

# **WATERFORD LANDING**

**COMMUNITY DEVELOPMENT  
DISTRICT**

**October 30, 2020**

**BOARD OF SUPERVISORS**

**TELEPHONIC SPECIAL**

**MEETING AGENDA**

# Waterford Landing Community Development District

## OFFICE OF THE DISTRICT MANAGER

2300 Glades Road, Suite 410W • Boca Raton Florida 33431

Phone: (561) 571-0010 • Fax: (561) 571-0013 • Toll-Free: (877) 276-0889

October 23, 2020

Board of Supervisors  
Waterford Landing Community Development District

Dear Board Members:

**ATTENDEES:**  
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

**TO ATTEND BY TELEPHONE**  
Call-in number: 1-888-354-0094  
Conference ID: 8518503

The Board of Supervisors of the Waterford Landing Community Development District will hold a Telephonic Special Meeting on October 30, 2020 at 10:00 a.m., at **1-888-354-0094, CONFERENCE ID: 8518503**. The agenda is as follows:

1. Call to Order/Roll Call
  2. Public Comments
  3. Discussion/Consideration: Vacation of Easement
  4. Acceptance of Unaudited Financial Statements as of September 30, 2020
  5. Consideration of Resolution 2021-01, Relating to the Amendment of the Annual Budget for the Fiscal Year Beginning October 1, 2019 and Ending September 30, 2020; and Providing for an Effective Date
  6. Other Business
  7. Staff Reports
    - A. District Counsel: *Straley & Robin*
    - B. District Engineer: *Barraco and Associates, Inc.*
    - C. District Manager: *Wrathell, Hunt and Associates, LLC*
- NEXT MEETING DATE: November 20, 2020 at 10:00 AM

○ QUORUM CHECK

SEAT 1*	BRIAN O'DONNELL	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2*	MARK TAYLOR	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	CHARLES COX	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	MARCINA STRANG	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	JAMES CAMPO	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

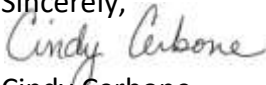
\*Seats subject to November 3, 2020 General Election

8. Supervisors' Requests
9. Public Comments
10. Adjournment

"Further, please be advised that the Florida Governor's Office has declared a state of emergency due to the Coronavirus (COVID-19). As reported by the Center for Disease Control and World Health Organization, COVID-19 can spread from person-to-person through small droplets from the nose or mouth, including when an individual coughs or sneezes. These droplets may land on objects and surfaces. Other people may contract COVID-19 by touching these objects or surfaces, then touching their eyes, nose or mouth."

"That said, the District wants to encourage public participation in a safe and efficient manner. Toward that end, anyone wishing to listen and participate in the meeting can dial in at **1-888-354-0094, Conference ID: 8518503**. Additionally, participants are encouraged to submit questions and comments to the District's manager in advance at 561-571-0010 or [cerbonec@whhassociates.com](mailto:cerbonec@whhassociates.com)."

Should you have any questions or concerns, please do not hesitate to contact me directly at 561-346-5294.

Sincerely,  
  
Cindy Cerbone  
District Manager

# **WATERFORD LANDING**

**COMMUNITY DEVELOPMENT DISTRICT**

**3**

This instrument prepared by:  
Dana Crosby-Collier, Esq.  
Straley Robin Vericker  
1520 W. Cleveland St.  
Tampa, Florida 33606

Parcel#:

**PARTIAL RELEASE AND VACATION OF EASEMENT**

THIS PARTIAL RELEASE AND VACATION OF EASEMENT is executed this \_\_\_\_ day of \_\_\_\_\_, 2020, by Waterford Landing Community Development District, a special purpose unit of local government established pursuant to Chapter 190, Florida Statutes, whose address is (“District”), in favor of D.R. Horton, Inc., a Delaware corporation, whose address is 10541 Ben C. Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966, its successors and assigns (“Grantee”).

WITNESSETH, that District, for and in consideration of the sum of TEN AND NO/100-- (\$10.00) Dollars, in hand paid to Grantee, the receipt whereof is hereby acknowledged, does hereby release unto Grantee forever, all right, title, interest, claim, and demand which District has in and to the lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, more fully described as:

AS SET FORTH ON EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN.

This Partial Release and Vacation of Easement is given to release and vacate a portion of the drainage and landscape easement, as shown on Lot 484, lying in the plat of Lindsford, Phase 2B, as recorded in Instrument Number 2017000190788 of the Public Records of Lee County, Florida.

Grantee hereby indemnifies and holds the District harmless from and against all claims, suits, costs, expenses, and damages arising from or related in any manner whatsoever to this Partial Release and Vacation of Easement, and agrees to pay for all attorney’s fees and costs incurred by the District in defending any such claims.

IN WITNESS WHEREOF, the parties have signed and sealed these presents the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

**Waterford Landing Community Development District**, a special purpose unit of local government established under Chapter 190 of the laws of the State of Florida

\_\_\_\_\_  
(Witness 1 – Signature)

\_\_\_\_\_  
(Witness 1 – Printed Name)

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
(Witness 2 – Signature)

\_\_\_\_\_  
(Witness 2 – Printed Name)

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of \_\_\_ physical presence or \_\_\_ online notarization, this \_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_ as \_\_\_\_\_ of Waterford Landing Community Development District, a special purpose unit of local government established under the laws of the State of Florida, who is personally known to me.

\_\_\_\_\_  
Florida Notary Public Signature

\_\_\_\_\_  
Florida Notary Stamp

Signed, Sealed and Delivered in the Presence of:

**D.R. Horton, Inc.**, a Delaware corporation

\_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
(Witness 1 – Signature)

\_\_\_\_\_  
(Witness 1 – Printed Name)

\_\_\_\_\_  
(Witness 2 – Signature)

\_\_\_\_\_  
(Witness 2 – Printed Name)

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of \_\_\_ physical presence or \_\_\_ online notarization, this \_\_\_ day of \_\_\_\_\_, 2020, by \_\_\_\_\_ as \_\_\_\_\_ of D.R. Horton, Inc., a Delaware corporation, who is personally known to me.

