

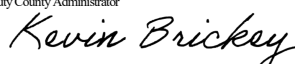
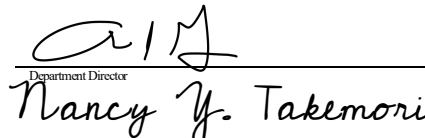


Agenda Item Cover Sheet

Agenda Item N^o. _____

Meeting Date March 8, 2022

☐ Consent Section ☐ Regular Section ☒ Public Hearing

Subject: CDD 22-0166 PETITION TO EXPAND THE HAWKSTONE COMMUNITY DEVELOPMENT DISTRICT (CDD)			
Agency/Department: Development Services Department, Community Development Section			
Contact Person: Brian Grady		Contact Phone: 276-8343	
Sign-Off Approvals			
 <small>Deputy County Administrator</small> Kevin Brickey <small>Business and Support Services - Approved as to Financial Impact Accuracy</small>		 <small>Department Director</small> Nancy Y. Takemori <small>County Attorney - Approved as to Legal Sufficiency</small>	
Date <u>2/24/22</u>		Date <u>2/23/2022</u> <u>2/24/2022</u>	

STAFF'S RECOMMENDED BOARD MOTION

Approve expansion of the Hawkstone Community Development District (CDD) in accordance with the attached ordinance. No direct financial impact to the County will occur as a result of this petition.

Of the total of \$48,225,071 budgeted for CDD-qualified common area infrastructure development costs ("common costs"), it is estimated that \$23, 182,210 (or about 48%) of total development costs will be funded with long-term CDD bond proceeds.

FINANCIAL IMPACT STATEMENT

No direct financial impact to the County will occur as a result of this petition.

BACKGROUND

On May 7, 2019 the Board of County Commissioners (Board) adopted Ordinance 19-11 establishing the Hawkstone Community Development District (CDD). On June 8, 2021 the Board adopted Ordinance 21-19 which expanded the boundaries of the Hawkstone CDD. On November 8, 2021, the CDD petitioned Hillsborough County to expand further the boundaries of the District. The applicant's representatives is John M. Vericker.

The area of expansion will be \pm 175.446 acres. The revised Hawkstone CDD will be \pm 546.89 acres. It is generally located at the southeast corner of Boyette Road and Balm Boyette Road in Balm. See Attachment A for the proposed CDD's location. The new expanded CDD area will consist of the following folios:

88534.0000	888529.0312	88480.0000	
88529.0320	88529.0314	88519.0200	
88529.0322	88529.0316		
88529.0318	88486.0000		

List of Attachments: A) Location Map B) Consent of Landowners C) Draft Ordinance

BACKGROUND - Continued:

The CDD expansion area is located within Planned Development (PD) zoning districts PD 20-0479, PD 16-0635 and PD 17-1399 which together permits a total of 974 single family detached units (with minimum lot sizes of 3,520 sq. ft., 4,000 sq. ft., 5,000 sq. ft., 6,000 square feet and 7,000 square feet with minimum lot widths of 32, 40, 50, 60 and 70 feet, respectively). It is anticipated the expansion area will contain 429 single-family detached lots ranging in lot width from 40' to 60'.

The statutory purpose of a CDD is to plan, finance, construct, and/or acquire, operate, and maintain community-wide infrastructure in large, planned community developments. 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 lacks the powers of permitting, zoning, police, and many other authorities possessed by the general purpose governments.

The petition identifies the total CDD-qualified common cost of improvements in the expansion area as being approximately \$16,215,709. The cost estimate summary provided to the County for review appears below. Pursuant to Section 190.005(1)(a)6., F.S., the proposed timetable for construction of district services and the estimated cost of construction are not binding and may be subject to change.

Total proposed CDD-qualified common costs include the following items. The scope of the County's financial review excludes making any determination as to which of the items may be funded with bond proceeds.

Description	Prior Total Cost Estimate (2)	Expansion Area Costs (3)	Total Budget (4)
Engineering Design, Permitting, Surveying, Testing	\$2,219,528	\$853,538	\$3,073,066
Roads	8,666,204	4,105,954	12,772,158
Potable Water	1,614,326	941,430	2,555,756
Sanitary Sewer	3,819,073	1,549,412	5,368,485
Stormwater	3,596,180	3,364,328	6,960,508
Dry Utilities Trenching	697,957	437,578	1,135,535
Offsite Roads and Utilities	2,955,342	325,000	3,280,342
Landscaping/Irrigation/Hardscape/Recreation	6,187,537	3,112,544	9,300,081
Permit Fees and Impact Fees	116,667	20,000	136,667
Contingency	2,136,548	1,505,925	3,642,473
Total Project Costs	\$32,009,362	\$16,215,709	\$48,225,071

Financing Summary:

The Petitioner has applied to expand the District boundaries by approximately 175.446 acres (or about 32% of its acreage) in order to create a more uniform land area; it is anticipated that 429 single family homes will be located within the boundaries of the expansion parcel. The lands comprising the expansion area are currently undeveloped and unassessed.

