

STONEWATER

COMMUNITY DEVELOPMENT DISTRICT

January 19, 2021

BOARD OF SUPERVISORS

LANDOWNERS'

MEETING AGENDA

Stonewater Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 334313
Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013

December 28, 2020

Landowners
Stonewater Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Landowners:

A Landowners' Meeting of the Stonewater Community Development District will be held on January 19, 2021 at 1:00 p.m., at the offices of D R Horton, 10541 Ben C Pratt Six Mile Cypress Pkwy., Fort Myers, FL 33966. The agenda is as follows:

1. Call to Order/Roll Call
2. Affidavit/Proof of Publication
3. Election of Chair to Conduct Landowners' Meeting
4. Election of Supervisors **[All Seats]**
 - A. Nominations
 - B. Casting of Ballots
 - I. Determine Number of Voting Units Represented
 - II. Determine Number of Voting Units Assigned by Proxy
 - C. Ballot Tabulation and Results
5. Landowners' Questions/Comments
6. Adjournment

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

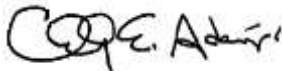
At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

The two (2) candidates receiving the highest number of votes shall be elected for a period of 4 years, and the three (3) candidates receiving the next largest number of votes shall be elected for a period of 2 years, with the term of office for each successful candidate commencing upon election. 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 for the District every two (2) years in November on a date established by the Board of Supervisors upon proper notice until the District qualifies to have its board members elected by the qualified electors of the District.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

If you should have any questions or concerns, please do not hesitate to contact me directly at (239) 464-7114.

Sincerely,



Chesley E. Adams, Jr
District Manager

FOR BOARD AND STAFF TO ATTEND BY TELEPHONE

CALL-IN NUMBER: 1-888-354-0094

CONFERENCE ID: 8593810



(/)

GO

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NOTICE OF LANDOWNERS' MEETING AND ELECTION AND ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS OF THE STONEWATER COMMUNITY DEVELOPMENT DISTRICT Notice is hereby given to the public and all landowners within Stonewater Community Development District ("District"), the location of which is generally described as comprising a parcel or parcels of land containing approximately 184.82 acres located within the municipal boundaries of the City of Cape Coral, Lee County, Florida, advising that a meeting of landowners will be held for the purpose of electing five (5) persons to the District Board of Supervisors. Immediately following the landowners' meeting there will be convened an organizational meeting of the Board of Supervisors for the purpose of considering certain matters of the Board to include election of certain District officers, the appointment of staff including, but not limited to, manager, attorney, and others as deemed appropriate by the Board, and to conduct any other business that may come before the Board. DATE: January 19, 2021 TIME: 1:00 P.M. PLACE: offices of D R Horton 10541 Ben C Pratt Six Mile Cypress Pkwy. Fort Myers, FL 33966 Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010. At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting. The landowners' meeting and the Board of Supervisors meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from District Manager, Wrathell, Hunt and Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010. There may be an occasion where one or more supervisors will participate by speaker telephone. Any person requiring special accommodations to participate in these meetings is asked to contact the District Office at (561)-571-0010 at least forty-eight (48) hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1 or (800) 955-8770 for aid in contacting the District Office. A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such

LANDOWNER PROXY

**STONEWATER COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
LANDOWNERS' MEETING JANUARY 19, 2021**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints **Wayne Everett ("Proxy Holder")** for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Stonewater Community Development District to be held at the offices of D.R. Horton, Inc., 10541 Ben C Pratt Six Mile Cypress Parkway, Fort Myers, Florida 33966 on January 19, 2021 at 1 p.m. and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the Proxy Holder's exercising the voting rights conferred herein.

D.R. HORTON, INC.

Signature of Legal Owner

Date

Printed Name

Parcel Description

Acreage

Authorized Votes

See attached

184.82 ACRES 185 VOTES

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes:

185 votes

NOTES: Pursuant to Section 190.006(2)(b), Florida Statutes, a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property. If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

DESCRIPTION

Parcel in
Section 10, Township 44 South, Range 23 East
City of Cape Coral, Lee County, Florida

A tract or parcel of land lying in Section 10, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Commencing at Northeast Corner of said Section 10 run $S00^{\circ}00'02''W$ along the East line of said Section 10 for 1,370.94 feet; thence run $N89^{\circ}59'58''W$ for 50.00 feet to an intersection with the West line of the East 50 feet of said Section 10, being the West right of way line of Nelson Road, as described in a deed recorded in Official Records Book 791, at Page 464, Lee County Records, also being the Southeast corner of lands described in deed recorded in Instrument Number 2017000038486, Lee County Records and the POINT OF BEGINNING.