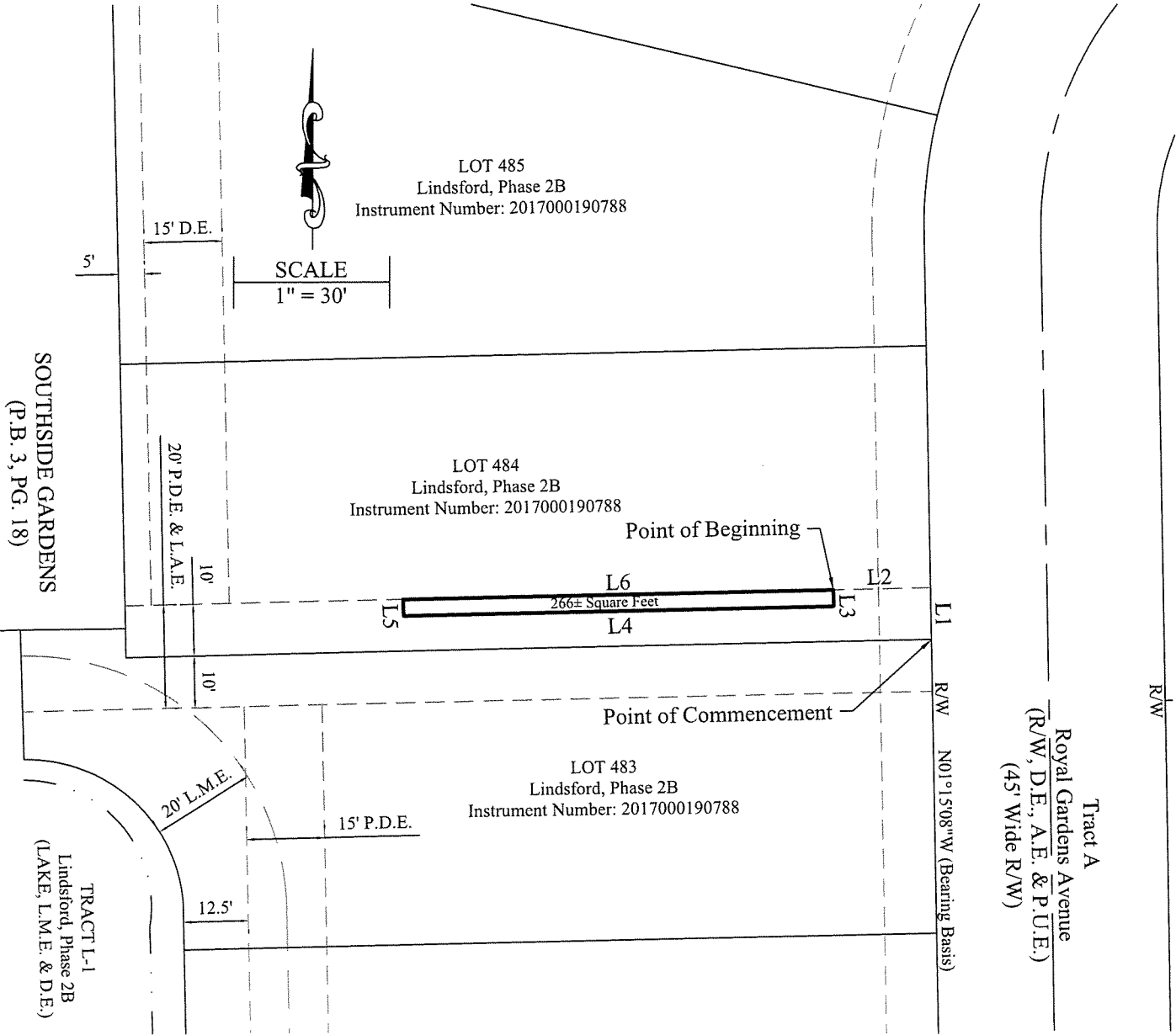
\_\_\_\_\_  
Florida Notary Public Signature

\_\_\_\_\_  
Florida Notary Stamp

Exhibit "A"



# Sketch



**SURVEY NOTES:**

1. BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY LINE OF ROYAL GARDENS AVENUE AS RECORDED IN INSTRUMENT NUMBER 2017000190788, BEING N01°15'08"W.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. *COPYRIGHT 2020, ARDURRA GROUP, INC., ALL RIGHTS RESERVED.*
5. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF ARDURRA GROUP, INC.
6. NOT VALID WITHOUT SHEETS 2 & 3 OF 3.

**LEGEND:**

- P.D.E. = PRIMARY DRAINAGE EASEMENT
- L.A.E. = LAKE ACCESS EASEMENT
- L.M.E. = LAKE MAINTENANCE EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- R/W = RIGHT-OF-WAY
- D.E. = DRAINAGE EASEMENT
- A.E. = ACCESS EASEMENT
- P.B. = PLAT BOOK
- PG. = PAGE

Sheet 1 of 3

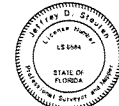
Sketch to Accompany Description  
**Proposed Vacation of a Lake Access / Primary Drainage Easement**  
*A tract of land lying in Lindsford, Phase 2B as recorded in Instrument Number 2017000190788 of the Public Records of Lee County, Florida, lying in Section 29, Township 44 South, Range 25 East, Lee County, Florida*

**THIS IS NOT A SURVEY**



324 Nicholas Parkway W, Unit A  
 Cape Coral, Florida 33991  
 Phone: (239) 673-9541  
 www.Ardurra.com  
 License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **October 7, 2020** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.