The intent of the Petitioner is to use a variety of funding sources including, but not limited to, future short- and/or long-term CDD bond issues, equity financing and bank financing to pay for improvements within the expansion area; such improvements will directly benefit landowners located within the boundaries of the expansion area. At this time, the Petitioner is planning to issue \$10,720,000 in long-term CDD bonds in order to pay for a portion of the projected \$16,215,709 in expansion area improvements. Long-term CDD bonds are repaid over a period of 30 years via annual assessments levied on the landowner; the developer bears no responsibility for repayment of long-term CDD debt assessed on land owned by others. Of the total \$48,225,071 budgeted for development costs, approximately \$23,182,210 (or about 48%) of infrastructure development costs will be financed with CDD Bonds. It is anticipated that the expansion area will contain 429 single-family detached lots ranging in width from 40' to 60', and that annual assessments to all homeowners will range from \$1,200/lot to \$1,800/lot. A

complete CDD financing summary is shown below.

BACKGROUND - Continued:

Projected Inflows from Issuance of Bonds:

Bond Proceeds (equal to the par amount)	\$10,720,000
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Projected Uses of Funds Received:

Construction of Improvements	\$9,566,777
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Cost of Issuance	200,000
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Debt Service Reserve Fund (7.74% of par amount)	310,0230
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Capitalized Interest (for 6 months)	22,000
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Underwriter's Discount (2% of Par)	214,000
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Total Projected Uses of Bond Proceeds	\$10,720,000
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(1) Total proposed direct project costs for the expansion area include the following items. The scope of the County's financial review excludes making any determination as to which of the items may be funded with bond proceeds.

Lot Mix and Projected Assessments

It is anticipated that the expansion area will contain 429 single-family detached lots ranging in width from 40' to 60', and that annual assessments to all homeowners will range from \$1,200/lot to \$1,800/lot.

The District will be managed by District Supervisors selected by qualified electors of the District. The District landowners control the entity which provides services and levies the funds to pay for these services. In accordance with 190.006, F.S., the residents of the District will begin to assume control of the CDD commencing six years after the initial appointment of the CDD board by the landowners. The County is not involved in the management or financial responsibilities of the District. The applicant has provided the written consent to the expansion of the boundaries of the District by the landowners of the property to be included in the District.

A CDD is an independent special-purpose, local government taxing district authorized by Chapter 190, F.S. (Uniform Community Development Act of 1980, Section 190.002(1)a F.S.). The Uniform Community Development Act requires a public hearing on the petitioned request.

The petition includes the following items required by Section 190.046 F.S. which addresses contraction and expansion of the CDD:

- A metes and bounds description of the external boundaries of the district
- A statement of estimated regulatory costs in accordance with the requirements of s.120.541, F.S.
- The proposed timetable for construction of District services
- The estimated costs of constructing the proposed services for the expansion area and,
- A designation of the future general distribution, location and extent of public and private uses of land proposed for the area within the District boundaries.

The above information was received by Hillsborough County and was made part of the review for the proposed CDD.

Chapter 190, F.S., establishes six criteria that a petition must meet to merit approval for the expansion of a CDD. The six requirements include:

- 1) That all statements contained within the petition have been found to be true and correct.
- 2) That the expansion of the District is not inconsistent with any applicable element or portion of the State

Comprehensive Plan or the effective local government comprehensive plan.

- 3) That the land area within the expanded district is of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functional, interrelated community.
- 4) That the creation of the expanded District is the best alternative available for delivering the community development services and facilities to the area that will be served by the District.
- 5) That the proposed services and facilities to be provided by the expanded District are not incompatible with the capacity and uses of existing local and regional community development district services and facilities.
- 6) That the area proposed to be included in the expanded District is amenable to separate special district government.

Review Performed by County

No objections to the expansion of the CDD were raised by reviewing agencies. Staff from the Management and Budget department met with representatives of the Petitioner, and conducted a financial review of the Hawkstone CDD expansion application. This review evaluated 1) the Applicant's compliance with the requirements of Florida Statutes Chapter 190, 2) the financial capacity of the Petitioner, who will be responsible for the development and operation of the CDD, and 3) the plan of finance for the CDD, including the issuance of bonds to finance eligible infrastructure. This review did not include determining the reasonableness of estimated infrastructure costs or a determination of which project costs are or are not eligible for reimbursement by the CDD, and does not guarantee success of the project. Project financials reviewed were based on planned or anticipated performance rather than actual results, and as with any plan or strategy, some amount of risk is inherent and cannot be mitigated away.

Review Performed by the District's Financial Consultant

The financial consultant engaged by the Petitioner completed a feasibility study and performed certain other financial analysis in order to evaluate the probability of success of the project. The County reviewed this analysis for reasonableness; however, the fiduciary responsibility for this information lies with the Petitioner and its finance team rather than with the County. The County's financial review is conducted for the purpose of evaluating whether the applicant has met and complied with the requirements of Florida Statute Chapter 190 with regard to the expansion of the CDD.

Role of the Underwriter

It is the underwriters' responsibility to identify investors to purchase the bonds issued by the CDD.

Based on the information contained in this petition and reviews of county departments, staff finds that the petition meets the criteria contained in Chapter 190, F.S., for the expansion of a CDD.

