

Space for Recording

RESOLUTION NO. 24-01

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THAT CERTAIN PLAT ENTITLED "CRYSTAL LAKE PRESERVE SUBDIVISION" FOR FILING IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES AND APPLICABLE PROVISIONS OF THE TOWN OF DUNDEE CODE OF ORDINANCES AND TOWN OF DUNDEE LAND DEVELOPMENT CODE; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR CONDITIONS; PROVIDING FOR AUTHORIZATION; PROVIDING FOR THE REPEAL OF ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVERNER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. (GENERAL LOCATION: NORTH SIDE OF FREDERICK AVE, APPROXIMATELY ¼ MILES EAST OF THE INTERSECTION OF US HIGHWAY 27 AND FREDERICK AVE IN DUNDEE FLORIDA, FURTHER IDENTIFIED AS POLK COUNTY PROPERTY APPRAISER'S PARCEL IDENTIFICATION NUMBERS: 272820-000000-021010, and 272820-000000-023010).

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, the Town is vested with governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, on November 8, 2022, at a duly noticed public meeting, the Town Commission of the Town of Dundee (the "Town Commission") approved and passed Resolution No. 22-50 (the "Resolution") conditionally approving the Certified Subdivision Plan ("CSP") for the proposed Crystal Lake Preserve Subdivision (the "Subdivision"); and

WHEREAS, a copy of the Resolution is attached hereto as **Exhibit "A"** and made a part hereof by reference; and

WHEREAS, Dundee Frederick, LLC (the "Owner" and/or "Applicant"), an active Florida limited liability company, is the owner of the of the below-described lands and has submitted that certain plat entitled "Crystal Lake Preserve" (the "Plat") for approval for filing by the Town Commission of the Town of Dundee in accordance with Chapter 177 of the Florida Statutes,

Section 7.01.00 of the Town of Dundee Land Development Code (the "LDC"), and the Resolution (see **Exhibit "A"**); and

WHEREAS, the Subdivision is to occur on approximately 58.60 +/- acres which are located on the north side of Frederick Ave, approximately ¼ miles east of the intersection of US Highway 27 and Frederick Ave in Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Numbers 272820-000000-021010, and 272820-000000-023010, (collectively referred to as the "Property"); and

WHEREAS, copies of the Plat, location map, and boundary survey for the Subdivision are attached hereto as **Composite Exhibit "B"** and made a part hereof by reference; and

WHEREAS, pursuant to applicable law and the Resolution (see **Exhibit "A"**), upon acceptance by the Town Engineer of all subdivision improvements, or the Town's acceptance of a performance surety, the Applicant may present a final plat to the Town Commission for approval; and

WHEREAS, the Owner requests that the Plat for the Subdivision be approved by the Town Commission prior to all the dedicated and required infrastructure and/or improvements being satisfactorily installed and/or constructed; and

WHEREAS, the Owner has provided an acceptable performance bond (the "Bond") in the amount of 125% of the estimated cost of all required and/or publicly dedicated and required infrastructure and improvements onsite and offsite in favor of the Town of Dundee; and

WHEREAS, copies of the Bond and Engineer's Cost Estimate are attached hereto as **Composite Exhibit "C"** and made a part hereof by reference; and

WHEREAS, the Bond (see **Exhibit "C"**) ensures the completion of the dedicated and required infrastructure and improvements for the Subdivision as shown on the Plat (see **Composite Exhibit "B"**) in accordance with applicable Florida law, the requirements and standards set forth by the LDC and Town of Dundee Code of Ordinances, and the Resolution (see **Exhibit "A"**); and

WHEREAS, the Plat was reviewed by Town staff and Town consultants and, pursuant to said review, determined to meet the requirements of Chapter 177 of the Florida Statutes and applicable provisions of the LDC and Town of Dundee Code of Ordinances; and

WHEREAS, on January 9, 2024, pursuant to Florida law, applicable provisions of the Town of Dundee Code of Ordinances and Land Development Code, and the Resolution (see **Exhibit "A"**), the Owner requested and that the Town Commission review and conditionally approve the Plat (see **Composite Exhibit "B"**) for filing; and

