

BEFORE THE TOWN COMMISSION OF THE
TOWN OF DUNDEE, FLORIDA

IN RE: PETITION TO AMEND THE BOUNDARY)
 OF THE WEIBERG ROAD)
 COMMUNITY DEVELOPMENT DISTRICT)

AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY

STATE OF FLORIDA
COUNTY OF Polk


I, Warren K. (Rennie) Heath II, of the Weiberg Road Community Development District being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.
2. My name is Warren K. (Rennie) Heath, II, and I am the Chairman of the Board of Supervisors of the Weiberg Road Community Development District (“District” or “Petitioner”).
3. The prepared written, pre-filed testimony consisting of five (5) pages, submitted under my name to the Town Commission of the Town of Dundee, Florida relating to the Petition to Amend the Boundaries of the Weiberg Road Community Development District, as supplemented (“Petition”), and attached hereto, is true and correct.
4. If I were asked the questions contained in the pre-filed testimony orally at the Weiberg Road Community Development District boundary amendment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.
5. My credentials, experience and qualifications concerning the Petition, its exhibits and the reasons for amending the District are accurately set forth in my pre-filed testimony.
6. My pre-filed testimony addresses the various statutory requirements and an overview of the proposed development within the amended boundaries of the District.

7. No corrections or amendments to my pre-filed testimony are required.

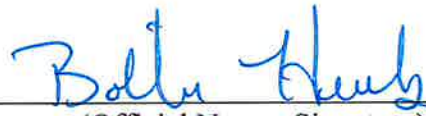
Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 27th day of December 2023.


Warren K. (Rennie) Heath II

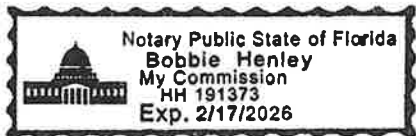
STATE OF FLORIDA
COUNTY OF Polk

SWORN TO and SUBSCRIBED before me by the Affiant, by means of physical presence or online notarization, on this 27th day of December 2023, by Warren K. (Rennie) Heath II.



(Official Notary Signature)
Name: Bobbie Henley
Personally Known
OR Produced Identification
Type of Identification _____

[notary seal]



1 **TESTIMONY OF WARREN K. (RENNIE) HEATH, II FOR THE**
2 **WEIBERG ROAD COMMUNITY DEVELOPMENT DISTRICT**
3 **BOUNDARY AMENDMENT**
4

5 **1. Please state your name and business address.**

6
7 My name is Warren K. “Rennie” Heath. My business address is 346 E. Central Ave.,
8 Winter Haven, Florida 33884.
9

10 **2. By whom are you employed and in what capacity?**

11
12 I am Director of Development for Heath Construction and Management, LLC. I have been
13 employed in my current position for over 30 years.
14

15 **3. Are you a member of the Board of Supervisors (“Board”) of the Weiberg Road**
16 **Community Development District (“District”)?**

17
18 Yes, I am the current Chairman.
19

20 **4. How long have you been serving on the District’s Board of Supervisors?**

21
22 A little over one (1) year, ever since its establishment.
23

24 **5. Briefly summarize your duties and responsibilities as a member of the District’s**
25 **Board of Supervisors.**

26
27 I am a voting member of the Board of Supervisors, and I am granted various authorities at
28 times to take actions on behalf of the District.
29

30 **6. Have you been authorized by the District to present testimony at this hearing?**

31
32 District Resolution No. 2022-34, attached to the Petition, as Exhibit 7, specifically
33 authorizes me and other District staff to act on behalf of the District in the boundary
34 amendment process.
35

36 **7. Are you familiar with the *Petition to Amend the Boundaries of Weiberg Road***
37 ***Community Development District*, filed by the District with the Town of Dundee**
38 **(“Town”), on or about November 11, 2022, as supplemented October 6, 2023**
39 **(together, the “Petition”), seeking to amend its boundary?**

40
41 Yes.
42

43 **8. Have you reviewed the contents of the Petition and approved its findings?**

44
45 Yes, I have.
46

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9. Are there any changes or corrections to the Petition at this time?

No.

10. Are there any changes or corrections to any of the exhibits submitted to the Town at this time?

No.

11. Please generally describe each of the exhibits attached to the Petition.

Exhibit 1 is the map showing the general location of the existing District.

Comp. Exhibit 2 are the metes and bounds legal descriptions and sketches of the external boundaries of the existing District.

Comp. Exhibit 3 are the metes and bounds legal descriptions and sketches of the lands proposed to be contracted from the District (the “Contraction Parcels”).

Comp. Exhibit 4 are the metes and bounds legal descriptions and sketches of the land proposed to be added to the District. (the “Expansion Parcels”)

Comp. Exhibit 5 are the metes and bounds legal descriptions and sketches of the District’s boundaries after amendment.

Comp. Exhibit 6 contains the *Consent and Joinder of Landowner to Contraction in the Weiberg Road Community Development District*, and the *Consent and Joinder of Landowner to Inclusion in the Weiberg Road Community Development District*, executed by the landowners of the Contraction Parcels and the Expansion Parcels, respectively, which represents the consent of one hundred percent (100%) of the owners of the lands to be included within and contracted from the District.

Exhibit 7 is a copy of the District’s Board of Supervisors’ Resolution No. 2022-34, adopted on September 21, 2022, authorizing the filing of a petition to amend the District’s boundaries.