**HAWKSTONE CDD
BOUNDARY**

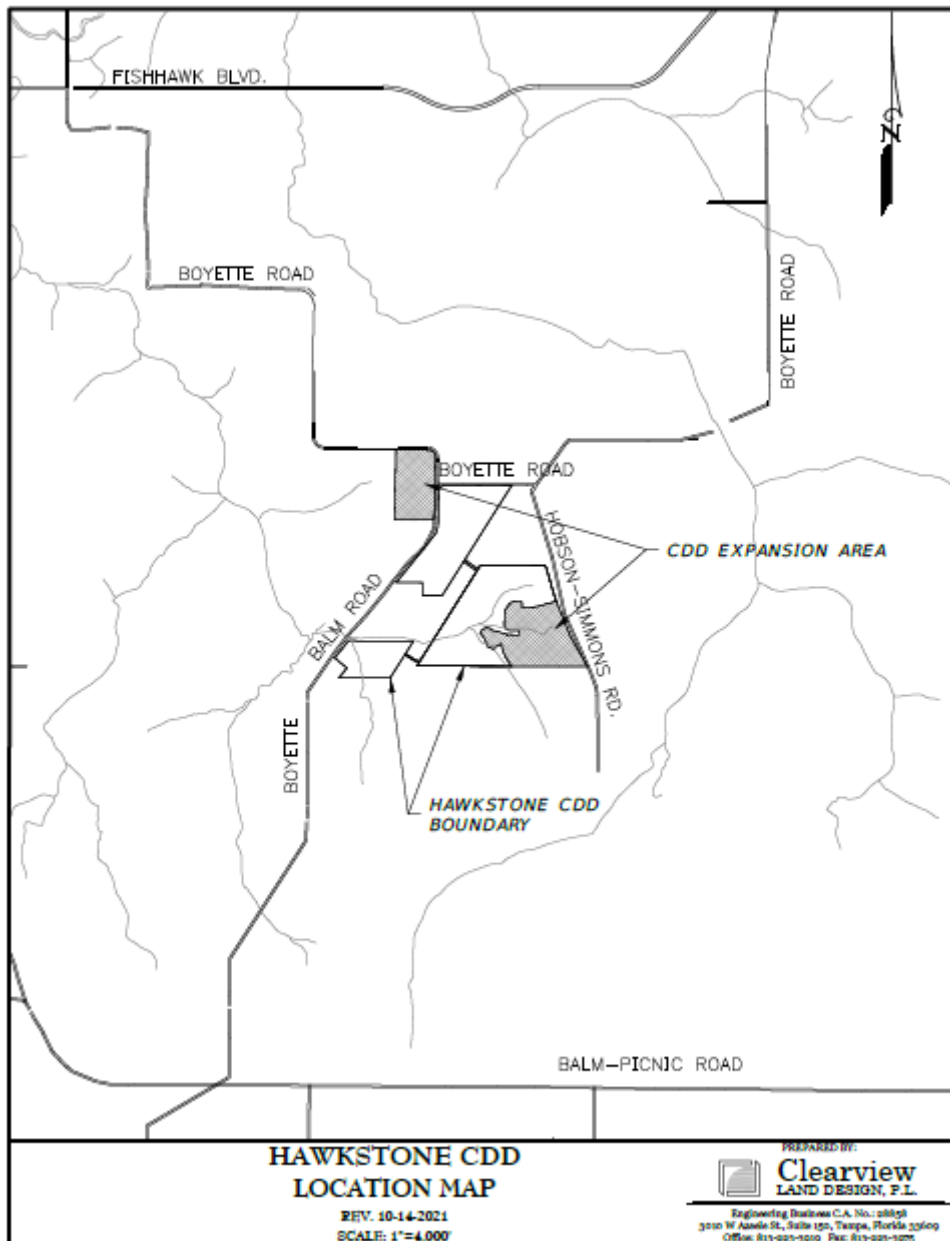
HOMES BY WESTBAY
14048 Chestnut Park Drive
Houston, Texas 77060-2276
Phone: (281) 977-4200
Fax: (281) 977-4201

**CLEARVIEW
LAND MANAGEMENT**
14048 Chestnut Park Drive
Houston, Texas 77060-2276
Phone: (281) 977-4200
Fax: (281) 977-4201

LEGEND
CDD BOUNDARY
ASSESSMENT AREA

SCALE: 1" = 500'

BOYETTE ROAD
TRAILS END LANE
HOBSON SIMMONS ROAD
BALM BOYETTE ROAD
ASSESSMENT AREA 1
ASSESSMENT AREA 2
ASSESSMENT AREA 3



ATTACHMENT B

**CONSENT AND JOINDER OF LANDOWNERS TO THE
EXPANSION OF THE
HAWKSTONE COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described on **Exhibit "A"** attached hereto and made apart hereof ("Property").

The undersigned understands and acknowledges that the Hawkstone Community Development District, (the "District"), intends to submit a petition to expand the boundaries of the District in accordance with the provisions of Chapter 190 of the Florida Statutes.

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

The undersigned hereby consents to the boundary expansion of the District which will include the Property within the lands to be a part of the District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the boundary expansion of the District.

The undersigned acknowledges that the consent will remain in full force and effect until the District's boundaries are expanded. 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 the District, a consent to the boundary expansion of the 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 officer executing this instrument.

Executed this 21st day of October, 2021.

JEN Florida 32 LLC,
a Florida limited liability


By: 
Name: Matt O'Brien
Title: Vice President

EXHIBIT "A"

HAWKSTONE CDD EXPANSION AREA

DESCRIPTION: A parcel of land lying in Sections 5, 8 and 9, Township 31 South, Range 21 East, Hillsborough County, Florida, and includes all of HINTON PLACE MINOR SUBDIVISION as recorded in Plat Book 128, Pages 195 through 198, inclusive, Public Records of Hillsborough County, Florida and said parcel being more particularly described as follows:

COMMENCE at the Northeast corner of Section 8, Township 31 South, Range 21 East, and run thence along the North boundary of said Section 8, N.89°42'12"W., 31.37 feet to the Westerly maintained Right-of-Way of Hobson Simmons Road, per maintained Right-of-Way Map Book 3, Page 243, of the Public Records of Hillsborough County, Florida and the **POINT OF BEGINNING**; thence along said Westerly maintained right-of-way line, the following ten (10) courses: 1) S.21°43'21"E., 92.48 feet; 2) S.21°50'01"E., 300.00 feet; 3) S.21°37'24"E., 300.00 feet; 4) S.21°58'19"E., 243.52 feet to a point on a curve; 5) Southerly, 158.64 feet along the arc of a curve to the left having a radius of 3346.03 feet and a central angle of 02°42'59" (chord bearing S.22°49'46"E., 158.62 feet) to a point on a curve; 6) Southeasterly, 126.16 feet along the arc of a curve to the left having a radius of 5739.52 feet and a central angle of 01°15'34" (chord bearing S.29°23'39"E., 126.16 feet); 7) S.29°53'23"E., 175.57 feet; 8) S.29°28'02"E., 300.00 feet; 9) S.29°30'20"E., 300.00 feet; 10) S.29°32'03"E., 216.11 feet to the South boundary of the North 3/8 of said Section 9; thence along said South boundary N.89°48'45"W., 942.94 feet to the East boundary of said Section 8; thence along the South boundary of the North 3/8 of said Section 8, N.89°47'49"W., 1536.91 feet; thence N.34°06'00"W., 285.04 feet; thence N.29°09'00"W., 131.94 feet; thence N.24°12'00"W., 66.00 feet; thence N.20°54'00"W., 66.00 feet; thence N.17°36'00"W., 66.00 feet; thence N.14°18'00"W., 66.00 feet; thence N.11°00'00"W., 82.50 feet; thence N.07°31'11"W., 50.24 feet to a point on a curve; thence Southwesterly, 318.97 feet along the arc of a curve to the left having a radius of 475.00 feet and a central angle of 38°28'31" (chord bearing S.57°59'01"W., 313.01 feet); thence N.67°21'09"W., 195.47 feet; thence N.21°19'49"W., 284.94 feet; thence N.37°28'13"W., 237.41 feet; thence N.32°16'19"E., 137.18 feet; thence N.62°58'55"E., 138.88 feet; thence S.73°46'11"E., 134.38 feet; thence S.49°33'13"E., 99.74 feet; thence S.84°33'45"E., 91.82 feet; thence S.72°39'05"E., 405.38 feet; thence S.87°30'00"E., 387.37 feet; thence N.02°30'00"E., 143.00 feet; thence N.87°30'00"W., 337.66 feet; thence N.68°46'21"W., 57.83 feet; thence N.53°46'21"W., 51.34 feet; thence N.38°46'21"W., 51.34 feet; thence N.23°46'21"W., 51.34 feet; thence N.08°46'21"W., 50.03 feet; thence N.02°37'37"E., 451.19 feet; thence N.32°29'00"E., 268.87 feet; thence N.53°41'30"E., 78.04 feet; thence N.71°17'30"E., 78.04 feet; thence S.87°30'00"E., 269.64 feet to a point on a curve; thence Southerly, 95.36 feet along the arc of a curve to the right having a radius of 363.00 feet and a central angle of 15°03'06" (chord bearing S.09°59'09"E., 95.09 feet); thence S.06°24'36"W., 77.39 feet; thence S.87°31'48"E., 88.64 feet to a point on a curve; thence Easterly, 198.27 feet along the arc of a curve to the left having a radius of 1717.47 feet and a central angle of 06°36'52" (chord bearing S.89°40'12"E., 198.16

feet); thence N.85°07'52"E., 89.57 feet to a point on a curve; thence Easterly, 200.57 feet along the arc of a curve to the left having a radius of 1525.00 feet and a central angle of 07°32'08" (chord bearing N.79°40'49"E., 200.42 feet); thence N.74°06'52"E., 95.70 feet; thence N.70°46'12"E., 198.34 feet; thence N.79°03'52"E., 59.13 feet; thence N.81°38'19"E., 84.65 feet; thence N.70°33'50"E., 138.47 feet to the aforesaid Westerly maintained right-of-way line of Hobson Simmons Road; thence along said Westerly maintained right-of-way line, S.21°43'21"E., 168.46 feet to the **POINT OF BEGINNING**.

Containing 107.260 acres, more or less.

AND TOGETHER WITH

DESCRIPTION: (Per O.R. 20988 Pgs. 1053-1054)

The North 2333.63 feet of that part of the West 1/4 of Section 5, Township 31 South, Range 21 East, Hillsborough County, Florida, lying South and West of Boyette Road.

Containing 68.186 acres, more or less.

Altogether containing 175.446 acres, more or less.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 19-11, AS AMENDED BY ORDINANCE NO. 21-19, OF THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS; EXPANDING THE BOUNDARIES OF THE HAWKSTONE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXPANDED BOUNDARIES OF THE DISTRICT; PROVIDING THAT THE TIME FOR GENERAL ELECTION OF SUPERVISORS SHALL BE CALCULATED FROM THE DATE OF THE INITIAL APPOINTMENT OF SUPERVISORS; PROVIDING THAT ALL OTHER PROVISIONS OF ORDINANCE 19-11, AS AMENDED BY ORDINANCE NO. 21-19, SHALL REMAIN IN EFFECT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Hawkstone Community Development District was created by Hillsborough County Ordinance No. 19-11, which was approved by the Hillsborough County Board of County Commissioners on May 7, 2019 (effective date May 8, 2019), in the amount of 191.19 acres, more or less; and