WHEREAS, on January 9, 2024, the Town Commission, at a duly noticed public meeting, held a public hearing to consider the Plat for acceptance and recording; and

WHEREAS, pursuant to the LDC and Florida law, the Town Commission may by resolution, approve the Plat and dedication(s), and/or conditionally approve the Plat and dedications; and

WHEREAS, on January 9, 2024, the Town Commission found that the conditional approval of the Plat (see **Composite Exhibit “B”**) preserves, enhances and encourages the most appropriate use of land consistent with the public interest, the Town of Dundee 2030 Comprehensive Plan policies and objectives, the Resolution (see **Exhibit “A”**), and the Town of Dundee Land Development Code; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval and adoption of this Resolution No. 24-01 is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; is consistent with the public interest and preserves, enhances, and encourages the most appropriate use of land; and this Resolution No. 24-01 is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

Section 1. Incorporation of Recitals. The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the adoption of this Resolution, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the adoption of this Resolution.

Section 2. Plat Acceptance. The applicant, Dundee Frederick, LLC, an active Florida limited liability company, is the owner of the real property and/or lands more specifically described in **Composite Exhibit “B”** which is attached hereto and incorporated herein by reference. The Ohio Casualty Insurance Company, LLC, has provided a performance bond, which is attached hereto as **Composite Exhibit “C”** and incorporated herein, issued by the Harco National Insurance Company in the amount of **\$2,620,281.00**, or 125% of the cost of all outstanding dedicated and required infrastructure, improvements, and offsite infrastructure in favor of the Town of Dundee, Florida, in order to ensure completion of all dedicated and/or required infrastructure and improvements within the proposed Crystal Lake Preserve Subdivision (the “Subdivision”) and shown on the Plat (see **Composite Exhibit “B”**) being approved for filing herein. Further, the estimate of the costs of completing said dedicated and required infrastructure and improvements is in the amounts as presented by an authorized representative of the Owner and approved by the Town’s Engineer, as more specifically identified on **Composite Exhibit “C”** attached hereto and incorporated by reference.

That certain plat entitled “Crystal Lake Preserve,” as described in **Composite Exhibit “B”** and attached hereto and incorporated by reference, was presented to the Town Commission on January 9, 2024. The Town Commission, having reviewed the Plat for filing, conditionally approves the plat and authorizes the Mayor and Town Clerk to sign the copy of the plat to be recorded.

Section 3. Conditions. Approval of the Plat (see **Composite Exhibit “B”**) is conditioned, as follows:

- (a) The Town of Dundee does not accept the utility systems for the subject lands

which includes, but shall not be limited to, water and wastewater systems until all such systems as may be constructed and/or noted by the Resolution (see **Exhibit "A"**) and on the Plat (see **Composite Exhibit "B"**) have passed all required tests, all required certifications have been obtained, and the systems are fully operational pursuant to Town standards.

(b) No Certificates of Occupancy ("CO") for any structures constructed thereon and/or within the Subdivision will be issued until all such street and utility systems, and other required infrastructure and improvements as required by the Resolution (see **Exhibit "A"**), the LDC, Town of Dundee Code of Ordinances, and applicable Florida law are fully operational and have been approved and accepted by the Town of Dundee, Florida.

(c) All surface and/or storm water systems for the Subdivision, as shown on the Plat (see **Composite Exhibit "B"**), being approved for filing herein shall be dedicated to the Homeowners Association established by or on behalf of the Subdivision which, along with the developer, shall have the sole responsibility for the maintenance, repair, and liability for the entire surface and/or storm water systems, including all collection, transmission, and piping components. It is the express intention of the Town of Dundee that it will not accept said surface and/or storm water systems.

Section 4. Authorization. The Town Manager, or her designee, is hereby authorized to take any and all necessary further action(s) to effectuate the acceptance of the infrastructure and required infrastructure and improvements for the Subdivision which includes, but shall not be limited to, negotiating and executing any documentation necessary and incidental to the acceptance and approval of the infrastructure and/or required improvements more specifically identified by the Plat (see **Composite Exhibit "B"**).

Section 5. Conflicts. All Resolutions in conflict herewith are repealed in order to give this Resolution full force and effect.

