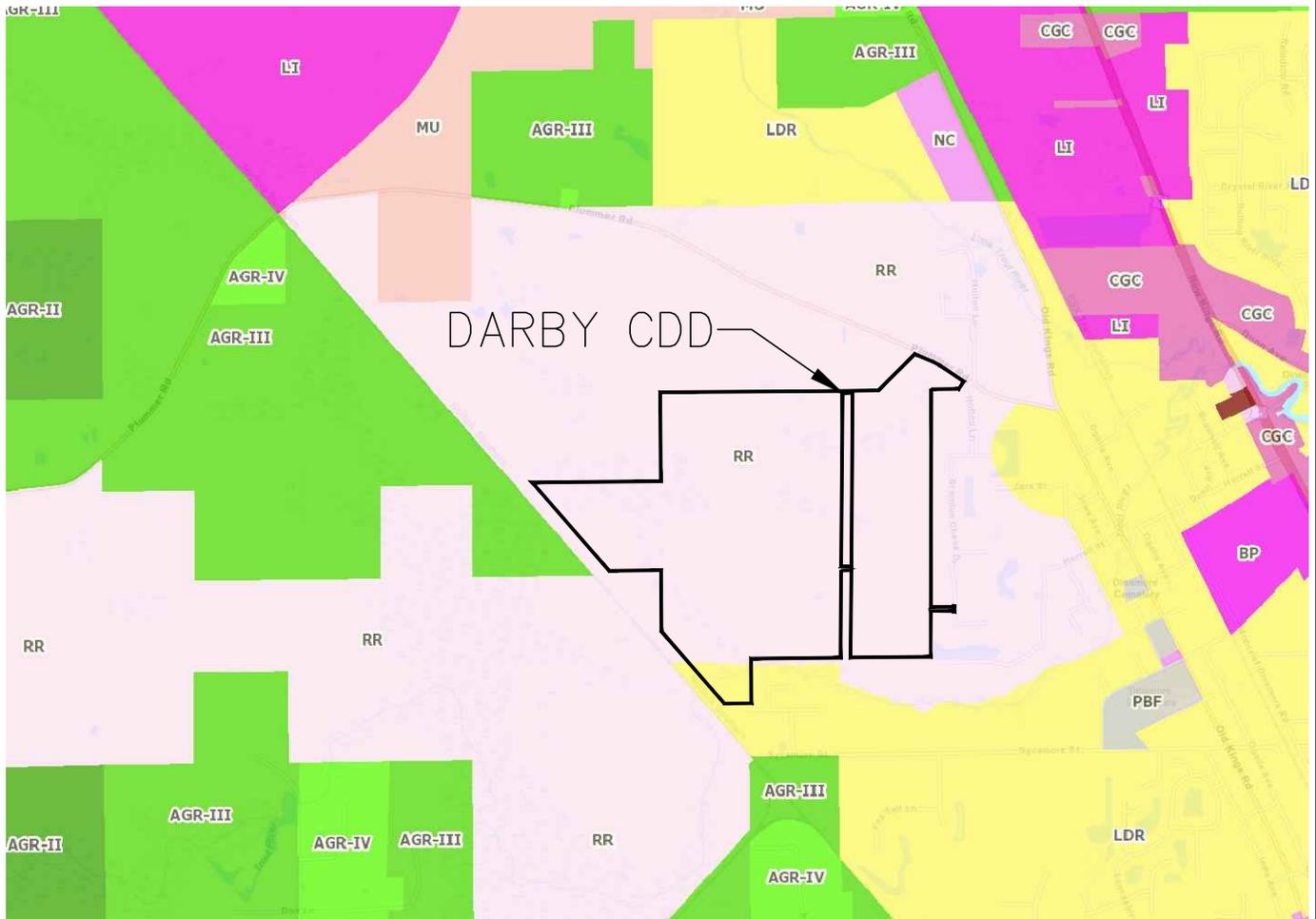
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SHEET 4 OF 4
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EXHIBIT 4