From said Point of Beginning run $S00^{\circ}00'02''W$ along said West right of way line for 1,321.42 feet to an intersection with the South line of the North Half (N 1/2) of said Section 10; thence run $N89^{\circ}56'37''W$ along said South line for 3,308.75 feet to an intersection with the Easterly line of lands described in deed recorded in Official Records Book 1763, at Page 3347, Lee County Records; thence run $N00^{\circ}02'12''E$ along said Easterly line for 2,567.46 feet to an intersection with the Southerly line of lands described in deed recorded in Instrument Number 2017000038486, Lee County Records; thence run along the Southerly and Easterly line of said lands the following two (2) courses: $N89^{\circ}39'59''E$ for 80.00 feet and $N00^{\circ}02'12''E$ for 80.00 feet to an intersection with the South line of the North 50 feet of said Section 10, also being the South right of way line of Tropicana Parkway, as described in a deed recorded in Official Records Book 1817, at Page 1072, Lee County Records; thence run along said South line right of way line the following two (2) courses: $N89^{\circ}39'59''E$ for 586.94 feet and $S89^{\circ}44'21''E$ for 45.08 feet to a point of cusp; thence run Southwesterly along an arc of a curve to the left of radius 20.00 feet (delta $90^{\circ}16'37''$) (chord bearing $S45^{\circ}07'20''W$) (chord 28.35 feet) for 31.51 feet to a point of tangency; thence run $S00^{\circ}00'58''E$ for 15.55 feet to a point of curvature; thence run Southwesterly along an arc of a curve to the right of radius 95.00 feet (delta $90^{\circ}31'55''$) (chord bearing $S45^{\circ}14'59''W$) (chord 134.97 feet) for 150.11 feet; thence run $S00^{\circ}10'27''W$ along a non-tangent line for 4.88 feet; thence run $S89^{\circ}49'33''E$ for 1,072.58 feet to a point of curvature; thence run Southeasterly along an arc of a curve to the right of radius 90.00 feet (delta $131^{\circ}25'30''$) (chord bearing $S24^{\circ}06'48''E$) (chord 164.07 feet) for 206.44 feet to a point of tangency; thence run $S41^{\circ}35'57''W$ for 69.72 feet; thence run $S48^{\circ}37'12''E$ for 121.52 feet to a point on a non-tangent curve; thence run Northerly along an arc of a curve to the left of radius 80.00 feet (delta $52^{\circ}34'05''$) (chord bearing $N05^{\circ}38'01''E$) (chord 70.85 feet) for 73.40 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the right of radius 65.00 feet (delta $140^{\circ}54'02''$) (chord bearing $N49^{\circ}47'59''E$) (chord 122.51 feet) for 159.85 feet to a point of tangency; thence run

DESCRIPTION (CONTINUED)

S59°45'00"E for 183.91 feet to a point on a non-tangent curve; thence run Northerly along an arc of a curve to the left of radius 980.00 feet (delta 11°25'02") (chord bearing N19°41'03"E) (chord 194.96 feet) for 195.28 feet to a point of reverse curvature; thence run Northeasterly along an arc of a curve to the right of radius 60.00 feet (delta 76°22'58") (chord bearing N52°10'01"E) (chord 74.19 feet) for 79.99 feet to a point of tangency; thence run S89°38'30"E for 870.76 feet; thence run S54°06'35"E for 35.85 feet; thence run S00°19'29"E for 1,071.60 feet to an intersection with the Northerly line of said lands described in deed recorded in Instrument Number 2017000038486, Lee County Records; thence run along the Northerly, Westerly and Southerly line of said lands the following three (3) courses: N89°59'58"W for 19.88 feet; S00°00'02"W for 100.00 feet and S89°59'58"E for 256.86 feet to the POINT OF BEGINNING.

Containing 184.82 acres, more or less.