Digitally signed by  
**Jeffrey Stouten**  
 Date: 2020.10.12  
 07:40:29 -04'00'

**JEFFREY D. STOUTEN (FOR THE FIRM)**  
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 1 OF 3

PREPARED FOR: D.R. Horton

SECTION 29, TOWNSHIP 44S, RANGE 25E

## Line Table

LINE	BEARING	DISTANCE
L1	N 01°15'08" W	10.00'
L2	S 88°44'52" W	18.70'
L3	S 01°15'08" E	3.20'
L4	S 88°44'52" W	83.00'
L5	N 01°15'08" W	3.20'
L6	N 88°44'52" E	83.00'

**THIS IS NOT A SURVEY**

Line Table to Accompany Sketch  
**Proposed Vacation of a Portion of a Lake Access / Primary  
 Drainage Easement**  
*A tract of land lying in Lindsford, Phase 2B as recorded in  
 Instrument Number 2017000190788 of the Public Records of  
 Lee County, Florida, lying in Section 29, Township 44 South,  
 Range 25 East, Lee County, Florida*

*Not Valid without Sheets 1 & 3 of 3*

*Sheet 2 of 3*



324 Nicholas Parkway W, Unit A  
 Cape Coral, Florida 33991  
 Phone: (239) 673-9541  
 www.Ardurra.com  
 License #LB-2610

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **October 7, 2020** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

*See Sheet 1 of 3 for Signature and Seal*

**JEFFREY D. STOUTEN (FOR THE FIRM)**  
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584  
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

PREPARED FOR: D.R. Horton

SECTION 29, TOWNSHIP 44S, RANGE 25E

# Description


**Subject Parcel Description:**

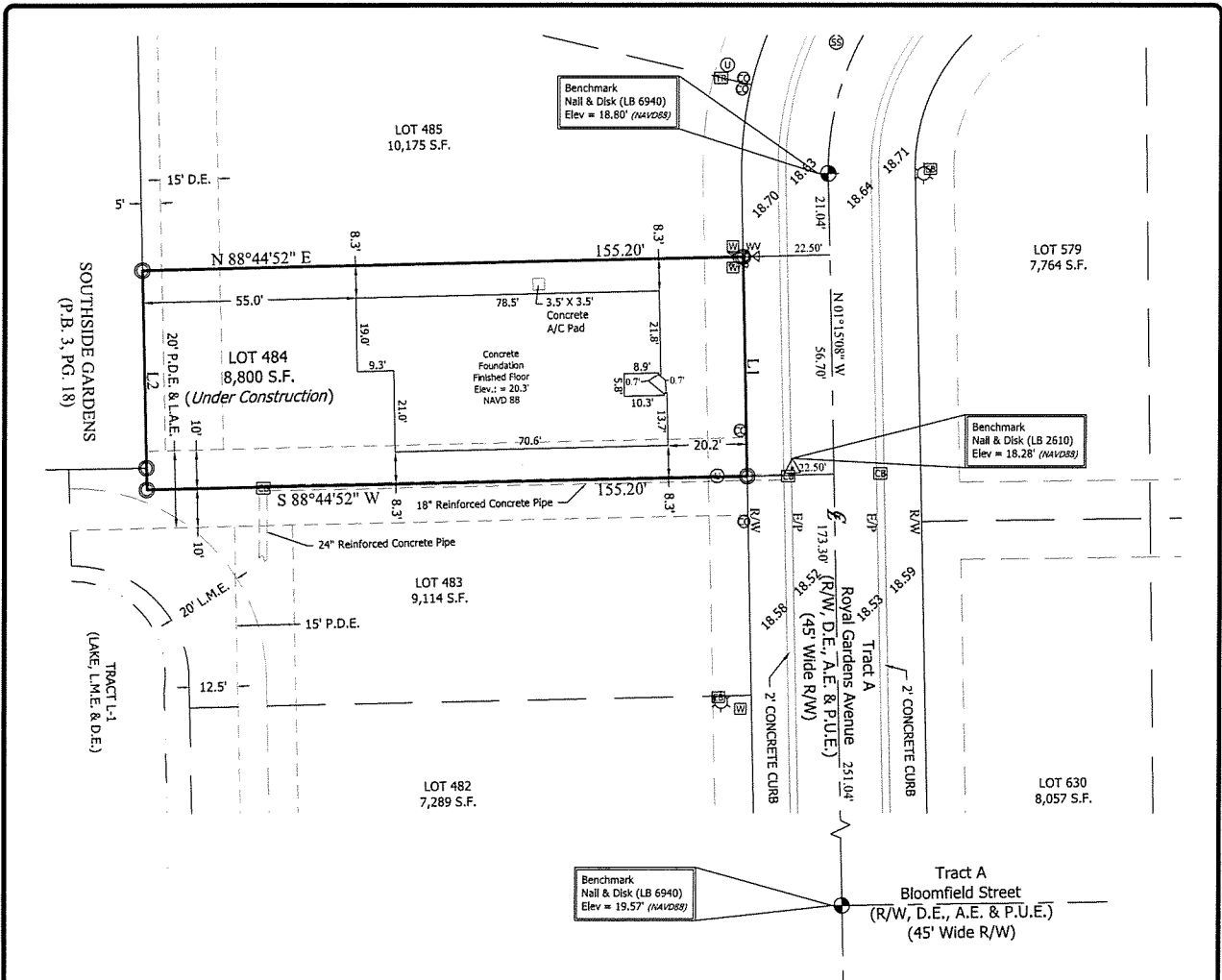
A portion of an existing 20.00 foot wide Primary Drainage Easement and Lake Access Easement lying in Lots 483 and 484 of Lindsford, Phase 2B as recorded in Instrument Number 2017000190788 of the Public records of Lee County, Florida, lying in Section 29, Township 44 South, Range 25 East, Lee County, Florida being more particularly described as follows:

Commencing at the Southeast corner of said Lot 484 run N01°15'08"W, along the Westerly right-of-way line of Royal Gardens Avenue as shown on said Instrument, for 10.00 feet to an intersection with the North line of said easement; thence run S88°42'52"W, along said North line, for 18.70 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run S01°15'08"E for 3.20 feet; thence run S88°44'52"W, parallel with and 3.20 feet South of (as measured on a perpendicular) said North line, for 83.00 feet; thence run N01°15'08"W for 3.20 feet to an intersection with the North line of said easement; thence run N88°44'52"E, along said North line, for 83.00 feet to the POINT OF BEGINNING.