Composite Exhibit 8 depicts the designation of future general distribution, location and extent of the public and private land uses and zoning designation for the Expansion Parcels and the Contraction Parcels (together, the “Boundary Amendment Parcels”), by the existing and future land use plan elements of the Town’s Comprehensive Plan.

Composite Exhibit 9 depicts the major trunk water mains, sewer interceptors and outfalls adjacent to the District, as well as the proposed drainage patterns within the Expansion Parcels.

1 Composite Exhibit 10 describes the types of facilities the District presently expects to
2 finance, construct, and install, as well as the entities anticipated for future ownership,
3 operation, and maintenance. The estimated costs of construction are also identified in
4 Composite Exhibit 10.

5
6 Exhibit 11 is the Statement of Estimated Regulatory Costs prepared by the District
7 Manager, Governmental Management Services-Central Florida, LLC.

8
9 Exhibit 12 is the authorization of agent form, which authorizes Roy Van Wyk, Esq. of
10 Kilinski Van Wyk, PLLC, to act as agent for the District.

11
12 **12. To the best of your knowledge, are the contents of the Petition and exhibits attached**
13 **to it true and correct?**

14
15 Yes.

16
17 **13. Are you familiar with the boundary amendment parcels?**

18
19 Yes.

20
21 **14. In acres, approximately how large is the existing District?**

22
23 The existing District consists of 303¹ acres of land.

24
25 **15. How many acres are being added and contracted by the proposed boundary**
26 **amendment?**

27
28 A total of 26.9 acres will be contracted and a total of 70 acres will be added resulting in a
29 total of approximately 346 acres in the amended District.

30
31 **16. Where are the Boundary Amendment Parcels located?**

32
33 The Boundary Amendment Parcels are located within the Town of Dundee, Florida.

34
35 **17. What steps were taken with respect to filing the Petition?**

36
37 On or about November 11, 2022, the District formally filed the Petition to Amend the
38 Boundary of the Weiberg Road Community Development District with the Town. The
39 District paid a statutory filing fee of \$1,500.00 to the Town, in accordance with Section
40 190.046(1)(d)2, *Florida Statutes*.

41

¹ The total acreage of the District was previously estimated to be 298.28 acres, more or less, per Polk County Property Appraiser. As a result of a survey and preparation of the metes and bounds legal description of the surveyed lands, the total acreage of the District before amendment is 303 acres, more or less.

1 On October 6, 2023, following staff review and comments to the Petition, the District filed
2 the Supplemental Petition to Amend the Boundaries of the District.
3

4 **18. Has notice of the Public Hearing been provided in accordance with Section 190.005,**
5 **Florida Statutes?**
6

7 The Notice of Public Hearing will be published in the Ledger on the following dates:
8 December 12th, December 19th, December 26th of 2023 and January 2nd of 2024.
9

10 **19. Is the Ledger a newspaper of general circulation in the Town of Dundee, Florida?**
11

12 Yes, it is.
13

14 **20. And do you have proof of publication of those notices?**
15

16 Not at this time, but as soon as we receive the proof of publication at the conclusion of the
17 notice run, we will provide this documentation to the Town staff and submit an original
18 proof of publication at the public hearing.
19

20 **21. Are there residential units planned for development within the expanded District?**
21

22 Yes.
23

24 **22. Are there residents currently living within the areas of the Boundary Amendment**
25 **Parcels, and, if so, have they been notified about the boundary amendment of the**
26 **District?**
27

28 No, there are no residents currently living within the areas being removed from or added
29 to the District.
30

31 **23. Would you please describe the proposed timetable for development of land within the**
32 **District?**
33

34 The proposed timetable for the construction of infrastructure to develop the land began in
35 2022 and is expected to continue through 2026.
36

37 **24. Would you generally describe the services and facilities you currently expect the**
38 **District to provide?**
39

40 The District expects to participate in the acquisition and/or construction of road
41 improvements, entry features and signage, water and sewer facilities, stormwater facilities,
42 and recreation amenities. Capital costs of these improvements, including associated
43 contingencies and professional fees, will be borne by the District.
44

45 **25. Are these costs expected to include the cost of acquiring land from the developer?**
46

1 No.

2
3 **26. In general, what financing methods does the District propose that the District use to**
4 **pay for the anticipated facilities and services?**

5
6 The District will finance certain services and improvements through the issuance of tax-
7 exempt bonds. The debt issued by the District will be retired by funds from landowners in
8 the form of “non-ad valorem” or “special” assessments on benefitted property within the
9 District. Ongoing maintenance and operational activities will be funded by maintenance
10 special assessments. Any facilities not financed with a bond issue, will be funded by the
11 developer through conventional methods.

12
13 **27. Who will be responsible for paying the District’s assessments?**

14
15 Only those property owners, including the developer, within the District will be responsible
16 for paying District assessments.

17
18 **28. Will these debts of the District be an obligation of the Town or the State of Florida?**

19
20 No. Florida law provides that community development district debt cannot become the
21 obligation of a city, a town, a county, or the state without the consent of that government.

22
23 **29. Will this boundary amendment impair the District’s ability to provide infrastructure**
24 **to its existing lands or impair its ability to meet its maintenance and debt service**
25 **obligations?**

26
27 No. This boundary amendment will have no impact on the District’s abilities to fulfill its
28 obligations to its existing landowners.

29
30 **30. Does this conclude your testimony?**

31 Yes.
32