Section 6. Severability. The provisions of this Resolution are severable. If any section, subsection, sentence, clause, phrase of this Resolution, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee hereby declares that it would have passed this Resolution, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional, or unenforceable. If any word, sentence, clause, phrase, or provision of this Resolution for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

Section 7. Administrative Correction of Scrivener's Errors. The correction of typographical and/or scrivener's errors in this Resolution which do not affect the intent may be authorized by the Town Manager or her designee, without need of consideration by the Town Commission, by filing a corrected or recodified copy of same with the Town Clerk.

Section 8. Effective Date. This Resolution shall take effect upon passage and shall remain valid for one (1) year from the date of passage by the Town Commission of the Town

INTRODUCED AND PASSED by the Town Commission of the Town of Dundee, Florida, in regular session this 9th day of January 2024.

TOWN OF DUNDEE

Sam Pennant, Mayor

ATTEST WITH SEAL:

Trevor Douthat, Town Clerk

Approved as to form:

Frederick J. Murphy, Jr., Town Attorney

RESOLUTION NO. 22-50

EXHIBIT "A"

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Crystal Lake Preserve Certified Subdivision Plan (CSP)
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RESOLUTION NO. 22-50

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE CERTIFIED SUBDIVISION PLAN (CSP) WITH CERTAIN CONDITIONS FOR THE CRYSTAL LAKE PRESERVE SUBDIVISION; MAKING FINDINGS; AND AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY FURTHER ACTION(S) RELATED TO ENTERING INTO A DEVELOPER'S AGREEMENT ON BEHALF OF THE TOWN OF DUNDEE WITH REGARD TO THE CONDITIONAL APPROVAL OF THE CSP FOR THE CRYSTAL LAKE PRESERVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed Crystal Lake Preserve Subdivision (the "Subdivision") is to occur on approximately 58.60 +/- acres which are located on the north side of Frederick Ave, approximately ¼ miles east of the intersection of US Highway 27 and Frederick Ave in Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Numbers 272820-000000-021010, and 272820-000000-023010, (collectively referred to as the "Property"); and

WHEREAS, the location map for the Property is attached hereto as **Exhibit "A"** and incorporated herein by reference; and

WHEREAS, on November 08, 2022, pursuant to Section 7.01.07 of the Town of Dundee Land Development Code ("LDC"), JSK Consulting, INC (the "Applicant") submitted a Certified Subdivision Plan (the "CSP") for the Subdivision; and

WHEREAS, the CSP is attached hereto as **Exhibit "B"** and incorporated herein by reference; and

WHEREAS, on April 13, 2021, at a duly notice public meeting of the Town Commission of the Town of Dundee, the Town Commission approved a credit for 2.75 +/- acres of privately owned recreation space for the Subdivision; and

WHEREAS, the CSP includes 237 single-family lots and 2.75 +/- acres of recreational land to be owned and maintained by a Home Owner's Association; and

WHEREAS, pursuant to Section 7.01.07 of the LDC, the purpose of the certified subdivision plan is to allow Town staff to perform a technical review of all proposed site improvements; and

WHEREAS, pursuant to the technical review performed by the Town and/or Town's consultants, the CSP has not satisfied the general requirements set forth by Section 7.01.07 of the LDC; and

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Crystal Lake Preserve Certified Subdivision Plan (CSP)
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WHEREAS, pursuant to Section 7.01.07 of the LDC, the certified subdivision plan forms the basis upon which a final plat will be prepared and consists complete working drawings and design specifications; and

WHEREAS, the Applicant has substantially complied with all the requirements set forth in Section 7.01.07 of the LDC regarding the preparation the CSP for the Subdivision; and

WHEREAS, pursuant to Section 7.02.03 of the LDC and applicable provision of the Code of Ordinances of the Town of Dundee, a development order and/or development permit will not be approved by the Town for a development unless a satisfactory concurrency evaluation is performed in accordance with Section 6.01.00 of the LDC; and

WHEREAS, on the effective date of this Resolution, the Town of Dundee is not able to provide allocable water capacity for the Subdivision; and