Said parcel contains 266 square feet. (more or less)

Bearings are based on the Westerly right-of-way line of Royal Gardens Avenue as recorded in Instrument Number 2017000190788, being N01°15'08"W

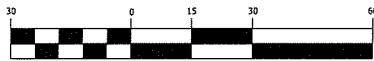
<b>THIS IS NOT A SURVEY</b>	Description to Accompany Sketch <b>Proposed Vacation of a Portion of a Lake Access / Primary Drainage Easement</b> <i>A tract of land lying in Lindsford, Phase 2B as recorded in Instrument Number 2017000190788 of the Public Records of Lee County, Florida, lying in Section 29, Township 44 South, Range 25 East, Lee County, Florida</i>	<i>Not Valid without Sheets 1 &amp; 2 of 3</i>
<i>Sheet 3 of 3</i>	 324 Nicholas Parkway W, Unit A Cape Coral, Florida 33991 Phone: (239) 673-9541 www.Ardurra.com License #LB-2610 <b>ARDURRA</b> COLLABORATE. INNOVATE. CREATE.	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on <b>October 7, 2020</b> is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.  See Sheet 1 of 3 for Signature and Seal
PREPARED FOR: D.R. Horton SECTION 29, TOWNSHIP 44S, RANGE 25E		JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER



DATE	REVISION
07/09/2020	Plot Plan (Model 2225/L RH)
08/05/2020	Formboard Location
08/18/2020	Foundation Location
10/19/2020	Added Drainpipe Location

LINE	BEARING	DISTANCE
L1	S 01°15'08" E	56.70'
L2	N 01°15'08" W	56.70'

GRAPHIC SCALE



( IN FEET )

1 inch = 30 ft.

**SURVEY NOTES**

1. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
3. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED, UNLESS OTHERWISE SHOWN.
4. NOT VALID WITHOUT SIGNATURE AND RAISED SEAL OF FLORIDA LICENSED SURVEYOR AND MAPPER (P.S.M.).
5. ELEVATIONS SHOWN HEREON ARE IN REFERENCE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D. 88).
6. NATIONAL FLOOD INSURANCE INFORMATION:  
COMMUNITY NUMBER: 125708  
HAZ. NUMBER: 12011 C 0427 G  
EFFECTIVE DATE: 12/07/2018  
FIRM ZONE: X  
BASE FLOOD ELEVATION: N/A \*SEE LOMR CASE # 19-44-38644 FOR FLOOD ZONE REVISION.  
\*FORM PANELS LISTED ABOVE SHOULD BE CONSULTED FOR VERIFICATION OF ALL FLOOD RELATED INFORMATION.
7. BEARINGS ARE BASED ON THE PLAT OF LINDSFORD PHASE 2B, AS MONUMENTED IN THE FIELD AND SHOWN IN INST # 2017000190788.
8. DATE OF LAST FIELD WORK: OCTOBER 19, 2020.
9. THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF AN UP TO DATE TITLE COMMITMENT.
10. ADDITIONS TO OR DELETIONS FROM SURVEY OR REPORTS BY OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER.
11. THIS SURVEY WAS PREPARED ONLY FOR THE CLIENTS AS NAMED HEREON AND NO THIRD OR OTHER PARTY CERTIFICATION IS EXPRESSED OR IMPLIED.

**CERTIFIED TO:**

DHI Title of Florida, Inc.  
D.R. Horton, Inc.  
Title Resource Guaranty Company

Previous Job No.: 20-4292; 20-5213

271-60; 276-74; 281-33

**PARCEL DESCRIPTION:**

Lot 484, LINDSFORD, PHASE 2B, as shown on the plat thereof recorded in Instrument Number 2017000190788 of the Public Records of Lee County, Florida.

Boundary & Topographic Survey of  
3084 Royal Gardens Avenue,  
Lot 484, Lindsford, Phase 2B, Fort Myers, Florida,  
According to Instrument # 2017000190788 of the  
Public Records of Lee County, Florida.

**LEGEND**

⊙	FOUND NAIL & DISK "LB 6940"	SF	SQUARE FEET
⊙	SET NAIL AND TAB "LB 2610"	CONC.	CONCRETE
⊙	FOUND 5/8" IRON ROD AND CAP "LB 2610"	R/W	RIGHT OF WAY
⊙	SET 5/8" IRON ROD AND CAP "LB 2610"	E.P.	EDGE OF PARKMENT
⊙	CLEANOUT	A.E.	ACCESS EASEMENT
⊙	SANITARY MANHOLE	P.U.E.	PUBLIC UTILITY EASEMENT
⊙	HYDRANT	P.D.E.	PRIMARY DRAINAGE EASEMENT
⊙	WATER VALVE	L.M.E.	LAKE MAINTENANCE EASEMENT
⊙	CATCH BASIN/INLET	L.A.E.	LAKE ACCESS EASEMENT
⊙	WATER METER	PLM	PLAT MEASUREMENT
⊙	ELECTRIC BOX	(M)	FIELD MEASUREMENT
⊙	ELECTRIC METER	⊙	EXISTING ELEVATION
⊙	TRANSFORMER	⊙	LIGHT POLE
⊙	YARD DRAIN	⊙	DRAINAGE FLOW
		⊙	UTILITY RISER
		⊙	VAULT BOX
		⊙	STORM MANHOLE

I hereby certify that, to the best of my knowledge and belief, the survey represented hereon, made under my direction on July 8, 2020 is in accordance with Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 55-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.



Digitally signed by Jeffrey Stouten  
Date: 2020.10.20 08:36:52 -04'00'

JEFFREY D. STOUTEN  
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO.6594  
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



**From:** [Daniel Rom](#)  
**To:** [Daniel Rom](#)  
**Subject:** Waterford Landing - Easement Thread  
**Date:** Wednesday, October 28, 2020 8:28:13 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

**From:** Wayne Everett <[JWEverett@drhorton.com](mailto:JWEverett@drhorton.com)>  
**Sent:** Monday, October 12, 2020 4:36 PM  
**To:** Chuck Adams <[adamsc@whhassociates.com](mailto:adamsc@whhassociates.com)>  
**Subject:** Lindsford - aka Waterford Lakes CDD

Chuck,

Here is the encroachment and the legal description of the vacation that we are requesting.

Please let me know your thoughts and if you need more info. The home is basically finished.

