



FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham
Secretary of State

DIVISION OF ELECTIONS
Bureau of Administrative Code
The Elliot Building
401 South Monroe Street
Tallahassee, Florida 32399-0250
(904) 488-8427

FILED
FEB 01 1996
JED PITTMAN
CLERK

January 29, 1996

Honorable Jed Pittman
Clerk to Board of County Commissioners
Pasco County
County Courthouse
38053 Live Oak Avenue
Dade City, Florida 33525

Attention: Debra Olszanski, Deputy Clerk

Dear Mr. Pittman:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated January 24, 1996 and certified copy of Pasco County Ordinance No. 96-03, which was filed in this office on January 29, 1996.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

BY COMMISSIONER _____

ORDINANCE NO. 96-03

AN ACT TO BE ENTITLED:

AN ORDINANCE ESTABLISHING THE LAKE BERNADETTE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR THE ADMINISTRATION, OPERATION, AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Engle Homes Gulf Coast, Inc. (the Petitioner) has petitioned the Pasco County Board of County Commissioners (the County) to adopt an ordinance establishing the Lake Bernadette Community Development District (the District) pursuant to Chapter 190, Florida Statutes; and,

WHEREAS, the County finds that all statements contained in the Petition to Establish the Lake Bernadette Community Development District (the Petition) are true and correct; and,

WHEREAS, the County finds that the creation of the District is not inconsistent with any applicable element or portion of the State of Florida Comprehensive Plan or the Pasco County Comprehensive Plan; and,

WHEREAS, the County finds that the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as a functional interrelated community; and,

WHEREAS, the County finds that the District is the best alternative available for delivering the community development services and facilities to the area that will be served by the District; and,

WHEREAS, the County finds that the community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and,

WHEREAS, the County finds that the area that will be served by the District is amenable to separate special-district government; and,

WHEREAS, the County finds that the District will constitute a timely, efficient, effective, responsive, and economic way to deliver community development services in the area, thereby providing a solution to the County's planning, management, and financial needs for delivery of capital infrastructure therein without overburdening the County and its taxpayers.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. That there is hereby created the Lake Bernadette Community Development District which shall operate in accordance with the charter attached as Exhibit I.

SECTION 2. SEVERABILITY.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this ordinance shall be declared invalid, the remainder of this ordinance shall be construed as not having contained such section, subsection, sentence, clause, or provision, and shall not be affected by such holding.

SECTION 3. EFFECTIVE DATE.

A certified copy of this ordinance shall be filed in the Office of the Secretary of State by the Clerk to the Board within ten (10) days after adoption of this ordinance, and shall take effect upon official acknowledgement from that office that said ordinance has been filed.

ADOPTED this 23RD day of January, 1996.

(SEAL)

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY:

Debra Olyanski
JED PITTMAN, CLERK

BY:

Ed Collins
ED COLLINS, CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

BY:

[Signature]
ATTORNEY

STATE OF FLORIDA
COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL OF REC-
ORDS IN MY OFFICE, WITNESS MY HAND AND THE COUNT-
Y'S OFFICIAL SEAL, THIS April 23, 1996
BY Debra Olyanski, CLERK TO THE BOARD D.C.



CHARTER

I. COMMUNITY DEVELOPMENT DISTRICT ESTABLISHED

Pursuant to Chapter 190, Florida Statutes (F.S.), a community development district, henceforth to be known as the Lake Bernadette Community Development District (the District), is established, and this Charter is hereby adopted. The land within the District includes a portion of a master planned Development of Regional Impact project generally known as "Lake Bernadette" in Pasco County, Florida.

II. GENERAL AND SPECIAL POWERS

The District shall have all power as set forth in Chapter 190, F.S., this Charter, and any other applicable law.

A. General Powers

The District shall have, and the District Board of Supervisors (the District Board) may exercise, all powers which can be granted to a community development district pursuant to Chapter 190, F.S., or other applicable law. Such powers include, but are not limited to, the following:

(1) To sue and be sued in the name of the District, to adopt and use a seal and authorize the use of a facsimile thereof; to acquire, by purchase, gift, devise, or otherwise, and to dispose of, real and personal property, or any estate therein; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(2) To apply for coverage of its employees under the state retirement system in the same manner as if such employees were state employees, subject to

necessary action by the District to pay employer contributions into the state retirement fund.

(3) To contract for services of consultants to perform planning, engineering, legal, or other appropriate services of a professional nature. Such contracts shall be subject to public bidding or competitive negotiation requirements set forth in §190.033, F.S.

(4) To borrow money and accept gifts; to apply for and use grants or loans of money or other property from the United States, the state, a unit of local government, or any person for any District purposes and enter into agreements required in connection therewith; and to hold, use, and dispose of such moneys or property for any District purposes in accordance with the terms of the gift, grant, loan or agreement relating thereto.

(5) To adopt rules and orders pursuant to the provisions of Chapter 120, F.S., prescribing the powers, duties, and functions of the officers of the District; the conduct of the business of the District; the maintenance of records; and other form of certificates evidencing tax liens and all other documents and records of the District. The District Board may also adopt administrative rules with respect to any of the projects of the District and define the area to be included therein. The District Board may also adopt resolutions which may be necessary for the conduct of District business.

(6) To maintain an office at such place or places as it may designate within Pasco County which office must be reasonably accessible to the landowners.