WHEREAS, the Hawkstone Community Development District was expanded by Hillsborough County Ordinance No. 21-19, which was approved by the Hillsborough County Board of County Commissioners on June 8, 2021 (effective date June 9, 2021), to add an additional 180.25 acres, more or less, for a total District size of 371.44 acres; and

WHEREAS, Hawkstone Community Development District (the "**District**"), has petitioned the Board of County Commissioners of Hillsborough County (the "**County**") to adopt an ordinance expanding the District pursuant to Chapter 190, Florida Statutes, to add approximately 175.446 acres to the District; and

WHEREAS, the real property constituting the approximately 175.446 acres is described in the attached **Exhibit "A"**; and

WHEREAS, the owner of the approximately 175.446 acres to be added to the District, as described in Exhibit "A," has consented in writing to the inclusion of such property within the boundaries of the District; and

WHEREAS, the petition seeks, by way of adding the real property described per parcel in Exhibit "A", to designate all of the real property described in **Exhibit "B"** as land within the District, for which the District is authorized to manage and finance basic service delivery;

WHEREAS, the expanded District will constitute a timely, efficient, effective, responsive, and economic method of delivering community development services, in the area described in Exhibit "B", which the County is not able to provide at a level and quality needed to service the District, thereby providing a solution to the County's planning, management and financing needs for the delivery of capital infrastructure therein without overburdening the County and its taxpayers; and

WHEREAS, the County has held a public hearing on the Petition in accordance with the requirements and procedures of Sections 190.046(1)(f), Fla. Stats.; and

WHEREAS, the County has considered the record of the public hearing and the factors set forth in Section 190.005 (1) (e), Fla. Stat.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA THIS 8TH DAY OF FEBRUARY, 2022 AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The County hereby finds and states that:

1. the "WHEREAS" clauses stated above are adopted as findings of fact in support of this Ordinance;
2. all statements contained in the Petition are true and correct;
3. the expansion of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the County's Comprehensive Plan;
4. the area of land within the expanded District is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developable as one functional interrelated community;
5. the expansion of the District is the best alternative available for delivering community development services and facilities to the area that will be served by the District;
6. the expanded community development services and facilities to be provided by the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
7. the area that will be served by the expanded District is amenable to separate, special- district government; and
8. the granting of the Petition complies with the requirements of Chapter 190, Florida Statutes; and

9. upon adoption of this Ordinance, all provisions of County Ordinance No. 19-11, as amended by Ordinance No. 21-19, will continue to be effective, except as modified herein.

SECTION 2. CONCLUSIONS OF LAW.

1. This proceeding is governed by Chapter 190, Florida Statutes;
2. The County has jurisdiction pursuant to Sections 190.005 (2) and 190.046(1)(f), Florida Statutes; and
3. The granting of the Petition complies with the dictates of Chapter 190, Florida Statutes.

SECTION 3. BOUNDARY EXPANSION. The area of land described in the attached Exhibit "A" is hereby added to and included within the geographical boundaries of the District. Accordingly, all of the real property identified in Exhibit "B," encompassing 546.892 acres, more or less, is now designated as land within the District. Expansion of the boundaries shall not affect the time for transition to the general election of supervisors by qualified electors of the District, in accordance with Section 190.006(3)(a)2, Florida Statutes, which time shall be calculated from the date of the initial appointment of the supervisors.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State. Except as modified herein, all provisions of previously adopted County Ordinance No. 19-11, as amended by County Ordinance No. 21-19, shall remain in effect.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, CINDY STUART, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of February 8, 2022, as the same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this _____ day of February, 2022.

CINDY STUART, CLERK

BY: _____

Deputy Clerk

**APPROVED BY COUNTY ATTORNEY AS
TO FORM AND LEGAL SUFFICIENCY**

BY: _____

Nancy Y. Takemori

Assistant County Attorney

EXHIBIT A
LEGAL DESCRIPTION OF LANDS TO BE ADDED TO THE DISTRICT

HAWKSTONE CDD EXPANSION AREA

DESCRIPTION: A parcel of land lying in Sections 5, 8 and 9, Township 31 South, Range 21 East, Hillsborough County, Florida, and includes all of HINTON PLACE MINOR SUBDIVISION as recorded in Plat Book 128, Pages 195 through 198, inclusive, Public Records of Hillsborough County, Florida and said parcel being more particularly described as follows:

COMMENCE at the Northeast corner of Section 8, Township 31 South, Range 21 East, and run thence along the North boundary of said Section 8, N.89°42'12"W., 31.37 feet to the Westerly maintained Right-of-Way of Hobson Simmons Road, per maintained Right-of-Way Map Book 3, Page 243, of the Public Records of Hillsborough County, Florida and the **POINT OF BEGINNING**; thence along said Westerly maintained right-of-way line, the following ten (10) courses: 1) S.21°43'21"E., 92.48 feet; 2) S.21°50'01"E., 300.00 feet; 3) S.21°37'24"E., 300.00 feet; 4) S.21°58'19"E., 243.52 feet to a point on a curve; 5) Southerly, 158.64 feet along the arc of a curve to the left having a radius of 3346.03 feet and a central angle of 02°42'59" (chord bearing S.22°49'46"E., 158.62 feet) to a point on a curve; 6) Southeasterly, 126.16 feet along the arc of a curve to the left having a radius of 5739.52 feet and a central angle of 01°15'34" (chord bearing S.29°23'39"E., 126.16 feet); 7) S.29°53'23"E., 175.57 feet; 8) S.29°28'02"E., 300.00 feet; 9) S.29°30'20"E., 300.00 feet; 10) S.29°32'03"E., 216.11 feet to the South boundary of the North 3/8 of said Section 9; thence along said South boundary N.89°48'45"W., 942.94 feet to the East boundary of said Section 8; thence along the South boundary of the North 3/8 of said Section 8, N.89°47'49"W., 1536.91 feet; thence N.34°06'00"W., 285.04 feet; thence N.29°09'00"W., 131.94 feet; thence N.24°12'00"W., 66.00 feet; thence N.20°54'00"W., 66.00 feet; thence N.17°36'00"W., 66.00 feet; thence N.14°18'00"W., 66.00 feet; thence N.11°00'00"W., 82.50 feet; thence N.07°31'11"W., 50.24 feet to a point on a curve; thence Southwesterly, 318.97 feet along the arc of a curve to the left having a radius of 475.00 feet and a central angle of 38°28'31" (chord bearing S.57°59'01"W., 313.01 feet); thence N.67°21'09"W., 195.47 feet; thence N.21°19'49"W., 284.94 feet; thence N.37°28'13"W., 237.41 feet; thence N.32°16'19"E., 137.18 feet; thence N.62°58'55"E., 138.88 feet; thence S.73°46'11"E., 134.38 feet; thence S.49°33'13"E., 99.74 feet; thence S.84°33'45"E., 91.82 feet; thence S.72°39'05"E., 405.38 feet; thence S.87°30'00"E., 387.37 feet; thence N.02°30'00"E., 143.00 feet; thence N.87°30'00"W., 337.66 feet; thence N.68°46'21"W., 57.83 feet; thence N.53°46'21"W., 51.34 feet; thence N.38°46'21"W., 51.34 feet; thence N.23°46'21"W., 51.34 feet; thence N.08°46'21"W., 50.03 feet; thence N.02°37'37"E., 451.19 feet; thence N.32°29'00"E., 268.87 feet; thence N.53°41'30"E., 78.04 feet; thence N.71°17'30"E., 78.04 feet; thence S.87°30'00"E., 269.64 feet to a point on a curve; thence Southerly, 95.36 feet along the arc of a curve to the right having a radius of 363.00 feet and a central angle of 15°03'06" (chord bearing S.09°59'09"E., 95.09 feet); thence S.06°24'36"W., 77.39 feet; thence S.87°31'48"E., 88.64 feet to a point on a curve; thence Easterly, 198.27 feet along the arc of a curve to the left having a radius of

1717.47 feet and a central angle of $06^{\circ}36'52''$ (chord bearing $S.89^{\circ}40'12''E.$, 198.16 feet); thence $N.85^{\circ}07'52''E.$, 89.57 feet to a point on a curve; thence Easterly, 200.57 feet along the arc of a curve to the left having a radius of 1525.00 feet and a central angle of $07^{\circ}32'08''$ (chord bearing $N.79^{\circ}40'49''E.$, 200.42 feet); thence $N.74^{\circ}06'52''E.$, 95.70 feet; thence $N.70^{\circ}46'12''E.$, 198.34 feet; thence $N.79^{\circ}03'52''E.$, 59.13 feet; thence $N.81^{\circ}38'19''E.$, 84.65 feet; thence $N.70^{\circ}33'50''E.$, 138.47 feet to the aforesaid Westerly maintained right-of-way line of Hobson Simmons Road; thence along said Westerly maintained right-of-way line, $S.21^{\circ}43'21''E.$, 168.46 feet to the **POINT OF BEGINNING**.

Containing 107.260 acres, more or less.

AND TOGETHER WITH

DESCRIPTION: (Per O.R. 20988 Pgs. 1053-1054)

The North 2333.63 feet of that part of the West 1/4 of Section 5, Township 31 South, Range 21 East, Hillsborough County, Florida, lying South and West of Boyette Road.

Containing 68.186 acres, more or less.

Altogether containing 175.446 acres, more or less.