LAND USE KEY

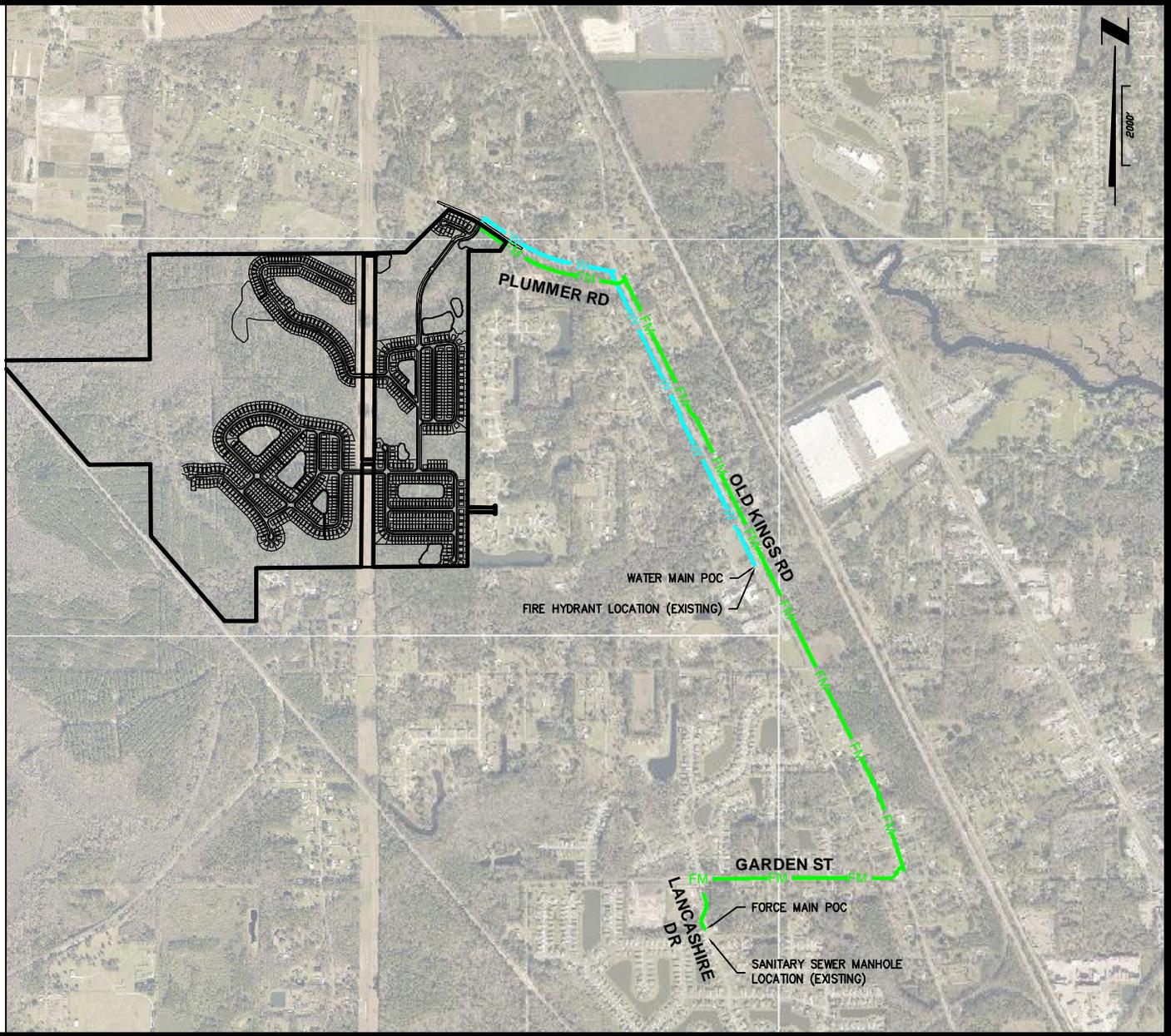
AGR-II	Agriculture II	PBF	Public Buildings and Facilities
AGR-III	Agriculture III	BP	Business Park
AGR-IV	Agriculture IV	CGC	Community General Commercial
RR	Residential Rural	LI	Light Industrial
LDR	Low Density Rural	NC	Neighborhood Commercial
		MU	Multi-Use

CW **Connelly & Wicker Inc.**
 Planning • Engineering • Landscape Architecture

LAND USE

21-01-0046	March 15, 2023
------------	----------------

EXHIBIT 5



LEGEND

-  PROPOSED WATER MAIN
-  PROPOSED FORCE MAIN

NOTES:

1. WATER MAIN POC IS ALONG OLD KINGS ROAD AS SHOWN
2. FORCE MAIN POC IS ALONG LANCASHIRE DRIVE AS SHOWN

CW Connelly & Wicker Inc.
 Planning • Engineering • Landscape Architecture
 10060 Skimmer Lake Drive, Suite 500 Jacksonville, Florida 32246
 (904) 265-3030 FAX: (904) 265-3031 www.cwieng.com
 Florida Registry 3650 L.A. Number: LC26000311

MAJOR WATER & WASTERWATER FACILITIES

CWI NO. 22-01-0046
DRAWN BY:
DATE: March 15, 2023
DRAWING NO.