(7) To hold, control, and acquire by donation, purchase, or condemnation, or dispose of, any public easements, dedications to public use, platted reservations for public purposes, or any reservation for those purposes authorized by this Charter or applicable law and to make use of such easements, dedications, or reservations for any of the purposes authorized by this Charter.

(8) To lease as lessor or lessee to or from any person, firm, corporation, association, or body, public or private, any projects of the type that the District is authorized to undertake and facilities or property of any nature for the use of the District to carry out any of the purposes authorized by this Charter.

(9) To borrow money and issue bonds, certificates, warrants, notes, or other evidence of indebtedness; to levy such tax and special assessments; and to charge, collect, and enforce fees and other user charges all as provided in Chapter 190, F.S., or as may otherwise be authorized by law.

(10) To raise, by user charges or fees, amounts of money which are necessary for the conduct of the District activities and services and to enforce their receipt and collection in the manner prescribed by resolution not inconsistent with law.

(11) To exercise within the District, or beyond the District with prior approval by resolution of the Board of County Commissioners if the taking will occur in an unincorporated area or with prior approval by resolution of the governing body of the municipality if the taking will occur within a municipality, the right and power of eminent domain, pursuant to the provisions of Chapters 73 and 74, F.S., over any property within the state, except municipal, county, state, and federal

property, for the uses and purposes of the District relating solely to water, sewer, roads, and water management, specifically including, without limitation, the power for the taking of easements for the drainage of the land of one person over and through the land of another.

(12) To cooperate with, or contract with, other governmental agencies as may be necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this Charter, Chapter 190, F.S. or other applicable law.

(13) To assess and impose upon lands in the District ad valorem taxes as provided by this Charter, Chapter 190, F.S. or other applicable law.

(14) To determine, order, levy, impose, collect, and enforce special assessments pursuant to Chapter 190 and Chapter 170, F.S. Such special assessments may, in the discretion of the District, be collected and enforced pursuant to the provisions of §§ 197.3631, 197.3632, and 197.3635, or Chapter 170, F.S.

(15) To exercise all of the powers necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this Charter.

(16) To exercise such special powers as may be authorized by Chapter 190, F.S.

B. Special Powers

The District shall have, and the District Board may exercise, subject to the regulatory jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to any area included in the

District, any or all of the following special powers relating to public improvements and community facilities authorized by Chapter 190, F.S., other applicable law or this Charter.

Such special powers include but are not limited to the following:

(1) To finance, plan, fund, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for the following basic infrastructures:

(a) Water management and control for the lands within the District and to connect some or any of such facilities with roads and bridges.

(b) Water supply, sewer, and wastewater management, or any combination thereof, and to construct and operate connecting intercepting or outlet sewers and sewer mains and pipes and water mains, conduits, or pipelines in, along, and under any street, alley, highway, or other public place or ways, and to dispose of any effluent, residue, or other byproducts of such system or sewer system.

(c) Bridges or culverts that may be needed across any drain, ditch, canal, floodway, holding basin, excavation, public highway, tract, grade, fill, or cut and roadways over levees and embankments, and to construct any and all of such works and improvements across, through, or over any public right-of-way, highway, grade, fill, or cut.

(d) District roads equal to or exceeding the specifications of the county in which such roads are located, and street lights.

- (e) Any other project within or without the boundaries of the District when a local government has issued a development order pursuant to §380.06 or §380.061, F.S., approving or expressly requiring the construction or funding of the project by the District, or when the project is the subject of an agreement between District and a governmental entity and is consistent with the local comprehensive plan of the local government within which the project is to be located.
- (2) To finance, plan, fund, 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 recreation, cultural, and educational uses.
 - (b) Fire prevention and control, including fire stations, water mains and plugs, fire trucks and other vehicles and equipment.
 - (c) School buildings and related structures, which may be leased, sold, or donated to the school district for use in the educational system when authorized by the district school board.
 - (d) Security, including but not limited to, guardhouses, fences and gates, electronic intrusion - detection system and patrol cars, except that the District may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the District.
 - (e) Waste collection.

(3) To adopt and enforce appropriate rules in connection with the provision of one or more services through its systems and facilities.

C. The District does not have any zoning or development permitting power. All County planning, building, environmental, and land development laws, regulations, and ordinances apply to all development of land within the District. The District shall take no action which is inconsistent with the Pasco County Comprehensive Plan.

III. BOUNDARIES OF THE DISTRICT

The District shall consist of all land located within the area described in Exhibit A.

IV. BOARD OF SUPERVISORS

The Board of Supervisors (the District Board) shall be the governing Board of the District.

The District Board shall exercise the powers granted to the District pursuant to this Charter, Chapter 190, F.S. or other applicable law.

A. Membership

(1) The initial District Board shall consist of the following five members:

- A. Stephen W. Theis: 2901 W. Busch Blvd., Tampa, FL 33618
- B. John A. Kraynick: 123 N.W. 13th Street, Suite 300, Boca Raton, FL 33432
- C. David Shapiro: 123 N.W. 13th Street, Suite 300, Boca Raton, FL 33432
- D. Larry Shawe: 123 N.W. 13th Street, Suite 300, Boca Raton, FL 33432
- E. Steven M. O'Dowd: 2901 W. Busch Blvd., Tampa, FL 33618

Except as otherwise provided herein, each member shall hold office for a term of four years and until his successor is chosen and qualifies. The members of the District Board must be residents of the state and citizens of the United States.