WHEREAS, pursuant to Section 54-9 of the Code and Section 6.01.07.03 of the LDC, a developer's agreement is required as a condition of approval for the CSP; and

WHEREAS, pursuant to Section 6.01.07.03 of the LDC and applicable Florida law, this Resolution does not create a reservation of capacity in the Town water plant or network capacity, or a commitment to provide such service to the Subdivision; and

WHEREAS, the Applicant requests that the Town Commission of the Town of Dundee conditionally approve the CSP for the Subdivision subject to the terms and conditions set forth by this Resolution; and Town Commission's approval for construction of streets, drainage facilities, and/or other subdivision improvements prior to final platting in accordance with applicable Town of Dundee Land Development Code and the conditions set forth by this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

1. The above factual recitals (WHEREAS clauses) are hereby adopted by the Town Commission of the Town of Dundee as the legislative findings and form a factual and material basis for this Resolution.
2. The Crystal Lake Preserve Certified Subdivision Plan (the "CSP") is attached hereto as **Exhibit "B"** and incorporated herein by reference. The Crystal Lake Preserve Subdivision (the "Subdivision") is located on the north side of Frederick Ave, approximately ¼ miles east of the intersection of US Highway 27 and Frederick Ave in Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Numbers 272820-000000-021010, and 272820-000000-023010, (collectively referred to as the "Property").

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Crystal Lake Preserve Certified Subdivision Plan (CSP)
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3. The Property is depicted by the location map which is attached hereto as **Exhibit "A"** and incorporated herein by reference.
4. The Town Commission of the Town of Dundee having reviewed the CSP and having been otherwise fully advised in the premises hereby conditionally approves the CSP for construction of utility systems and other required infrastructure in accordance with Section 7.01.07 of the Town of Dundee Land Development Code and the conditions set forth in this Resolution, as follows:
 - a. No building permits for any structures will be issued until all required infrastructure systems and improvements required by the Town of Dundee Land Development Code, Code of Ordinances, this Resolution, and applicable Florida law are fully operational and have been accepted by the Town and/or appropriate entity with jurisdiction.
 - b. Pursuant to Section 54-9 of the Code of Ordinances of the Town of Dundee (the "Code") and Section 6.01.07.03 of the LDC, a developer's agreement is required as a condition of approval for the CSP in order to provide, at a minimum, as follows: (1) detail the Town's inability to currently provide allocable water capacity for the Subdivision; (2) detail the necessary expansion of the Town's water treatment facilities to serve the Subdivision; and (3) detail the terms and conditions under which the Town will provide potable water utility service for the Subdivision.
 - c. Pursuant to Section 7.01.07 of the LDC and applicable provisions of the Code and LDC, the technical review comments which include but are not limited to, the comments included where as composite Exhibit C (the "Comments") provided by the Town's consultants related to the CSP and Subdivision shall be satisfied and accepted by the Town and/or Town's consultants.
 - d. Copies of the Comments are attached hereto as **Composite Exhibit "C"** and incorporated herein by reference.
 - e. Unless the Town has performed a satisfactory concurrency evaluation related to the Town's ability to provide allocable potable water capacity for the Subdivision, the CSP shall not be considered complete for the purpose of providing a basis upon which a final plat may be considered for approval by the Town Commission of the Town of Dundee.
5. In the event the Town has performed a satisfactory concurrency evaluation related to the Town's ability to provide allocable potable water capacity for the Subdivision, the construction of the required infrastructure systems and/or

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Crystal Lake Preserve Certified Subdivision Plan (CSP)
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improvements for the Subdivision shall also be complete and accepted by the Town prior to Final Subdivision Plat approval.

6. In the event the construction of the required infrastructure systems and/or improvements for the Subdivision are not complete and accepted by the Town, Final Subdivision Plat approval for the Subdivision shall be conditioned upon the following: (a) a developer's agreement or development agreement shall be approved by the Town Commission, executed by the parties, and recorded in the public records in and for Polk County, Florida; and (b) when approved by the Town, the applicant shall provide the Town with *adequate performance security* and *adequate defect security* pursuant to the terms and provisions of a developer's agreement or development agreement.