EXHIBIT B
LEGAL DESCRIPTION AFTER EXPANSION

HAWKSTONE CDD EXPANDED (OVERALL) BOUNDARY

DESCRIPTION: A parcel of land lying in Sections 5, 6, 7 and 8, Township 31 South, Range 21 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northeast corner of Section 7, Township 31 South, Range 21 East, and run thence along the North boundary of said Section 7, N.89°42'27"W., 494.31 feet to the Easterly maintained right-of-way line of Balm Boyette Road according to Maintained Right-of-Way Book 3, Pages 229 thru 235, as recorded in the Public Records of Hillsborough County, Florida; thence along said Southeasterly maintained right-of-way line the following six (6) courses: 1) N.24°17'15"E., 39.41 feet; 2) N.41°46'24"E., 70.65 feet; 3) N.38°43'49"E., 200.04 feet; 4) N.37°13'58"E., 218.59 feet; 5) N.39°22'56"E., 272.40 feet; 6) N.38°43'39"E., 135.72 feet to the **POINT OF BEGINNING**; thence continue along said Easterly maintained right-of-way line per Maintained Right-of-Way Book 3, Pages 229 through 235, inclusive, Public Records of Hillsborough County, Florida, the following twenty-five (25) courses: 1) N.38°43'49"E., 175.29 feet; 2) N.39°30'43"E., 197.80 feet; 3) N.38°32'15"E., 199.66 feet; 4) N.38°58'22"E., 49.13 feet; 5) N.38°58'13"E., 150.86 feet; 6) N.38°48'43"E., 402.60 feet; 7) N.38°23'34"E., 192.13 feet; 8) N.38°40'03"E., 208.02 feet; 9) N.39°16'26"E., 323.41 feet; 10) N.36°47'52"E., 170.93 feet to a point on a curve; 11) Northerly, 314.40 feet along the arc of a curve to the left having a radius of 737.97 feet and a central angle of 24°24'35" (chord bearing N.13°39'18"E., 312.03 feet); 12) N.01°03'56"E., 402.55 feet; 13) N.01°21'16"E., 117.87 feet; 14) N.01°21'18"E., 92.04 feet; 15) N.01°54'20"E., 184.22 feet; 16) N.01°31'19"E., 259.25 feet; 17) N.04°04'20"E., 39.81 feet; 18) N.15°20'53"E., 38.49 feet; 19) N.25°48'00"E., 25.69 feet; 20) N.34°21'00"E., 44.99 feet; 21) N.41°18'54"E., 21.89 feet; 22) N.51°34'04"E., 23.05 feet; 23) N.59°42'19"E., 49.83 feet; 24) N.69°02'21"E., 26.54 feet; 25) N.80°16'28"E., 40.23 feet to the Southerly maintained right-of-way line of Boyette Road per Maintained Right-of-Way Book 3, Pages 270 through 275, inclusive, Public Records of Hillsborough County, Florida; thence along said Southerly maintained right-of-way line the following five (5) courses: 1) N.89°48'43"E., 565.28 feet; 2) S.89°21'01"E., 524.00 feet; 3) N.89°51'06"E., 523.99 feet; 4) N.87°49'50"E., 261.99 feet; 5) N.89°17'28"E., 326.98 feet to the Westerly boundary of property owned by Tampa Electric Company lying in part 430 feet Westerly of and parallel with the Westerly right-of-way line of former CSX Railroad Right-of-Way (now property of Tampa Electric Company) and in part 380 feet Westerly of said former railroad right-of-way, S.32°13'39"W., 2876.92 feet to a point on a curve; thence Southeasterly, 332.50 feet along the arc of said curve to the left having a radius of 1563.00 feet and a central angle of 12°11'19" (chord bearing S.51°40'41"E., 331.88 feet) to a point of tangency; thence S.57°46'21"E., 200.00 feet to said Southeasterly boundary of the former CSX railroad property; thence along said Southeasterly boundary, N.32°13'39"E., 150.00 feet to the North boundary of the South 1/4 of Section 5, Township 31 South, Range 21 East, Hillsborough County, Florida; thence along said

North boundary, S.89°53'53"E., 2122.05 feet to the aforesaid Westerly maintained right-of-way line of Hobson Simmons Road; thence along said Westerly maintained right-of-way line, the following nine (9) courses: 1) S.16°02'54"E., 90.20 feet; 2) S.16°39'34"E., 300.00 feet; 3) S.16°07'29"E., 300.00 feet; 4) S.16°00'36"E., 100.00 feet; 5) S.15°58'53"E., 200.00 feet; 6) S.16°24'40"E., 100.00 feet; 7) S.19°09'31"E., 67.44 feet to a point on a curve; 8) Southerly, 48.81 feet along the arc of a curve to the left having a radius of 534.27 feet and a central angle of 05°14'03" (chord bearing S.19°49'10"E., 48.79 feet); 9) S.21°43'21"E., 25.55 feet; thence S.70°33'50"W., 138.47 feet; thence S.81°38'19"W., 84.65 feet; thence S.79°03'52"W., 59.13 feet; thence S.70°46'12"W., 198.34 feet; thence S.74°06'52"W., 95.70 feet to a point on a curve; thence Westerly, 200.57 feet along the arc of a curve to the right having a radius of 1525.00 feet and a central angle of 07°32'08" (chord bearing S.79°40'49"W., 200.42 feet); thence S.85°07'52"W., 89.57 feet to a point on a curve; thence Westerly, 198.27 feet along the arc of a curve to the right having a radius of 1717.47 feet and a central angle of 06°36'52" (chord bearing N.89°40'12"W., 198.16 feet); thence N.87°31'48"W., 88.64 feet; thence N.06°24'36"E., 77.39 feet to a point on a curve; thence Northerly, 95.36 feet along the arc of a curve to the left having a radius of 363.00 feet and a central angle of 15°03'06" (chord bearing N.09°59'09"W., 95.09 feet); thence N.87°30'00"W., 269.64 feet; thence S.71°17'30"W., 78.04 feet; thence S.53°41'30"W., 78.04 feet; thence S.32°29'00"W., 268.87 feet; thence S.02°37'37"W., 451.19 feet; thence S.08°46'21"E., 50.03 feet; thence S.23°46'21"E., 51.34 feet; thence S.38°46'21"E., 51.34 feet; thence S.53°46'21"E., 51.34 feet; thence S.68°46'21"E., 57.83 feet; thence S.87°30'00"E., 337.66 feet; thence S.02°30'00"W., 143.00 feet; thence N.87°30'00"W., 387.37 feet; thence N.72°39'05"W., 405.38 feet; thence N.84°33'45"W., 91.82 feet; thence N.49°33'13"W., 99.74 feet; thence N.73°46'11"W., 134.38 feet; thence S.62°58'55"W., 138.88 feet; thence S.32°16'19"W., 137.18 feet; thence S.37°28'13"E., 237.41 feet; thence S.21°19'49"E., 284.94 feet; thence S.67°21'09"E., 195.47 feet to a point on a curve; thence Northeasterly, 318.97 feet along the arc of a curve to the right having a radius of 475.00 feet and a central angle of 38°28'31" (chord bearing N.57°59'01"E., 313.01 feet); thence S.07°31'11"E., 50.24 feet; thence S.11°00'00"E., 82.50 feet; thence S.14°18'00"E., 66.00 feet; thence S.17°36'00"E., 66.00 feet; thence S.20°54'00"E., 66.00 feet; thence S.24°12'00"E., 66.00 feet; thence S.29°09'00"E., 131.94 feet; thence S.34°06'00"E., 285.04 feet to the South boundary of the North 3/8 of said Section 8; thence along said South boundary, N.89°47'49"W., 3103.84 feet to the Southeasterly boundary of former CSX Railroad property, now Tampa Electric Company - O.R. Book 5289, Page 660, Public Records of Hillsborough County, Florida; thence along said Southeasterly boundary, N.32°13'39"E., 146.69 feet to a point on a curve; thence Westerly, 208.43 feet along the arc of a curve to the right having a radius of 425.00 feet and a central angle of 28°05'57" (chord bearing N.71°49'19"W., 206.35 feet) to a point of tangency; thence N.57°46'21"W., 329.83 feet to a line 430 feet Westerly of and parallel with the Westerly right-of-way line of former CSX Railroad Right-of-Way (now property of Tampa Electric Company); thence along said Westerly line, S.32°13'39"W., 890.27 feet; thence S.89°55'44"W., 1678.95 feet; thence N.39°00'36"E., 419.31 feet; thence N.50°59'24"W., 520.00 feet to a point on the Southeasterly maintained right-of-way line of said Balm Boyette Road; thence along said maintained right-of-way, N.39°00'36"E., 726.98 feet to