(2) Within 90 days following the effective date of this Charter, there shall be held a meeting of the landowners of the District for the purpose of electing five supervisors for the District. Notice of the landowners' meeting shall be published once a week for two consecutive weeks in a newspaper which is in general circulation in the area of the District, the last day of such publication to be not fewer than fourteen (14) days or more than twenty eight (28) days before the date of the election. The landowners, when assembled at such meeting, shall organize by electing a chairman who shall conduct the meeting. At such meeting, each landowner shall be entitled to cast one vote per acre of land owned by him and located within the District for each person to be elected. A landowner may vote in person or proxy in writing. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one (1) vote with respect thereto. The two candidates receiving the highest number of votes shall be elected for a period of four (4) years, and the three (3) candidates receiving the next largest number of votes shall be elected for a period of two (2) years. The members of the first board elected by landowners shall serve their respective four (4) year or two (2) year terms; however, the next election by landowners shall be held on the first Tuesday in November. Thereafter, there shall be an election of supervisors with respect to those supervisors whose terms are expiring every two (2) years on the first Tuesday in November. The two (2) candidates receiving the highest number of votes shall be elected to service for a 4-year period and the remaining candidates elected shall serve for a 2-year period.

(3) If the District Board proposes to exercise the ad valorem taxing power authorized by §190.021, F.S. as amended, the District Board shall call an election at which the members of the District Board will be elected. Such election shall be held in conjunction with a primary or general election unless the District bears the cost of a special election. Each member shall be elected by the qualified electors of the District for a term of four (4) years, except that, at the first such election, three (3) members shall be elected for a period of four (4) years and two (2) members shall be elected for a period of two (2) years. All elected Board members must be qualified electors of the District.

(4) Members of the District Board shall be known as supervisors and, upon entering into office, shall take and subscribe to the oath of office as prescribed by §876.05, F.S. They shall hold office for the terms for which they were elected or appointed and until their successors are chosen and qualified. If, during the term of office, a vacancy occurs, the remaining members of the District Board shall fill the vacancy by an appointment for the remainder of the unexpired term.

(5) A majority of the members of the District Board constitutes a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. Action taken by the District shall be upon a vote of a majority of the members present unless general law or a rule of the District requires a greater number.

(6) As soon as practicable after each election or appointment, the District Board shall organize by electing one of its members as chairman and by electing

a secretary, who need not be a member of the District Board, and such other officers as the District Board may deem necessary.

(7) The District Board shall keep a permanent record book entitled "Record of Proceedings of Lake Bernadette Community Development District," in which shall be recorded minutes of all meetings, resolutions, proceedings, certificates, bonds given by all employees, and any and all corporate acts. The record book shall at reasonable times be opened to inspection in the same manner as state, county, and municipal records pursuant to Chapter 119, F.S. The record book shall be kept at the office or other regular place of business maintained by the District Board in Pasco County.

(8) Pursuant to resolution of the District Board, each supervisor shall be entitled to receive for his or her services an amount not to exceed \$200.00 per meeting of the Board of Supervisors, not to exceed \$4,800.00 per year per supervisor, or an amount as may be established by the electors of the District at referendum. In addition, subject to approval by the District Board, each supervisor shall receive travel and per diem expenses as set forth in §112.061, F.S., (1990).

(9) All meetings of the District Board shall be open to the public and governed by the provisions of Chapter 286, F.S.

B. Duties

(1) The Board shall employ, and fix the compensation of, a District Manager. The District Manager shall have charge and supervision of the works of the District and shall be responsible for preserving and maintaining any improvement

or facility constructed or erected pursuant to the provisions of this Charter, Chapter 190, F.S., or other applicable law, for maintaining and operating the equipment owned by the District, and for performing such other duties as may be prescribed by the District Board. It shall not be a conflict of interest under Chapter 112, F.S., for a District Board member or the District Manager or another employee of the District to be a stockholder, officer, or employee of a landowner within the District. The District Manager may hire or otherwise employ and terminate the employment of such other persons, including, without limitation, professional, supervisory, and clerical employees, as may be necessary and authorized by the District Board. The compensation and other conditions of employment of the officers and employees of the District shall be as provided by the District Board.

(2) The District Board shall designate a person who is a resident of the state as treasurer of the District, who shall have charge of the funds of the District. Such funds shall be disbursed only upon the order, or pursuant to the resolution, of the District Board by warrant or check countersigned by the treasurer and by such other person as may be authorized by the District Board. The District Board may give the treasurer such other or additional powers and duties as the District Board may deem appropriate and may fix his compensation. The District Board may require the treasurer to give a bond in such amount, on such terms, and with such sureties as may be deemed satisfactory to the District Board to secure the performance by the treasurer of his powers and duties. The financial records of

the District Board shall be audited by an independent certified public accountant at least once a year.

V. OPERATION OF THE DISTRICT

The operations, requirements for disclosure, duration and dissolution, and all other affairs and practices of the District shall be governed by and in accordance with Chapter 190, F.S. and other applicable law.

VI. FUTURE AMENDMENTS TO LAW

In the event of any future amendments to Chapter 190, F.S. or to any other law applicable to the District, such amendments shall be applicable to the District if it is otherwise the intent of such amendment that it apply to community development districts in existence at the time of enactment or upon the effective date of such future amendments. In the event such future amendments provide that their applicability shall be discretionary or subject to specified conditions, this Charter shall not affect the exercise of such discretion or the conditions upon which such future amendments would become applicable to the District.