Thanks, Wayne

<image001.png>

**J. WAYNE EVERETT**  
Entitlements Manager

**D.R. HORTON**  
10541 Ben C Pratt Six Mile Cypress Pkwy., Fort Myers, FL 33966  
o: 239.225.2631 m: 239.470.3405

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*Don't Count your days ... Make your days count!*

<Lots 484 (2020-10-02)(Foundation Rev).pdf>  
<Lots 484 Proposed Easement Release.pdf>

---

**From:** John Vericker [mailto:[JVericker@srvlegal.com](mailto:JVericker@srvlegal.com)]  
**Sent:** Tuesday, October 13, 2020 4:28 PM  
**To:** Cindy Cerbone <[cerbonec@whhassociates.com](mailto:cerbonec@whhassociates.com)>; Carl A. Barraco <[CarlB@barraco.net](mailto:CarlB@barraco.net)>  
**Cc:** Daniel Rom <[romd@whhassociates.com](mailto:romd@whhassociates.com)>; Dana C. Collier <[DCollier@srvlegal.com](mailto:DCollier@srvlegal.com)>  
**Subject:** RE: Lindsford - aka Waterford Lakes CDD

Cindy:

Yes a vacation of the easement would need CDD Board approval.

Thank you,

John

---

From: Charlie Cox <[irishcobs@gmail.com](mailto:irishcobs@gmail.com)>  
Sent: Thursday, October 15, 2020 11:48 AM  
To: Daniel Rom <[romd@whhassociates.com](mailto:romd@whhassociates.com)>  
Subject: Re: Waterford Landing - Vacation of easement for board consideration

Hi Cindy and Daniel,

I am available to meet on Nov 20th to address this matter.

I have often wondered what happens in a situation like this. I looked at Carl's proposal and it makes sense to make the 20-foot easement narrower, provided the other access point from Hansen Extension is available. I just wonder why they wouldn't reduce the width of the easement by 3.2 feet for the entire length of the lot - seems like it is asking for trouble if the homeowner wants to fence their backyard and attach the fence to the SW corner of the house, which would have the fence encroaching into the easement. Encroachment of fences into easements because nobody looks carefully at their plats has been a headache for ARC committees and HOA Boards already!

Charlie

---

**From:** Carl A. Barraco <CarlB@barraco.net>  
**Sent:** Thursday, October 15, 2020 4:43 PM  
**To:** Daniel Rom <romd@whhassociates.com>  
**Cc:** Charlie Cox <irishcobs@gmail.com>; Cindy Cerbone <cerbonec@whhassociates.com>  
**Subject:** RE: Waterford Landing - Vacation of easement for board consideration

I understand what Charlie is suggesting. I can only assume that they are making the most minimal request they can by asking for the smallest land area vacation possible that will meet their need.

Carl A. Barraco, P.E.

---

From: Mark Taylor <taylorm@ronto.com>  
Sent: Thursday, October 15, 2020 1:48 PM  
To: Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>  
Subject: RE: Waterford Landing - Vacation of easement for board consideration

Carl, is there any drainage pipe installed in this easement? What size? How often does this happen in development? Will the homes be closer together?

I do not want to tear down a home for 3.5 feet, but I need a bit more information.

Thanks, Mark

---

From: Carl A. Barraco <CarlB@barraco.net>  
Sent: Friday, October 16, 2020 8:12 AM  
To: Mark Taylor <taylorm@ronto.com>  
Cc: Cindy Cerbone <cerbonec@whhassociates.com>; Daniel Rom <romd@whhassociates.com>  
Subject: RE: Waterford Landing - Vacation of easement for board consideration

Mark that is a good point. Yes there is an existing 18" RCP in this particular easement. I have assumed the 18" RCP is in the middle of the 20' easement but if the BOS elects to accept the vacation, that should require DRH to locate the pipe and confirm it is in the middle of the existing easement.

This type of thing happens rarely, typically when there is an error made in the home stake out or maybe if someone missed the easement when they did the plot plan (I have no idea what created this particular situation).

No the homes will not be closer together because the typical home does not have a 20' drainage easement on

each side. So if a typical side yard setbacks is 5' then the typical home separation would be 10'. In this case with the vacation, the homes would be at least 16.8' apart.

Carl A. Barraco, P.E.

---

**From:** Wayne Everett  
**Sent:** Tuesday, October 20, 2020 9:45 AM  
**To:** Cindy Cerbone <[cerbonec@whhassociates.com](mailto:cerbonec@whhassociates.com)>  
**Subject:** RE: Lindsford - aka Waterford Lakes CDD

Cindy,

I have attached the survey showing the drainage pipe as requested. Please let me know if there are any other questions.

Thanks, Wayne



**J. WAYNE EVERETT**  
Entitlements Manager

**D.R. HORTON**  
10541 Ben C Pratt Six Mile Cypress Pkwy., Fort Myers, FL 33966  
o: 239.225.2631 m: 239.470.3405

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*Don't Count your days ... Make your days count!*

---

**From:** Mark Taylor  
**Sent:** Tuesday, October 20, 2020 12:38 PM  
**To:** Daniel Rom <[romd@whhassociates.com](mailto:romd@whhassociates.com)>; Carl A. Barraco <[CarlB@barraco.net](mailto:CarlB@barraco.net)>; John Vericker (<[jvericker@srvlegal.com](mailto:jvericker@srvlegal.com)> <[jvericker@srvlegal.com](mailto:jvericker@srvlegal.com)>  
**Cc:** Cindy Cerbone <[cerbonec@whhassociates.com](mailto:cerbonec@whhassociates.com)>  
**Subject:** Re: Lindsford - aka Waterford Lakes CDD

We need to make sure there is a mechanism where they are required to disclose that information to any purchaser

---

**From:** Cindy Cerbone <[cerbonec@whhassociates.com](mailto:cerbonec@whhassociates.com)>  
**Date:** 10/20/20 3:22 PM (GMT-05:00)  
**To:** Mark Taylor <[taylorm@ronto.com](mailto:taylorm@ronto.com)>, Daniel Rom <[romd@whhassociates.com](mailto:romd@whhassociates.com)>, "Carl A. Barraco" <[CarlB@barraco.net](mailto:CarlB@barraco.net)>, "John Vericker (<[jvericker@srvlegal.com](mailto:jvericker@srvlegal.com)>)" <[jvericker@srvlegal.com](mailto:jvericker@srvlegal.com)>, "Dana C. Collier" <[DCollier@srvlegal.com](mailto:DCollier@srvlegal.com)>  
**Subject:** RE: Lindsford - aka Waterford Lakes CDD

Mark,

Thank you for all your feedback and we need to incorporate all these items for the record at the board meeting which covers this topic.