300.00 feet; 9) S.29°30'20"E., 300.00 feet; 10) S.29°32'03"E., 216.11 feet to the South boundary of the North 3/8 of said Section 9; thence along said South boundary N.89°48'45"W., 942.94 feet to the East boundary of said Section 8; thence along the South boundary of the North 3/8 of said Section 8, N.89°47'49"W., 1536.91 feet; thence N.34°06'00"W., 285.04 feet; thence N.29°09'00"W., 131.94 feet; thence N.24°12'00"W., 66.00 feet; thence N.20°54'00"W., 66.00 feet; thence N.17°36'00"W., 66.00 feet; thence N.14°18'00"W., 66.00 feet; thence N.11°00'00"W., 82.50 feet; thence N.07°31'11"W., 50.24 feet to a point on a curve; thence Southwesterly, 318.97 feet along the arc of a curve to the left having a radius of 475.00 feet and a central angle of 38°28'31" (chord bearing S.57°59'01"W., 313.01 feet); thence N.67°21'09"W., 195.47 feet; thence N.21°19'49"W., 284.94 feet; thence N.37°28'13"W., 237.41 feet; thence N.32°16'19"E., 137.18 feet; thence N.62°58'55"E., 138.88 feet; thence S.73°46'11"E., 134.38 feet; thence S.49°33'13"E., 99.74 feet; thence S.84°33'45"E., 91.82 feet; thence S.72°39'05"E., 405.38 feet; thence S.87°30'00"E., 387.37 feet; thence N.02°30'00"E., 143.00 feet; thence N.87°30'00"W., 337.66 feet; thence N.68°46'21"W., 57.83 feet; thence N.53°46'21"W., 51.34 feet; thence N.38°46'21"W., 51.34 feet; thence N.23°46'21"W., 51.34 feet; thence N.08°46'21"W., 50.03 feet; thence N.02°37'37"E., 451.19 feet; thence N.32°29'00"E., 268.87 feet; thence N.53°41'30"E., 78.04 feet; thence N.71°17'30"E., 78.04 feet; thence S.87°30'00"E., 269.64 feet to a point on a curve; thence Southerly, 95.36 feet along the arc of a curve to the right having a radius of 363.00 feet and a central angle of 15°03'06" (chord bearing S.09°59'09"E., 95.09 feet); thence S.06°24'36"W., 77.39 feet; thence S.87°31'48"E., 88.64 feet to a point on a curve; thence Easterly, 198.27 feet along the arc of a curve to the left having a radius of 1717.47 feet and a central angle of 06°36'52" (chord bearing S.89°40'12"E., 198.16 feet); thence N.85°07'52"E., 89.57 feet to a point on a curve; thence Easterly, 200.57 feet along the arc of a curve to the left having a radius of 1525.00 feet and a central angle of 07°32'08" (chord bearing N.79°40'49"E., 200.42 feet); thence N.74°06'52"E., 95.70 feet; thence N.70°46'12"E., 198.34 feet; thence N.79°03'52"E., 59.13 feet; thence N.81°38'19"E., 84.65 feet; thence N.70°33'50"E., 138.47 feet to the aforesaid Westerly maintained right-of-way line of Hobson Simmons Road; thence along said Westerly maintained right-of-way line, S.21°43'21"E., 168.46 feet to the **POINT OF BEGINNING**.

Containing 107.260 acres, more or less.

AND TOGETHER WITH

DESCRIPTION: (Per O.R. 20988 Pgs. 1053-1054)

The North 2333.63 feet of that part of the West 1/4 of Section 5, Township 31 South, Range 21 East, Hillsborough County, Florida, lying South and West of Boyette Road.

Containing 68.186 acres, more or less.

Altogether containing 546.892 acres, more or less.