W:\ATTY\MKS\CLIENT\ENGLE.HOM\CHARTER

EXHIBIT "A"

Lake Bernadette Community Development District Legal Description

DESCRIPTION (Lake Bernadette CDD)

The East 1/2 of Section 7, Township 26 South, Range 21 East, Pasco County, Florida;

AND

The West 1/2 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida;

AND

The West 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida.

AND

The Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida, LESS the North 7.00 feet of the East 223.03 feet of said Northeast 1/4 of the Southwest 1/4 of the Southeast 1/4, ALSO LESS right-of-way for Geiger Cemetery Road;

AND

Those portions of Section 5, Township 26 South, Range 21 East, Pasco County, Florida, described as tracts 118, 119, 120, 121, 122 and 123 of Zephyrhills Colony Company Lands as per the map or plat thereof recorded in Plat Book 1, page 55 of the Public Records of Pasco County, Florida;

AND

Those portions of Section 17, Township 26 South, Range 21 East, Pasco County, Florida, described as tracts 5, 6, 11, 12 and 20, and that part of tract 21 lying North and West of State Road 54, all being a part of Zephyrhills Colony Company Lands as per the map or plat thereof recorded in Plat Book 2, Page 1 of the Public Records of Pasco County, Florida;

LESS

Lands deeded to Pasco County, Florida for road right-of-way per Official Records Book 2084, Page 84, and Official Records Book 3349, Page 1840, all being a part of the Public Records of Pasco County, Florida.

ALSO LESS

(Parcel for relocation of Tee #3)

A portion of the East 1/2 of Section 7, Township 26 South, Range 21 East, Pasco County, Florida, being more particularly described as follows:

For a point of reference commence at the Southeast corner of said Section 7; thence N.00°18'31"E. along the East boundary of said Section 7, 2652.16 feet to the Southeast corner of the Northeast 1/4 of said Section 7; thence continue along the East boundary of said Section 7, N.00°17'46"E., 91.63 feet; thence N.89°42'14"W., 1466.94 feet for a POINT OF BEGINNING, said point being on the Westerly boundary of that certain parcel described as fairway 3 in a warranty deed recorded in O.R. book 1612, page 1675 of the public records of Pasco County, Florida; thence S.07°00'00"E. along the Westerly boundary of said certain parcel, 289.43 feet; thence N.15°52'18"W., 237.29 feet; thence N.26°38'38"E., 66.05 feet to the POINT OF BEGINNING.

Containing 0.122 acres more or less.

ALSO LESS

That portion of previously platted Lake Bernadette Gardens Phase One as per the map or plat thereof recorded in plat book 15, pages 113 through 117 of the public records of Pasco County, Florida, lying Northerly of the South boundaries of lots 78 and 86, (EXCEPT FOR LOTS ADDED BACK IN BELOW)

ALSO LESS

The Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida;

ALSO LESS

Lands described in Official Records Book 1492, Page 144, Official Records Book 871, Page 508, Official Records Book 831, Page 1063, Official Records Book 923, Page 76, Official Records Book 1525, Page 1561, Official Records Book 1249, Page 1140 and Official Records Book 1960, Page 1537, all being recorded in the Public Records of Pasco County, Florida.

ALSO LESS

DESCRIPTION (Pasco County Well Site)

The West 200.00 feet of the South 200.00 feet of the Southeast 1/4 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida.

ALSO LESS

FAIRWAYS 1, 2, 8, 9, 10, 11, 12, 16, 17 and 18 (Official Records Book 1652, Page 671)
All that portion of Sections 7 and 8, Township 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

Commence at the Northeast corner of Section 7, Township 26 South, Range 21 East, Pasco County, Florida. Thence run S.30°22'12"W., 358.49 feet for a POINT OF BEGINNING. Thence S.00°17'00"W., 797.32 feet; thence 495.88 feet along the arc of a curve to the left having a radius of 390.00 feet, chord S.36°08'31"E., 463.14 feet; thence S.17°05'00"E., 91.40 feet; thence N.77°08'47"E., 231.93 feet; thence N.40°26'00"E., 168.50 feet; thence N.83°27'00"E., 260.40 feet; thence S.28°32'04"E., 725.39 feet to the Northwest corner of Lot 541, LAKE BERNADETTE GARDENS PHASE I, as recorded in Plat Book 15, pages 113 through 117 of the public records of Pasco County, Florida; thence S.00°17'00"W., 320.00 feet along the West line of Lots 541 and 542 of said subdivision; thence S.00°45'20"E., 227.00 feet along the West line of Lot 543 of said subdivision; thence S.51°03'37"W., 698.91 feet; thence N.52°00'00"W., 653.76 feet; thence West, 924.36 feet; thence 109.96 feet along the arc of a curve to the right, having a radius of 350.00 feet, chord N.81°00'00"W., 109.50 feet; thence N.18°00'00"E., 90.00 feet; thence N.78°00'00"E., 477.00 feet; thence N.48°35'31"E., 317.41 feet; thence N.24°59'28"W., 141.57 feet; thence West, 147.00 feet; thence S.59°00'00"W., 167.00 feet; thence S.78°00'00"W., 260.00 feet; thence S.54°00'00"W., 253.74 feet; thence S.38°00'00"W., 277.89 feet; thence N.52°00'00"W., 235.00 feet; thence N.38°00'00"E., 668.07 feet; thence N.58°00'00"W., 559.36 feet; thence N.27°00'00"W., 229.82 feet; thence N.17°00'00"E., 59.04 feet; thence 166.90 feet along the arc of a curve to the right, having a radius of 85.00 feet, chord N.73°15'05"E., 141.35 feet; thence S.50°29'49"E., 175.00 feet; thence 110.97 feet along the arc of a curve to the right, having a radius of 360.00 feet, chord S.41°39'59"E., 100.53 feet; thence 194.05 feet along the arc of a curve to the left, having a radius of 210.00 feet, chord S.59°18'26"E., 187.22 feet; thence 131.34 feet along the arc of a curve to the right, having a radius of 275.00 feet, chord S.72°05'48"E., 130.09 feet; thence 201.89 feet along the arc of a curve to the left, having a radius of 366.23 feet, chord S.74°12'26"E., 199.34 feet; thence East, 433.53 feet; thence North 210.00 feet; thence N.16°00'00"W., 430.00 feet; thence N.16°21'46"E., 760.17 feet; thence S.89°46'34"E., 87.10 feet to the POINT OF BEGINNING, LESS AND EXCEPT that part of Fairway 2 which was deeded to Lake Bernadette Development in Official Records Book 3364, Page 1442 of the Public Records of Pasco County, Florida.