Daniel and I just spoke with Dana Crosby-Collier, an attorney in John Vericker's office about your feedback and we covered your request as well as a few other items.

The response to your feedback is that if the board does approve a partial release / vacation, it will be a recorded document attached to the property in perpetuity so as long as this is recorded prior to any sale I am not sure there would be a need to request disclosure. If there was a sale and there was not a release recorded yet or perhaps no release approved, when speaking with counsel, that is something that should be noted and disclosed during the title search.

With all this said, I recommend that we proceed with scheduling a telephonic board meeting for October 30th so this can be discussed by all and a determination made on next steps. We will ask Daphne/Debbie to get this scheduled for



10am on the 30th.

Cindy

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**From:** Carl A. Barraco <CarlB@barraco.net>

**Sent:** Tuesday, October 20, 2020 6:01 PM

**To:** Roberts, Melissa (Melissa Roberts (mroberts@sfwmd.gov)) <mroberts@sfwmd.gov>

**Cc:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>

**Subject:** Waterford Landing CDD

Melissa, there is a situation in Lindsford where a home has been constructed 3.2' within a Primary Drainage Easement / Lake Access Easement (DE) which includes an 18" RCP. The easement is the 20' access from the Road ROW to the 20' LME. If vacated, the easement will only be 16.8' wide. Since there is an existing 40' wide unimproved public ROW from Hanson ROW to the Lake Tract, a minimum 20' access to the LME will still be available?

The CDD has been asked by the builder to vacate 3.2' of the 20' DE. The CDD Manager has asked that I reach out to you to confirm vacating 3.2' of the 20' DE will not be an issue with the SFWMD.

I hope we can discuss this when we have our scheduled phone call tomorrow morning?

Thank you.

Carl A. Barraco, P.E.

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**From:** Carl A. Barraco <CarlB@barraco.net>

**Sent:** Wednesday, October 21, 2020 2:50 PM

**To:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>

**Cc:** John Vericker <JVericker@srvlegal.com>; Dana C. Collier <DCollier@srvlegal.com>

**Subject:** RE: Waterford Landing CDD

I talked to Melissa (Supervising Professional of the SFWMD Fort Myers office) this morning. The SFWMD will not take exception with the vacation. She will provide that in writing if needed but I asked her to wait until we know how this will be handled with the City.

Carl A. Barraco, P.E.

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**From:** Carl A. Barraco <CarlB@barraco.net>

**Sent:** Tuesday, October 20, 2020 5:58 PM

**To:** Richard Thompson <rthompson@cityftmyers.com>

**Cc:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>

**Subject:** Waterford Landing CDD

Richard there is a situation in Lindsford where a home has been constructed 3.2' within a Primary Drainage Easement / Lake Access Easement (DE) which includes an 18" RCP. The easement is the 20' access from the Road ROW to the 20' LME. If vacated, the easement will only be 16.8' wide. Since there is an existing 40' wide unimproved public ROW from Hanson ROW to the Lake Tract, a minimum 20' access to the LME will still be available?

The CDD has been asked by the builder to vacate 3.2' of the 20' DE. The CDD Manager has asked that I reach out to you to confirm vacating 3.2' of the 20' DE will not be an issue with the CFM. Also, if the overhang can be within the DE then the vacation would only need to be 1.7'. Can you tell me if the CFM allows overhangs in drainage easements?

Would you please provide a reply as soon as possible?

Thank you.

Carl A. Barraco, P.E.

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**From:** Richard Thompson <rthompson@cityftmyers.com>  
**Sent:** Wednesday, October 21, 2020 8:55 AM  
**To:** Carl A. Barraco <CarlB@barraco.net>  
**Cc:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>; Steven Belden <sbelden@cityftmyers.com>  
**Subject:** RE: Waterford Landing CDD

The 20' access easement is a requirement of the SFWMD. It is supposed to be clear and unobstructed. The City codes adopted the requirements of SFWMD. You can't access the lakes from an unimproved city ROW unless you get a ROW permit to make improvements allowing the access. There is no curb break on Hanson at the ROW.

If the developer were to provide a community access road to Hanson down the ROW it would be an easy matter to move the lake access easement from the current location to a new access road. There is already an agreement between the community and the city for two access points to Hanson at Jacksonville and Arcadia. It would be simple matter of trading the two agreed upon access points for the new access point.

I am including Steve Belden on the response in case I am mistaken about any of the CDD requirements.

Thanks,

Richard H. Thompson, P.E.  
Stormwater Resource Manager

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**From:** Carl A. Barraco <CarlB@barraco.net>  
**Sent:** Wednesday, October 21, 2020 3:46 PM  
**To:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>  
**Cc:** John Vericker <JVericker@srvlegal.com>; Dana C. Collier <DCollier@srvlegal.com>  
**Subject:** RE: Waterford Landing CDD

The City Drainage Engineer provided two options but I really think there are 3 options. The first is below. The second, after Richard looked at it in the field, is to slide the easement onto the adjacent lot (which is vacant) to maintain 20'. The third option is to vacate the easement and then put in the curb cut if it is needed for whatever reason, including satisfying City concerns. I called DR Horton and explained the CDD is trying to help and that the SFWMD has no objection and I also explained the City two options. DRH is looking at the adjacent lot now and if they can still use the adjacent lot after adding the easement then that is the route they will go. I will keep you informed.

Carl A. Barraco, P.E.

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**From:** Richard Thompson <rthompson@cityftmyers.com>  
**Sent:** Thursday, October 22, 2020 8:56 AM  
**To:** Carl A. Barraco <CarlB@barraco.net>  
**Cc:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>; Steven Belden <sbelden@cityftmyers.com>  
**Subject:** RE: Waterford Landing CDD

Carl,

To document the discussions we had yesterday.

The house to south of the home that has encroached has not yet started construction. Another option is the easement can be shifted south onto the other lot and maintain the required 20' dimension. All required

setbacks will still need to be maintained on the house to be constructed with this shift.