For purposes of this Resolution, "*adequate performance security*" and "*adequate defect security*" shall mean, at a minimum, as follows:

- (a) *Adequate performance security* shall be satisfactory in form to the Town Attorney and the Town Engineer and the Town's planning staff and be in an amount equal to one hundred and twenty-five (125%) percent of the developer's contract for the work that remains uncompleted and not accepted at the time of final plat or final site development plan approval, as certified in writing by the engineer of record, subject to the approval by the Town's planning staff and the Town Engineer. No more than fifty percent (50%) of the value of the total required improvements for each phase of the Development shall be considered for bonding and/or letter of credit given hereunder. Subject to the terms of the applicable agreement, the performance security shall be released by the Town when all private improvements are installed, inspected and approved and when all public improvements are installed, inspected and accepted. When providing a bond for performance security, the bonding company shall have a B+ or better rating in accordance with "Best Bond Book." In the case of a letter of credit, provisions for drawdowns from the letter of credit as improvements are completed and accepted shall accompany the surety. The letter of credit shall have a duration of twenty-four (24) months; and
- (b) *Adequate defect security* shall warrant and guarantee the materials and workmanship of all infrastructure and infrastructure improvements within the Subdivision that are dedicated to the public, including streets, curb and gutter, sidewalks, potable water distribution system, sanitary sewer collection and transmission system, reclaimed water system and stormwater management system. This guarantee shall be for an amount equal to ten (10) percent (%) of the actual construction costs of improvements and/or other adequate written assurances which are set forth in an applicable developer's agreement or development agreement for the purpose of correcting any construction, design or material defects or failures within public rights-of-way or easements in the development or required off-site improvements. The

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form and manner of execution of such securities shall be subject to the approval of the Town Attorney. The effective period for such security shall be one (1) year and thirty (30) days following the Town's acceptance of the installed improvements. Upon default, the Town may exercise its rights under the security instrument, upon ten (10) days' written notice by certified mail to the parties to the instrument or as otherwise set forth in an applicable agreement.

7. The Town Commission of the Town of Dundee authorizes the Town Manager to take all necessary further actions related to entering into a Developer's Agreement with the Applicant and/or Applicant's authorized designee with regard to the terms and conditions set forth by this Resolution and the Town's conditional approval of the Landings at Lake Mabel Loop Certified Subdivision Plan.
8. The provisions of this Resolution are severable. If any word, sentence, clause, phrase or provision of this Resolution for any reason is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions or portions of this Resolution shall remain in full force and effect.
9. The correction of typographical and/or scrivener's errors in this Resolution which do not affect the intent of this Resolution may be authorized by the Town Manager or her/his designee, without need of consideration by the Town Commission, by filing a corrected or recodified copy of same with the Town Clerk.
10. This Resolution shall take effect immediately upon passage.

INTRODUCED AND PASSED by the Town Commission of the Town of Dundee, Florida, this 8th day of November, 2022.

TOWN OF DUNDEE



Mayor – Sam Pennant

ATTEST:


Town Clerk – Jenn Garcia

Approved as to form:

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Crystal Lake Preserve Certified Subdivision Plan (CSP)
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A handwritten signature in blue ink, appearing to read 'FJM', is written over a horizontal line.

Town Attorney—Frederick J. Murphy, Jr.




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**RESOLUTION 22-50 EXHIBIT A
LOCATION MAP**



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RESOLUTION 22-50 EXHIBIT C
COMMENT LETTERS