EXHIBIT 6



Availability Letter

Erich Geisler

11/16/2021

Corner Lot Development Group

1819 Goodwin St

Jacksonville, Florida 32204

Project Name: Darby Subdivision - Offsite Utilities

Availability #: 2021-5321

Attn: Erich Geisler

Thank you for your inquiry regarding the availability of Electric, Reclaim, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2021-5321

Request Received On: 11/3/2021

Availability Response: 11/16/2021

Prepared by: Susan West

Expiration Date: 11/16/2023

Project Information

Name: Darby Subdivision - Offsite Utilities

Address:

County: Duval County

Type: Electric,Reclaim,Sewer,Water

Requested Flow: 0

Parcel Number: 003844 0000, 003843 0000, 002653 0000, 003839 0000, 003837 0000, 003840 0000, 003841 0000, 003863 0000, 003864 0000, 003865 0000, 003866 0000, 003862 0000, 003861 0000

Location: Darby Partnership Offsites - Location Map Attached

Description: Zero flow. Requesting availability for installation of the offsite utilities from Garden St./Old Kings to Plummer Road/Acree Road which is the entrance to our new residential subdivision. Referencing the number of our upcoming development JEA Availability #2021-2315. Location map attached showing the proposed offsite utility route.

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 16 inch water main at the intersection of Civic Club Dr and Old Kings Rd

Connection Point #2:

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required. Master water plan required for plan approval.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existing gravity sewer junction manhole on Lancashire Drive

Connection Point #2:

Sewer Special Conditions: Master sewer plan required for plan approval. Master pump station required for overall development. Connection to the JEA-owned sewer system for your project will require the

design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.).

**Reclaimed Water
Connection**

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

Point of connection location(s) to be field verified by developer during project design. If needed,
General Conditions: a development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.

Subsequent steps you need to take to get service: **Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Submit your plans for water/waste water review by Step 2 in Sages.**

EXHIBIT 7

Darby CDD
OPINION OF PROBABLE CONSTRUCTION COSTS
Conceptual site Improvements and Pre-Engineering Estimate

INFRASTRUCTURE COST ESTIMATES		ANNUAL OUTLAY		CONSTRUCTION ENTITY	OWNERSHIP	MAINTENANCE
IMPROVEMENT CATEGORY	TOTAL OPINION OF COST ₁	2023	2024			
Clearing & Grubbing	\$ 780,325	100%	0%	Petitioner	N/A	N/A
Earthwork	\$ 5,041,251	100%	0%	Petitioner	N/A	N/A
Roadway Construction	\$ 3,564,072	95%	5%	Petitioner	COJ	COJ
Stormwater Collection	\$ 3,279,379	95%	5%	Petitioner	CDD	CDD
Amenity, Entry Feature & Signage	\$ 1,815,000	0%	100%	CDD	CDD	CDD
Potable Water	\$ 4,521,228	95%	5%	Petitioner	JEA	JEA
Gravity Sewer, Lift Stations & Force Main	\$ 8,127,666	95%	5%	Petitioner	JEA	JEA
Undergrounding of Electrical	\$ 656,440	90%	10%	CDD	JEA	JEA
Total: \$		27,785,362				

Notes

- This exhibit was prepared by Lee Hutchins at Plummer JV, LLC, the Petitioner.
 - This opinion of probable construction costs contemplates the exercise of special powers pursuant to Section 190.012(2)(a), Florida Statutes.
 - The above table reflects the total estimated construction costs for the CDD improvements. It is anticipated that the Petitioner will construct the improvements.
 - This exhibit was prepared based on the current intentions of the CDD and is subject to change based on various factors, including future market conditions and development plans.
1. The estimated costs for each category includes amounts for soft costs, including but not limited to construction management, engineering, surveying & planning.

EXHIBIT 8

DARBY COMMUNITY DEVELOPMENT DISTRICT

**Statement
Of
Estimated Regulatory Costs**

May 9, 2023



Provided by

**Governmental Management Services, LLC
475 West Town Place Suite 114
St. Augustine Florida 32092
Phone: 904-940-5850
Website: www.gmsnf.com**

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to form the **Darby Community Development District** (“District”). The proposed District will comprise approximately 407.9 acres of land located entirely within City of Jacksonville, Florida (the “City” or “COJ”). The limitations on the scope of this SERC are explicitly set out in Section 190.002 (2)(d), *Florida Statutes* as follows: “That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant.”