You will need to do whatever paperwork is required for the relocation of the easement. You will need to contact permitting to determine those requirements.

Thanks,

Richard H. Thompson, P.E.  
Stormwater Resource Manager

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**From:** Carl A. Barraco <CarlB@barraco.net>

**Sent:** Thursday, October 22, 2020 3:26 PM

**To:** Richard Thompson <rthompson@cityftmyers.com>

**Cc:** Daniel Rom <romd@whhassociates.com>; Cindy Cerbone <cerbonec@whhassociates.com>; Steven Belden <sbelden@cityftmyers.com>; Wayne Everett <JWEverett@drhorton.com>; John Vericker <JVericker@srvlegal.com>; Dana C. Collier <DCollier@srvlegal.com>; Roberts, Melissa (Melissa Roberts (mroberts@sfwmd.gov)) <mroberts@sfwmd.gov>

**Subject:** RE: Waterford Landing CDD

I checked on sliding the easement onto the adjacent lot and was informed that will not work as their standard home would no longer fit on the adjacent lot. I have copied in Wayne Everett, the home builder rep. so that we can all try to find another solution.

I don't think that anyone other than the CDD and the lot owner will be involved in the easement vacation documents but I have copied the CDD Attorney to confirm. I have also discussed this with the SFWMD and it is my understanding the SFWMD will not take exception with the vacation. I would like to go back to consider the 40' public ROW. The CDD can use the 16.8' easement for maintenance and if they ever have the need for the additional 3.2' of access width (the full 20' or more) they could then pursue City approval to use the public ROW. Of course whatever is finally proposed must be approved by the CDD Board of Supervisors. Please consider and reply.

Thanks

Carl A. Barraco, P.E.

Thanks,

**Daniel Rom**  
**District Manager**  
**E-Mail: [romd@whhassociates.com](mailto:romd@whhassociates.com)**  
**Wrathell, Hunt and Associates, LLC**  
**[2300 Glades Road, Suite 410W](https://www.wrhassociates.com)**  
**[Boca Raton, FL 33431](https://www.wrhassociates.com)**  
**Phone: 561.571.0010**  
**Toll Free: 877.276.0889**  
**Fax: 561.571.0013**  
**Cell: 561.909.7930**  
**[www.whhassociates.com](http://www.whhassociates.com)**

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this office. Instead, contact this office by phone or in writing.



*Wrathell, Hunt and Associates, LLC*

**FRAUD ALERT ---- DUE TO INCREASED INCIDENTS OF WIRE FRAUD, IF YOU RECEIVE WIRE INSTRUCTIONS FROM OUR OFFICE DO NOT SEND A WIRE.**

# **WATERFORD LANDING**

**COMMUNITY DEVELOPMENT DISTRICT**

**4**

**WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
SEPTEMBER 30, 2020**

**WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
SEPTEMBER 30, 2020**

	General Fund	Debt Service Fund	Total Governmental Funds
	<u>          </u>	<u>          </u>	<u>          </u>
<b>ASSETS</b>			
Cash	\$ 41,315	\$ -	\$ 41,315
Prepaid expenses	6,923	-	6,923
Assessments receivable	65	480	545
Investments			
Revenue 2014	-	303,616	303,616
Reserve 2014	-	362,700	362,700
Prepayment 2014	-	10	10
Total assets	<u>\$ 48,303</u>	<u>\$ 666,806</u>	<u>\$ 715,109</u>
<b>LIABILITIES AND FUND BALANCES</b>			
<b>Liabilities</b>			
Developer advance	\$ 2,500	\$ -	\$ 2,500
Due to Developer	7,597	-	7,597
Total liabilities	<u>10,097</u>	<u>-</u>	<u>10,097</u>
<b>Fund balances</b>			
Restricted for:			
Debt service	-	666,806	666,806
Assigned:			
Lake bank project	10,000	-	10,000
Public facilities report	3,000	-	3,000
3 Months working capital	30,521	-	30,521
Unassigned	<u>(5,315)</u>	<u>-</u>	<u>(5,315)</u>
Total fund balances	<u>38,206</u>	<u>666,806</u>	<u>705,012</u>
Total liabilities and fund balances	<u>\$ 48,303</u>	<u>\$ 666,806</u>	<u>\$ 715,109</u>

**WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
GENERAL FUND  
FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll	\$ 94	\$ 100,145	\$ 98,716	101%
Interest and miscellaneous	5	168	6	2800%
Total revenues	<u>99</u>	<u>100,313</u>	<u>98,722</u>	102%
<b>EXPENDITURES</b>				
<b>Professional</b>				
Supervisor's fees	-	3,229	4,308	75%
Management	4,080	48,960	48,960	100%
Audit fees	-	5,900	5,900	100%
Dissemination agent fees	83	1,000	1,000	100%
Trustee fees	-	4,760	4,327	110%
Arbitrage rebate calculation	-	-	750	0%
Legal	1,961	14,226	6,500	219%
Telephone	17	200	200	100%
Engineering	-	29,081	10,000	291%
Engineering public facilities report	-	-	2,000	0%
Postage	-	999	750	133%
Insurance	-	5,922	6,356	93%
Printing and reproduction	42	500	500	100%
Legal advertising	-	3,193	1,500	213%
Other current charges	-	-	500	0%
Annual district filing fee	-	175	175	100%
Website hosting	-	705	705	100%
ADA website compliance	-	199	200	100%
Total professional	<u>6,183</u>	<u>119,049</u>	<u>94,631</u>	126%
<b>Other fees &amp; charges</b>				
Property appraiser	-	953	1,430	67%
Tax collector	29	1,411	953	148%
Total other fees & charges	<u>29</u>	<u>2,364</u>	<u>2,383</u>	99%
Total expenditures	<u>6,212</u>	<u>121,413</u>	<u>97,014</u>	125%
Excess/(deficiency) of revenues over/(under) expenditures	(6,113)	(21,100)	1,708	
Fund balances - beginning	44,319	59,306	56,346	
Assigned:				
Lake bank project	10,000	10,000	10,000	
Public facilities report	3,000	3,000	3,000	
3 Months working capital	30,521	30,521	30,521	
Unassigned	(5,315)	(5,315)	14,533	
Fund balances - ending	<u>\$ 38,206</u>	<u>\$ 38,206</u>	<u>\$ 58,054</u>	



**WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2014  
FOR THE PERIOD ENDED SEPTEMBER 30, 2020**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Budget</u>	<u>% of Budget</u>
<b>REVENUES</b>				
Special assessment - on roll	\$ 480	\$ 725,428	\$ 725,399	100%
Interest	3	4,886	-	N/A
Total revenues	<u>483</u>	<u>730,314</u>	<u>725,399</u>	101%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	185,000	185,000	100%
Interest	-	545,063	545,063	100%
Total debt service	<u>-</u>	<u>730,063</u>	<u>730,063</u>	100%
Total expenditures	<u>-</u>	<u>730,063</u>	<u>730,063</u>	100%
Excess/(deficiency) of revenues over/(under) expenditures	483	251	(4,664)	
Fund balances - beginning	<u>666,323</u>	<u>666,555</u>	<u>658,559</u>	
Fund balances - ending	<u>\$ 666,806</u>	<u>\$ 666,806</u>	<u>\$ 653,895</u>	

# **WATERFORD LANDING**

**COMMUNITY DEVELOPMENT DISTRICT**

**5**

**RESOLUTION 2021-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE WATERFORD LANDING COMMUNITY DEVELOPMENT DISTRICT RELATING TO THE AMENDMENT OF THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on July 24, 2019, the Board of Supervisors (“Board”) of the Waterford Landing Community Development District (“District”), adopted a Budget for Fiscal Year 2019/2020; and

**WHEREAS**, the Board desires to amend the previously adopted budget for Fiscal Year 2019/2020.

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

Section 1. The Fiscal Year 2019/2020 Budget is hereby amended in accordance with Exhibit “A” attached hereto; and

Section 2. This resolution shall become effective immediately upon its adoption, and be reflected in the monthly and Fiscal Year End September 30, 2020 Financial Statements and Audit Report of the District.

**PASSED AND ADOPTED** this 30<sup>th</sup> day of October, 2020.

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

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

**EXHIBIT "A"**

**WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT  
AMENDED BUDGET  
FISCAL YEAR 2020**

**WATERFORD LANDING  
COMMUNITY DEVELOPMENT DISTRICT  
AMENDED BUDGET  
GENERAL FUND**

	FY '20 Actual	FY '20 Adopted Budget	Budget to Actual Variance	Proposed Amendment Increase/ (Decrease)	FY '20 Amended Budget
<b>REVENUES</b>					
Assessment levy: on-roll	\$ 100,145	\$ 98,716	\$ (1,429)	\$ 1,429	\$ 100,145
Interest and miscellaneous	168	6	(162)	162	168
Total revenues	<u>100,313</u>	<u>98,722</u>	<u>(1,591)</u>	<u>1,591</u>	<u>100,313</u>
<b>EXPENDITURES</b>					
<b>Professional</b>					
Supervisor's fees	3,229	4,308	1,079	(1,079)	3,229
Management	48,960	48,960	-	-	48,960
Audit fees	5,900	5,900	-	-	5,900
Dissemination agent fees	1,000	1,000	-	-	1,000
Trustee fees	4,760	4,327	(433)	433	4,760
Arbitrage rebate calculation	-	750	750	-	750
Legal	14,226	6,500	(7,726)	7,726	14,226
Telephone	200	200	-	-	200
Engineering	29,081	10,000	(19,081)	19,081	29,081
Engineering public facilities report	-	2,000	2,000	(2,000)	-
Postage	999	750	(249)	249	999
Insurance	5,922	6,356	434	(434)	5,922
Printing and reproduction	500	500	-	-	500
Legal advertising	3,193	1,500	(1,693)	1,693	3,193
Other current charges	-	500	500	14,500	15,000
Annual district filing fee	175	175	-	-	175
Website hosting	705	705	-	-	705
ADA website compliance	199	200	1	(1)	199
Total professional	<u>119,049</u>	<u>94,631</u>	<u>(24,418)</u>	<u>40,168</u>	<u>134,799</u>
<b>Other fees &amp; charges</b>					
Property appraiser	953	1,430	477	(477)	953
Tax collector	1,411	953	(458)	458	1,411
Total other fees & charges	<u>2,364</u>	<u>2,383</u>	<u>19</u>	<u>(19)</u>	<u>2,364</u>
Total expenditures	<u>121,413</u>	<u>97,014</u>	<u>(24,399)</u>	<u>40,149</u>	<u>137,163</u>
Excess/(deficiency) of revenues over/(under) expenditures	(21,100)	1,708	22,808	(38,558)	(36,850)
Fund balances - beginning	59,306	56,346	(2,960)	2,960	59,306
Assigned:					
Lake bank project	10,000	10,000	10,000	10,000	10,000
Public facilities report	3,000	3,000	3,000	3,000	3,000
3 Months working capital	30,521	30,521	30,521	30,521	8,956
Unassigned	(5,315)	14,533	(23,673)	(79,119)	500
Fund balances - ending	<u>\$ 38,206</u>	<u>\$ 58,054</u>	<u>\$ 19,848</u>	<u>\$ (35,598)</u>	<u>\$ 22,456</u>

# **WATERFORD LANDING**

**COMMUNITY DEVELOPMENT DISTRICT**

# **7C**

<b>WATERFORD LANDING COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>offices of Barraco and Associates, 2271 McGregor Boulevard, Suite 100, Fort Myers, Florida 33901</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 30, 2020</b>	<b>Telephonic Special Meeting</b>	<b>10:00 AM</b>
<b>CALL IN NUMBER: <a href="tel:1-888-354-0094">1-888-354-0094</a> CONFERENCE ID: <a href="#">8518503</a></b>		
<b>November 20, 2020</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>April 28, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>July 28, 2021</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>10:00 AM</b>

In the event that the COVID-19 public health emergency prevents the meetings from occurring in-person, the District may conduct the meetings by telephone or video conferencing communications media technology pursuant to governmental orders, including but not limited to Executive Orders 20-52, 20-69, 20-150, 20-179 and 20-193 issued by Governor, and any extensions or supplements thereof, and pursuant to Section 120.54(5)(b)2., Florida Statutes.