 <p>Boydell Boulevard Suite 200 Tampa, FL 33629 408.813.4379-2011</p> <p>October 25, 2022</p> <p>Matthew K. Johnson, PE (via email: matthew@pk consulting.com) President PK Consulting 5904 Hibiscus Heights Drive Lakeland, FL 33812</p> <p>RE: Crystal Lake/Dundee Ridge PUD Review Traffic Impact Study, Review Comments</p> <p>Attached is a copy of the October 21, 2022, traffic review comments letter on the Crystal Lakes project traffic methodology. This is the letter to Brenda Carter that had mentioned to you previously regarding what needs to be included in an approved traffic methodology.</p> <p>While you understand the methodology and what needs to be done, as noted in the last item in the attached October 21, 2022, comments letter, please send me a written <u>Traffic Methodology Statement</u> so that I can review and approve your methodology. Please provide detail on the software, documentation, and procedures that you plan to use. This will save time by ensuring that we are in agreement on the parameters, procedures and needed results.</p> <p>Additionally, when you send traffic related information, letters, reports etc., to Brenda Carter, Town of Dundee, you can also cc me so that Brenda has a copy for her files, plus, I have a copy that I can review quickly.</p> <p>Deakin Property Services, Inc.  George Deakin, P.E. Vice President OFS - 813-438-2011 Mobile - 813-765-0796 E-Mail: George@DeakinServices.com</p> <p>Attachment: October 21, 2022, letter to Brenda Carter matthew@pkconsulting.com or matthew@pk consulting.com www.pkconsulting.com or www.pk consulting.com www.deakin.com www.deakin.com</p> <p><small>Notes: Letter No. 2022102501 (PK) (CSP) (Resolution 22-50) (M) (L) (R) (D) (Deakin) (1) (Town of Dundee) (Traffic) (Consultant Report) (Letter) (Deakin) (Crystal Lake) (1) (10/25/22) (Impervious Surface Report) (Comments) (Item)</small></p>	 <p>Boydell Boulevard Suite 200 Tampa, FL 33629 408.813.4379-2011</p>
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Crystal Lake Preserve Certified Subdivision Plan (CSP)
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RESOLUTION 22-50 EXHIBIT D
COMMENT LETTERS



October 5, 2022
Ms. Tereza Davis
Town Manager
Town of Dundee
222 East Main Street
Dundee, FL 33818
888-438-8338
tmdavis@townofdundee.com

RE: Engineering Staff Comments on Re-submittal of Crystal Lake Subdivision Construction Plans (22-182-143)

Ms. Davis,

We have reviewed the above referenced submittal (the development plans and site development plans) in accordance with Town Code 7.01.07 (CSP requirements) and 3.04.03 (permit requirements), as well as a general review of the plans and design, and have the following comments:

Note that the design and the plan set are still undergoing significant re-evaluation and significant revision by the consultant, and need more such attention to fully respond to prior review comments and to resolve internal inconsistencies before review comments had not been responded to at all, and some still have not been responded to completely - see below. As a result, approval by the Town cannot be contemplated at this time without further review and review. Comments derived from specific code requirements have been provided as noted above.

Examples are provided for the comments provided below, but the examples given are not all inclusive of items that need attention and/or revision. The message to the consultant is to carefully review the design and plans and correct all inconsistencies and other issues that are affected by the noted comments before the next re-submittal.

Code comments:

- Comments per Town Code 7.01.07 are indicated on the attached checklist of required items.
- Comments per Town Code 3.04.03 are indicated on the attached checklist of required items.

Comments from our previous letter:

We have reviewed the plans in light of our previous letter of July 18, 2022 and find the following comments to be outstanding or requiring additional response from the applicant. Only comments requiring further attention are shown here. If a prior comment is not listed here, the response received was satisfactory.

- It appears that the comments provided in the Town Code checklist attached to our July 18 letter have not been addressed, except for a few items that were identified and discussed in greater detail in the letter. The checklist items are Town Code requirements and must be addressed and the comments attached in the same manner as individually drafted comments are addressed. A copy of the checklist originally attached as part of the July 18 letter is attached to this letter for your attention and response.

- Note that on the checklist, the item on page 3 that starts with the words "Storm drainage into natural water" at 810 East Main Street + Barkus, FL 33818 + 888-537-7901 + stan@rayleng.com + www.rayleng.com



below" is deemed to have been satisfied by your use of the Alternate C notch-type discharge structure and pressure pipe. This determination was made based upon review of SWP 6160 Technical Procedure Number 10000422 "Notch Discharge Design that Requirements and Parameters," dated August 21, 1990.

- The item discussed above in (D) above has been marked as satisfactory on the attached checklist, as have the other items mentioned in (D) above. All other items remain open/unresponded and need your attention and response.