1.2 Overview of the Darby Community Development District

The proposed District is designed to provide construction, acquisition and financing for community infrastructure, services, and facilities along with operation and maintenance of various community facilities to the Darby Community Development District. The District is planned for development of approximately 407.9 acres and is anticipated to include approximately 742 single family units. All development units are authorized for inclusion in the District.

A community development district (“CDD”) is an independent unit of special purpose local government authorized by Chapter 190, *Florida Statutes*, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDDs provide a “solution to the state’s planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers.” Section 190.002(1)(a), *Florida Statutes*.

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

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), *Florida Statutes* (2022), provides that the elements of a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

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

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

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

(c) A good faith estimate of the cost to the agency¹, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

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

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

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

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

2.0 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

The creation of the District will not meet any of the triggers in Section 120.541(2)(a), *Florida Statutes*. The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0.

¹ For the purposes of this SERC the term “agency” means the COJ and the term rule means the ordinance(s), which the COJ will enact in connection with the District.

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

As noted above, the District is contemplated to have 742 single-family homes. Formation of the District is expected to result in the provision of roadway improvements, stormwater management facilities, parks, entry features and signage, water and sewer improvements and electrical undergrounding. It is not anticipated that anyone outside the development would be affected by the ordinance creating the District.

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

4.1 Costs of Governmental Agencies of Implementing and Enforcing the Ordinance

State Government Entities

There will be only modest costs to various state governmental entities to implement and enforce the proposed formation of the District. The District as proposed, will encompass less than 2,500 acres. The modest costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the proposed District is required to file with the state and its various entities. The costs to those state agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to Section 189.018, *Florida Statutes*, the proposed district must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

COJ

The proposed land for the District is located within the COJ and consists of less than 2,500 acres. The COJ and their staff will process, analyze, conduct a public hearing, and vote upon the petition to establish the District. The process the COJ will follow will not require the COJ to add resources for the petition process.

These costs to the County are modest for a number of reasons. First, according to Chapter 190, *Florida Statutes*, review of the petition to establish the District does not include analysis of the project itself. Such analysis of the project is prohibited by state statute. Second, the petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the COJ routinely processes similar petitions for land uses and zoning charges that are far more complex than is the petition to establish a community development district. Finally, the COJ requires a filing fee of \$15,000 to offset COJ staff costs for processing the petition which is anticipated to cover any minimal expenditures incurred by the City in its review.

The following illustrates the minimal nature of any other costs the COJ may incur due to the approval of the District. Within 30 days of the effective date of approval of the ordinance establishing the District, the District must record a notice of establishment, pursuant to Section 190.0485, *Florida Statutes*. The fees established by the Clerk are designed to cover all costs so there will be no additional costs to the COJ for the filing.

The annual costs to the COJ, because of the establishment of the District, are also very small. The proposed District is an independent unit of local government, which is responsible for its budget, administration, and reporting and established powers within its boundaries. The only annual costs the COJ faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the COJ.

Further, pursuant to Section 190.008, *Florida Statutes*, the District must provide the COJ with its annual budget but there is no required COJ action. The COJ has no requirement to review the District's budget but can do so as an option. We know of no City or County formally reviewing the budget of a community development district. If the COJ does decide to review the budget, then staff resources would be required. Since the COJ has professional staff that can review the budget no capital expenditures would be needed for such a review.

Also pursuant to Section 189.08(2), *Florida Statutes*, the District must provide a public facilities report to the COJ. The purpose of the report is to help foster and promote coordination between the COJ and the District regarding public facilities. The report helps to eliminate possible duplicate facilities and the provision of services. The report also assists the COJ in the evaluation of the capital improvement element of the COJ Comprehensive Plan. Costs to the COJ related to the public facilities report are minimal because the COJ is not required to take any action on the report and the District files the report.

4.2 Impact on State and Local Revenues

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

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

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

Table 1 provides an outline of the various facilities the proposed District may provide. The proposed District intends to finance the infrastructure improvements.

Table 1. Darby Community Development District Possible Facilities and Services

FACILITY	FUNDED BY	O&M	OWNERSHIP AND MAINTENANCE
Roadway Construction	CDD	COJ	COJ
Stormwater Collection	CDD	CDD	CDD
Amenity, Entry Feature & Signage	CDD	CDD	CDD
Potable Water	CDD	JEA	JEA
Gravity Sewer, Lift Stations & Force Main	CDD	JEA	JEA
Undergrounding of Electrical	CDD	JEA	JEA

CDD = Darby Community Development District; JEA= Jacksonville Electric Authority

The petitioner has estimated the design and development costs for providing the capital facilities; the cost estimates are shown in Table 2 below. Total design and development costs for these facilities are estimated to be approximately \$27,785,362. The District may issue special assessment or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non-ad valorem assessments levied on all properties in the District that may benefit from the District’s capital improvement program as outlined in Table 1.