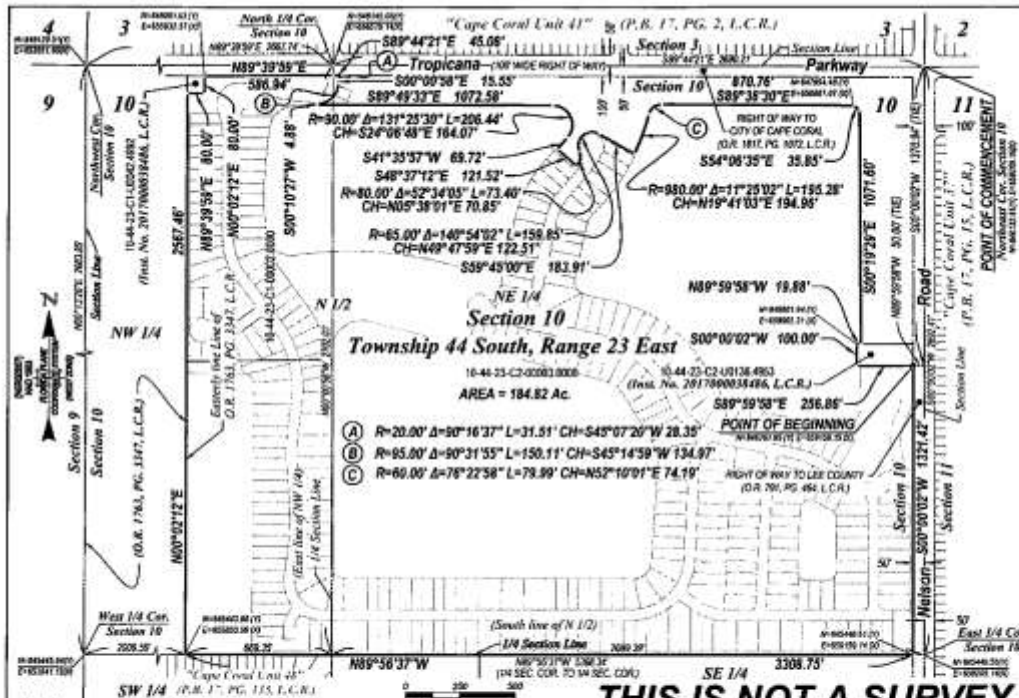
Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the East line of the Northeast Quarter (NE 1/4) of said Section 10 to bear S00°00'02"W.

Digitally signed
by Scott A.
Wheeler, PSM
Date: 2020.06.25
10:32:44 -04'00



Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

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NOTES

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED. DISTANCES ARE ALSO (U.S. SURVEY FEET) GROUND AND CAN BE MULTIPLIED BY 0.99994118 TO OBTAIN GRID DISTANCES.
2. D.B. - DENOTES DEED BOOK.
3. INST. NO. - DENOTES INSTRUMENT NUMBER. LEE COUNTY PUBLIC RECORDS.
4. O.R. - DENOTES OFFICIAL RECORD BOOK, (LEE COUNTY PUBLIC RECORDS).
5. (P) - DENOTES PLAT.
6. P.B. - DENOTES PLAT BOOK.
7. PG. - DENOTES PAGE.
8. BEARINGS AND COORDINATES ARE ON AN STATE PLANE FLORIDA WEST ZONE (NAD1983 (NAD83 2007)) AND ARE BASED THE EAST LINE OF THE NORTH-EAST QUARTER (NE 1/4) OF SECTION 10 TO BEAR 300°00'00\"/>

THIS IS NOT A SURVEY

Digitally signed
 by Scott A. Wheeler, PSM
 Date: 2020.06.25 10:33:04 -04:00

SCOTT A. WHEELER (FOR THE FIRM - LB-694)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5949

DATE SIGNED

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Barraco
 Real Associates, Inc.
 10000 W. US HWY 90, SUITE 200
 FORT WORTH, TEXAS 76133
 (817) 412-1100
 www.barraco.com

D.R. HORTON
 10000 W. US HWY 90, SUITE 200
 FORT WORTH, TEXAS 76133
 (817) 412-1100
 www.drhorton.com

A PARCEL OF LAND
 IN
 SECTION 10
 TOWNSHIP 44 SOUTH
 RANGE 23 EAST
 CITY OF CAPE CORAL,
 LEE COUNTY,
 FLORIDA

POINT OF COMMENCEMENT
 Northwest Cor., Section 10
 (P.B. 17, PG. 15, L.C.R.)
 (See Exhibit 1)