ALSO LESS

FAIRWAY 3 (Official Records Book 1652, Page 671)
All that portion of Section 7, Township 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

Commence at the Southwest corner of the Southeast 1/4 of Section 7, Township 26 South, Range 21 East, Pasco County, Florida. Thence run N.00°15'43"E., 2057.25 feet along the

Lake Bernadette CDD Description

Page 4 of 10

West line of the Southeast 1/4 of said Section 7; thence S.89°44'17"E., 1179.88 feet for a POINT OF BEGINNING. Thence N.09°53'03"W., 263.23 feet; thence N.16°03'38"W., 188.05 feet; thence N.07°00'00"W., 389.96 feet; thence S.52°00'00"E., 153.68 feet; thence S.26°00'00"E., 388.25 feet; thence S.16°00'00"E., 380.00 feet; thence S.18°00'00"W., 95.00 feet; thence N.72°00'00"W., 233.37 feet to the POINT OF BEGINNING, LESS AND EXCEPT that part of Fairway 3 which was deeded to Lake Bernadette Development in Official Records Book 3364, Page 1442 of the Public Records of Pasco County, Florida.

ALSO LESS

FAIRWAYS 4 and 5 (Official Records Book 1652, Page 671)

All that portion of Sections 7 and 8, Township, 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

Commence at the Southeast corner of Section 7, Township 26 South, Range 21 East, Pasco County, Florida. Thence run S.89°21'51"W., 437.16 feet; thence N.00°38'09"W., 352.88 feet for a POINT OF BEGINNING. Thence West, 884.13 feet; thence N.19°00'00"W., 108.52 feet; thence N.61°00'00"W., 245.00 feet; thence N.33°00'00"W., 160.00 feet; thence S.72°00'00"W., 83.00 feet; thence N.06°00'00"W., 710.00 feet; thence N.38°00'00"E., 230.00 feet; thence N.46°00'00"E., 550.00 feet; thence S.72°00'00"E., 170.00 feet; thence S.18°00'00"W., 186.27 feet; thence S.38°00'00"W., 536.55 feet; thence S.06°00'00"E., 572.56 feet; thence S.45°00'00"E., 194.35 feet; thence East, 650.00 feet; thence N.75°00'00"E., 714.48 feet; thence 73.98 feet along the arc of a curve to the left, having a radius of 425.00 feet, chord S.40°00'41"E., 73.88 feet; thence S.45°00'00"E., 45.18 feet; thence S.16°00'00"W., 204.01 feet; thence S.74°15'24"W., 517.01 feet to the POINT OF BEGINNING.

ALSO LESS

FAIRWAYS 6 and 7 (Official Records Book 1652, Page 671)

All that portion of Sections 7 and 8, Township 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

Commence at the Southwest corner of Section 8, Township 26 South, Range 21 East, Pasco County, Florida. Thence run N.89°48'05"E., 396.53 feet along the South line of said Section 8; thence N.15°00'00"W., 675.47 feet for a POINT OF BEGINNING. Thence continue N.15°00'00"W., 833.44 feet; thence N.39°00'00"W., 600.28 feet; thence N.58°00'00"W., 812.00 feet; thence N.16°00'00"W., 90.00 feet; thence N.16°19'01"E., 135.93 feet; thence 150.94 feet along the arc of a curve to the left, having a radius of 530.00 feet, chord S.81°50'30"E., 150.43 feet; thence S.62°48'48"E., 780.50 feet; thence S.39°00'00"E., 741.66 feet; thence S.07°00'00"E., 930.00 feet; thence S.75°00'00"W., 160.00 feet to the POINT OF BEGINNING.