Table 2. Darby Community Development District Cost Estimate for District Facilities

Infrastructure cost estimates are based on preliminary estimates of probable construction costs estimated from the most recent conceptual plans. The infrastructure is expected to consist of the following categories:

Category	Cost
Clearing & Grubbing	\$780,325
Earthwork	\$5,041,251
Roadway Construction	\$3,564,072
Stormwater Collection	\$3,279,379
Parks, Entry Feature & Signage	\$1,815,000
Potable Water	\$4,521,228
Gravity Sewer, Lift Stations & Force Main	\$8,127,666
Undergrounding of Electrical	\$656,440
Total Projected Cost of Improvements:	\$27,785,362

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the non-ad valorem assessments in exchange for the services and

facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the seller to all prospective purchasers of property within the District.

A CDD provides residents with the option of having higher levels of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, County provision, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive four major classes of benefits.

First, those residents in the District will receive a higher level of public services sooner than would otherwise be the case.

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

Third, a CDD is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

Fourth, the CDD has the ability to maintain infrastructure better than a Homeowners' Association ("HOA") because it is able to offer a more secure funding source for maintenance and repair costs through assessments collected on the county tax bill pursuant to section 197.3632, *Florida Statutes*.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high-quality infrastructure provided by the District is likely to be fairly low.

6.0 An analysis of the impact on small businesses as defined by Section 288.703(6), *Florida Statutes* and an analysis of the impact on small counties and small cities as defined by Section 120.52, *Florida Statutes*.

There will be no impact on small businesses because of the formation of the District. If anything, the impact may be positive. This is because the District must competitively bid all of its contracts. This affords small businesses the opportunity to bid on District work.

The County has a population in 2020 that is greater than 75,000. Therefore, the County is not defined as a “small county” according to Section 120.52(19), *Florida Statutes*.

7.0 Any additional useful information.

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

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

There have been no good faith written proposals submitted to the agency as described in Section 120.541(1)(a), *Florida Statutes*.

EXHIBIT 9

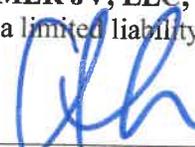
AUTHORIZATION OF AGENT

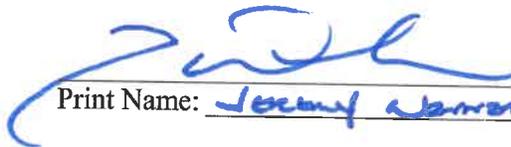
This letter shall serve as a designation of Kutak Rock LLP, whose address is 107 West College Avenue, Tallahassee, Florida 32301, to act as agent for Plummer JV, LLC with regard to any and all matters pertaining to the Petition to the City Council of the City of Jacksonville, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

Witnessed:

PLUMMER JV, LLC,
a Florida limited liability company


Print Name: Michael Blevins


By: Christian A. Allen
Its: Manager


Print Name: Jeremy Warrandice

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 10 day of March, 2023, by Christian A. Allen, as Manager of Plummer JV, LLC, who is [] personally known to me or [] produced _____ as identification.

Notary Public, State of Florida


Print Name: Justin Westmoreland



EXHIBIT 10

**BEFORE THE CITY COUNCIL
CITY OF JACKSONVILLE, FLORIDA**

IN RE: Petition to Establish Darby Community)
 Development District)
_____)

AFFIDAVIT OF PETITION

STATE OF FLORIDA
COUNTY OF _____

I, Christian A. Allen, Manager, of Plummer JV, LLC, and being its duly authorized representative 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 Christian A. Allen., and I am Manager for Plummer JV, LLC.
3. I am authorized to act on behalf of Plummer JV, LLC, who is the Petitioner for the above-referenced petition, to take all action necessary in relation to the petition to establish Darby Community Development District.
4. I have reviewed the contents of the Petition to establish Darby Community Development District, and its exhibits, and find them to be true and correct.

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.

[CONTINUED ON FOLLOWING PAGE]

Executed this 16 day of March, 2023.

Plummer JV, LLC

By: Christian A. Allen
Its: Manager

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 16 day of March, 2023, by Christian A. Allen, as Manager of the Plummer JV, LLC, who is personally known to me or produced _____ as identification.

Print Name: Justin Westmoreland

Notary Public, State of Florida