Sketch to accompany description

Scale: 1" = 100'

3 OF 3

OFFICIAL BALLOT
STONEWATER COMMUNITY DEVELOPMENT DISTRICT
CITY OF CAPE CORAL, FLORIDA
LANDOWNERS' MEETING – JANUARY 19, 2021

For Election (5 Supervisors): The two (2) candidates receiving the highest number of votes will each receive a four (4) year term, and the three (3) candidates receiving the next highest number of votes will each receive a two (2) year term, with the term of office for each successful candidate commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Stonewater Community Development District and described as follows:

<u>Description</u>	<u>Acreage</u>
SEE ATTACHED	184.82 acres

or

Attach Proxy.

I, **Wayne Everett**, as Landowner, or as the proxy holder of D.R. Horton, Inc. (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

NAME OF CANDIDATE	NUMBER OF VOTES
1. _____	185
2. _____	185
3. _____	184
4. _____	184
5. _____	184

Date: _____

Signed: _____
Printed Name: Wayne Everett

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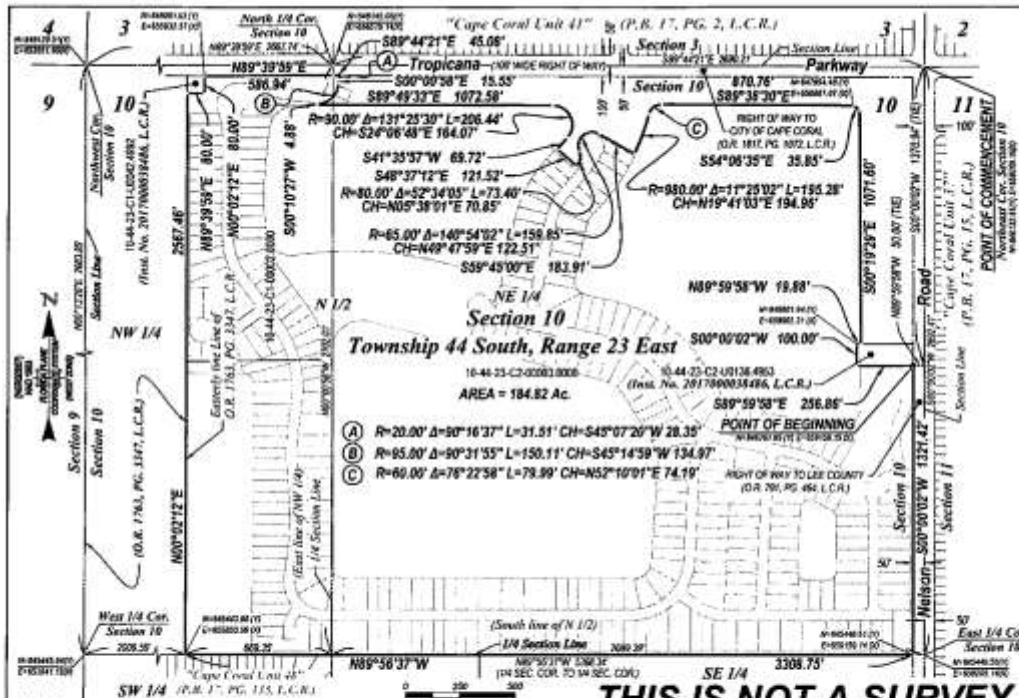
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by Scott A.
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Date: 2020.06.25
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Scott A. Wheeler (For The Firm)
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THIS IS NOT A SURVEY

Digitally signed
 by Scott A. Wheeler, PSM
 Date: 2020.06.25 10:33:04 -04'00'

SCOTT A. WHEELER (FOR THE FIRM - LB-0940)
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 5849

DATE SIGNED

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Barraco
 Real Associates, Inc.
 10000 W. US HWY 1, SUITE 200
 TAMPA, FL 33613
 www.barraco.com

D.R. HORTON

A PARCEL OF LAND
 IN
 SECTION 10
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 RANGE 23 EAST
 CITY OF CAPE CORAL,
 LEE COUNTY,
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POINT OF COMMENCEMENT
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Sketch To Accompany Description
 3 OF 3