ALSO LESS

FAIRWAYS 13, 14 and 15 (Official Records Book 1652, Page 671)

All that portion of Section 7, Township 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

Commence at the Northeast corner of Section 7, Township 26 South, Range 21 East, Pasco County, Florida. Thence run S.46°58'43"W., 452.47 feet for a POINT OF BEGINNING. Thence S.16°21'46"W., 231.80 feet; thence 627.71 feet along the arc of a curve to the right, having a radius of 1000.00 feet, chord S.85°44'40"W., 617.46 feet; thence 322.47 feet along the arc of a curve to the left, having a radius of 350.00 feet, chord S.77°20'02"W., 311.18 feet; thence West, 40.78 feet; thence N.66°50'07"W., 520.26 feet; thence S.06°11'19"E., 417.43 feet; thence S.09°40'24"W., 446.35 feet; thence N.84°31'10"E., 117.93 feet; thence S.13°00'00"W., 404.23 feet; thence S.31°36'40"W., 299.17 feet; thence 126.59 feet along the arc of a curve to the left having a radius of 1260.00 feet, chord N.69°52'42"W., 126.54 feet; thence N.29°50'41"W., 186.24 feet; thence N.00°15'34"E., 348.00 feet; thence 936.03 feet along the arc of a curve to the left, having a radius of 925.00 feet, chord N.01°21'25"E., 896.60 feet; thence N.62°22'03"E., 117.76 feet; thence N.00°15'34"E., 121.03 feet; thence S.89°46'34"E., 60.00 feet; thence N.87°44'04"E., 345.34 feet; thence 150.27 feet along the arc of a curve to the right, having a radius of 615.00 feet, chord S.82°46'34"E., 149.90 feet; thence 1056.70 feet along the arc of a curve to the left, having a radius of 2135.00 feet, chord S.89°57'18"E., 1045.95 feet; thence S.89°46'34"E., 88.48 feet to the POINT OF BEGINNING.

ALSO LESS

CLUBHOUSE SITE (Official Records Book 1652, Page 671)

All that portion of Section 8, Township 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

From the Southwest corner of Lot 543, LAKE BERNADETTE GARDENS PHASE I, as recorded in Plat Book 15, pages 113 through 117 inclusive, public records of Pasco County, Florida, as a point of reference, run S.51°03'37"W., 236.85 feet for a POINT OF BEGINNING. Thence S.42°01'23"E., 330 feet more or less to the waters of Lake Bernadette, hereinafter known as "Point A" for convenience. Return to the POINT OF BEGINNING. Thence S.51°03'37"W., 400.57 feet; thence S.46°35'23"E., 380 feet more or less to the waters of Lake Bernadette; thence along the waters of Lake Bernadette as it winds and turns and binding therewith to said "Point A".

ALSO LESS

18th GREEN AREA (Official Records Book 1652, Page 671. *Note: this parcel does not have a heading in the referenced document, but is the last parcel described in that document.*)

Commencing at the Southwesterly corner of Lot 543, LAKE BERNADETTE GARDENS PHASE I, as recorded in Plat Book 15, pages 113 thru 117 inclusive, as a POINT OF BEGINNING; run S.15°46'07"W., 108.64 feet, thence S.52°58'37"W., 84.17 feet, thence S.68°58'57"W., 65.05 feet, thence N.42°01'23"W., 40.00 feet to the Northeasterly corner of the Clubhouse site, thence N.51°03'37"E., 236.85 feet to the POINT OF BEGINNING.

ALSO LESS

Future Parking Area (Official Records Book 1652, Page 671)

All that portion of Section 8, Township 26 South, Range 21 East, Pasco County, Florida and being further described as follows:

From the Southwest corner of Lot 543, LAKE BERNADETTE GARDENS PHASE I, as recorded in Plat Book 15, pages 113-117 inclusive, Public Records of Pasco County, Florida, as a point of reference; thence S.51°03'37"W., 637.42 feet; thence S.46°35'23"E., 60.54 feet for a POINT OF BEGINNING; thence continue S.46°35'23"E., 150.00 feet; thence S.51°03'37"W., 150.00 feet; thence N.46°35'23"W., 150.00 feet; thence N.51°03'37"E, 150.00 feet to the POINT OF BEGINNING.

ALSO LESS

Epping Forest at Lake Bernadette as per the map or plat thereof recorded in Plat Book 28, Pages 129 through 135 inclusive, of the Public records of Pasco County, Florida (EXCEPT FOR RIGHTS-OF-WAY ADDED BACK IN BELOW)

ALSO LESS

Wimbledon Greens at Lake Bernadette as per the map or plat thereof recorded in Plat Book 28, Pages 136 and 137 of the Public records of Pasco County, Florida.

ALSO LESS

Greenheath at Lake Bernadette as per the map or plat thereof recorded in Plat Book 28, Pages 145 through 148 inclusive, of the Public records of Pasco County, Florida.

ALSO LESS

Waterford on Lake Bernadette as per the map or plat thereof recorded in Plat Book 31, Pages 10 and 11 of the Public records of Pasco County, Florida.

ALSO LESS

DESCRIPTION (Parcel A, prepared per Description & Sketch, D.C. Johnson & Associates, Job Number 88016A15-DES)

A portion of the West 1/2 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida, AND a portion of Tracts 5, 6, 11, and 12 of Zephyrhills Colony Company Subdivision of Section 17 Township 26 South, Range 21 East, Pasco County, Florida, as per the map or plat thereof recorded in Plat Book 2, Page 1 of the Public Records of Pasco County, Florida, AND a portion of those certain un-named right-of-ways lying Easterly of and adjacent to said Tracts 5 and 12, and lying Northerly of and adjacent to said Tract 5, being more particularly described as follows:

Lake Bernadette CDD Description
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For a point of reference commence at the Southwest corner of said Section 8; thence N.89°48'17"E. along the South boundary of said Section 8, a distance of 1324.63 feet; thence continue along said South boundary N.89°48'11"E., a distance of 499.09 feet; thence S.00°11'49"E., a distance of 256.92 feet for a POINT OF BEGINNING, said point being on the Northeasterly right-of-way line of Golf Links Boulevard as shown on Epping Forest at Lake Bernadette as per the map or plat thereof recorded in Plat Book 28, Pages 129 through 135 inclusive of the Public Records of Pasco County, Florida; thence the following four (4) courses along said Northeasterly right-of-way line: (1) S.30°36'52"E., a distance of 237.52 feet to a point of curvature; (2) Southeasterly 341.00 feet along the arc of a curve to the left, said curve having a radius of 329.00 feet, a central angle of 59°23'08", and a chord bearing and distance of S.60°18'26"E., 325.94 feet to a point of tangency; (3) East, a distance of 175.00 feet to a point of curvature; (4) Easterly 266.56 feet along the arc of a curve to the right, said curve having a radius of 350.00 feet, a central angle of 43°38'10", and a chord bearing and distance of S.68°10'55"E., 260.16 feet to a point on the East boundary of the West 1/2 of said Section 17; thence N.00°20'43"E. along said East boundary, a distance of 722.32 feet to the North 1/4 corner of said Section 17; thence N.00°11'32"E. along the East boundary of the West 1/2 of said Section 8, a distance of 167.18 feet; thence S.89°43'40"W., a distance of 334.05 feet to the Southeast corner of the right-of-way for Janine Drive as shown on said plat of Epping Forest at Lake Bernadette; thence S.89°43'40"W. along the Southerly right-of-way line of said Janine Drive, a distance of 218.48 feet; thence departing said Southerly right-of-way line S.00°16'20"E., a distance of 262.03 feet; thence S.59°23'08"W., a distance of 318.67 feet to the POINT OF BEGINNING.

ALSO LESS

DESCRIPTION (Parcel B, prepared per Description & Sketch, D.C. Johnson & Associates, Job Number 88016A15-DES)

A portion of the West 1/2 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida, AND a portion of Tracts 5, and 6 of Zephyrhills Colony Company Subdivision of Section 17 Township 26 South, Range 21 East, Pasco County, Florida, as per the map or plat thereof recorded in Plat Book 2, Page 1 of the Public Records of Pasco County, Florida, AND a portion of that certain un-named right-of-way lying Northerly of and adjacent to said Tracts 5 and 6, being more particularly described as follows:

For a point of reference commence at the Southwest corner of said Section 8; thence N.89°48'17"E. along the South boundary of said Section 8, a distance of 1324.63 feet; thence continue along said South boundary N.89°48'11"E., a distance of 499.09 feet; thence S.00°11'49"E., a distance of 256.92 feet for a POINT OF BEGINNING, said point being on the Northeasterly right-of-way line of Golf Links Boulevard as shown on Epping Forest at Lake Bernadette as per the map or plat thereof recorded in Plat Book 28, Pages 129 through 135 inclusive of the Public Records of Pasco County, Florida; thence the following two (2) courses along said Northeasterly right-of-way line: (1) N.30°36'52"W., a distance of 35.19 feet to a point of curvature; (2) Northwesterly 251.46 feet along the arc of a curve to the left, said curve having a radius of 815.00 feet, a central angle of 17°40'40", and a chord bearing and distance of N.39°27'12"W., 250.46 feet to a point of reverse

curvature; thence Northerly 37.03 feet along the arc of a curve to the right, said curve having a radius of 25.00 feet, a central angle of $84^{\circ}52'38''$, and a chord bearing and distance of $N.05^{\circ}51'13''W.$, 33.74 feet to a point of compound curvature, said point being on the Southeasterly right-of-way line of Janine Drive as shown on said plat of Epping Forest at Lake Bernadette; thence the following two (2) courses along the Southeasterly and Southerly right-of-way lines of said Janine Drive: (1) Northeasterly 382.24 feet along the arc of a curve to the right, said curve having a radius of 412.11 feet, a central angle of $53^{\circ}08'35''$, and a chord bearing and distance of $N.63^{\circ}09'23''E.$, 368.68 feet to a point of tangency; (2) $N.89^{\circ}43'40''E.$, a distance of 124.57 feet; thence departing said Southerly right-of-way line $S.00^{\circ}16'20''E.$, a distance of 262.03 feet; thence $S.59^{\circ}23'08''W.$, a distance of 318.67 feet to the POINT OF BEGINNING.

ALSO LESS

DESCRIPTION (Parcel 9, prepared per Description & Sketch, D.C. Johnson & Associates, Job Number 88016A15-DES)

A portion of the West 1/2 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida, being more particularly described as follows:

For a POINT OF BEGINNING commence at the Northwest corner of Lot 93, Lake Bernadette Gardens Phase I as per the map or plat thereof ("SAID PLAT") recorded in Plat Book 15, Pages 113 through 117 of the Public Records of Pasco County, Florida; thence $S.06^{\circ}51'15''W.$ ($S.06^{\circ}54'40''W.$ per said plat) along the Westerly boundary of said Lot 93, a distance of 279.92 feet (280.00 feet per said plat) to a point being the Southwest corner of said Lot 93, said point being the Northeast corner of that certain parcel of land described in Official Records Book 1525, Page 1561 of the Public Records of Pasco County, Florida; thence $S.07^{\circ}53'46''E.$ ($S.07^{\circ}43'00''E.$ per said Official Records Book 1525, Page 1561) along the Westerly boundary of said certain parcel, a distance of 125.85 feet; thence $S.70^{\circ}02'39''W.$, a distance of 58.05 feet; thence $S.50^{\circ}49'31''W.$, a distance of 81.17 feet; thence $S.34^{\circ}08'25''W.$, a distance of 67.32 feet; thence $S.41^{\circ}26'46''W.$, a distance of 172.61 feet; thence $S.76^{\circ}35'55''W.$, a distance of 71.26 feet; thence $N.59^{\circ}05'14''W.$, a distance of 85.82 feet; thence $S.62^{\circ}58'28''W.$, a distance of 106.09 feet; thence $N.30^{\circ}37'29''W.$, a distance of 33.45 feet; thence $N.56^{\circ}49'32''E.$, a distance of 121.38 feet; thence $N.30^{\circ}00'12''E.$, a distance of 240.45 feet; thence $N.35^{\circ}36'23''E.$, a distance of 156.58 feet; thence $N.59^{\circ}32'59''E.$, a distance of 203.93 feet; thence $N.04^{\circ}44'09''E.$, a distance of 85.96 feet; thence $N.36^{\circ}34'12''E.$, a distance of 74.25 feet to the POINT OF BEGINNING.

Containing 2.715 acres more or less.

ALSO LESS

DESCRIPTION (Undeveloped area in use as Francine Drive, prepared per Description & Sketch, D.C. Johnson & Associates, Job Number 88016A16-FRANCINE)

A strip of land approximately 50 feet in width lying Southerly of and adjoining those certain parcels of land described in Official Records Book 871, Page 508, and Official Records Book 1492, page 144 of the Public Records of Pasco County, Florida, being a

portion of the Southwest 1/4 of Section 8, Township 26 South, Range 21 East, Pasco County, Florida, being more particularly described as follows:

For a point of reference commence at the center of said Section 8; thence S.00°13'11"W. along the East boundary of the Southwest 1/4 of said Section 8, a distance of 1117.75 feet for a POINT OF BEGINNING, said point being the Southeast corner of said certain parcel of land described in Official Records Book 871, Page 508; thence S.89°54'37"W. along the Southerly boundary of said certain parcels described in Official Records Book 871, Page 508, and Official Records Book 1492, page 144, a distance of 635.72 feet to a point on the Easterly right-of-way line of Bernadette Drive as shown on plat of Lake Bernadette Gardens Phase I as recorded in Plat Book 15, Pages 113 through 117 inclusive of the Public Records of Pasco County; thence the following two (2) courses along said Easterly right-of-way line: (1) S.21°25'01"W., a distance of 37.39 feet to a point of curvature; (2) Southerly 15.73 feet along the arc of a curve to the left, said curve having a radius of 205.33 feet, a central angle of 04°23'25", and a chord bearing and distance of S.17°20'23"W., 15.73 feet to the Northwest corner of Lot 34 of said Lake Bernadette Gardens Phase I; thence S.89°52'28"E. along the Northerly boundary of said Lot 34 and the easterly prolongation thereof, a distance of 653.86 feet to a point on the East boundary of the Southwest 1/4 of said Section 8; thence N.00°13'11"E. along said East boundary, a distance of 52.25 feet to the POINT OF BEGINNING.

ALSO LESS

(Wastewater distribution pumping station per Official Records Book 3133, Page 1764)
That portion Section 7, Township 26 South, Range 21 East, Pasco County, Florida, described as follows:

Commence at the Southwest corner of Section 8 Township 26 South, Range 21 East and run thence N.89°48'05"E. along the South boundary of said Section 8, a distance of 396.53 feet; thence N.15°00'00"W., a distance of 1508.91 feet; thence N.39°00'00"W., a distance of 600.28 feet; thence N.58°00'00"W., a distance of 812.00 feet; thence N.16°00'00"W., a distance of 90.00 feet; thence N.16°19'01"E., a distance of 135.93 feet; thence Southeasterly along a curve to the left having a radius of 530.00 feet; a central angle of 06°24'24", an arc of 59.26 feet, and a chord which bears S.76°53'08"E., a distance of 59.23 feet for a POINT OF BEGINNING; thence N.12°05'35"E., parallel with the Easterly boundary of the cartpath easement between fairways 7 and 8, a distance of 73.73 feet to an intersection with a South boundary of a proposed roadway, thence East along said proposed roadway a distance of 35.79 feet; thence S.12°05'35"W., a distance of 78.73 feet to an intersection with a curved Northerly boundary of fairway 7 of the Links of Lake Bernadette; thence Northeasterly along said boundary and a curve to the right having a radius of 530.00 feet, a central angle of 03°47'38", an arc of 35.10 feet and a chord which bears N.81°59'11"W., a distance of 35.09 feet to the POINT OF BEGINNING. Subject to a buffer easement over the North 20.00 feet thereof and subject to a cartpath easement over the Westerly 5.00 feet thereof.

INCLUDING HOWEVER, THE FOLLOWING PARCELS:

Lots 34 and 86 of Lake Bernadette Gardens Phase I as per the map or plat thereof recorded in Plat Book 15, Pages 113 through 117 inclusive, of the Public Records of Pasco County, Florida, LESS AND EXCEPT that part of said Lot 86 described in Official Records Book 1160, Page 1975 of the Public Records of Pasco County, Florida.

AND

Those rights-of-way known as "Janine Drive" and "Golf Links Boulevard" as shown on EPPING FOREST AT LAKE BERNADETTE according to the Plat recorded in Plat Book 28, Page 129, as recorded in the Public Records of Pasco County, Florida; said land situate, lying and being in Pasco County, Florida.