Other comments:

- A backup generator for the lift station is required. Please provide a note on the lift station sheet stating that a generator is required and that the lift station control panel must accommodate the generator. In addition, please add the requirement that the shop drawing submitted for the generator shall include calculations signed and stamped by a registered electrical engineer demonstrating that the generator is suitable for the size and operation of the lift station pumps, and that the generator and lift station processes will operate together as a cohesive unit.
- The Hydrovac SW pump specified does not meet requirements for uplift handling. The requirement per Manual City 7.01.1 is that the pump must be able to handle a 7" uplift system. The specified pump states it is suitable for handling 7" uplift. Please review and specify a pump that meets the requirements, then change the calculations document and plan accordingly.
- The 30" head tank of the lift station we will must be securely attached to the wet well walls so that in an uplift event the weight of the (discarded) tank slab will act as a single unit with the rest of the lift station structure to resist uplift forces. The details are shown for the connection between the slab and the walls - please provide details that show how the slab and the walls are attached and that the specified attachment method will sustain the uplift forces and prevent.
- On the lift station sheet, elevation "Bem 1" is labeled "Top of pump bed." The elevation given, however, is only 1.5' above the lift station wet well floor. The slab is under than 1.5' - please review this detail and revise as needed.
- On Sheet C002 and elsewhere in the plan set there is a note requiring signs printed that the HSA maintain the right. The note of the note, however, appears to indicate the sign should also apply to storm water management ("SWM"). Please review and revise as needed.
- On Sheet C725A, the last run of pipe - between ST 195 and 10-166 - is shown as ADS-PF rather than RCP, which is correctly shown on Sheet C619. Please correct Sheet C725A to show the correct RCP pipe material.
- On Sheet C725A, please add the following note for Town Code 5.04.05.6 adjacent to the outlet pipe where it enters the Primary Shockline Protection Zone: "Compliance requires any portion of the primary stormline protection zone damaged during construction."
- On Sheet C619, section C through M refer to "let lines" - it is unclear just what this denotes, as there are not actual let lines in the area depicted. Perhaps this is a reference to the grade break line in the plan, or? Please clarify and amend.

810 East Main Street + Barkus, FL 33818 + 888-537-7901 + stan@rayleng.com + www.rayleng.com

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**RESOLUTION 22-50 EXHIBIT D
 COMMENT LETTERS**



9. Show disposition, e.g., cut or property line, on the 12" plot that shows the existing utility deck along the north property line approximately 500' from the NE property corner.
10. In the Water Flow Analysis report, it states "The available water supply has been set at a minimum pressure of 40 psi. Please state the source of this figure. An assumed value is not acceptable here. Contact the Town of Orange Utilities Department to obtain actual pressure and flow availability for use in the calculations, or have an independent test flow provide the figure based on site data. Review and revise the calculations to reflect the actual figure."
11. Also in the water report, as noted on the attached requirements checklist, the required minimum fire flow is 1000 gpm for 30 minutes, taken from a single hydrant, with minimum residual pressure of 20 psi. Please review and revise the calculations accordingly.
12. Please provide a comprehensive legend of symbols used on the plans. Many symbols and line types used on the plans are unexplained and do not appear on the legend that is provided. For example, there is an unexplained figure dashed line shown throughout the plan set (e.g., blue lines, blue circles, etc.) that appears to be approximately 10 feet outside what appears to be the actual project boundaries, and is labeled as "Project Area (1) - 10 feet" as if it is the actual project boundary, which it is not. Without a legend it is impossible to tell what the elements used on the plan are.
13. In the report of Item 1-13 is a 21" pipe labeled "Proposed 21" landscape and drainage easement." On Sheet C000 Landscape Plan, this easement is shown as a 12" Type II Landscape Buffer. But the buffer stops in the middle of lot 11. Why does the buffer stop? And why is the easement 21" wide instead of 12" only? The drainage facilities appear to be shown within the 21" strip on the C000 grading and drainage sheets.
14. On Sheet C000 typical lot plans, the sub-area lots that are considered RSP-3. The lot numbers given do not correspond with the plan set, as lot 11 is also RSP-3. Also, according to the fact that the RSP-3 lots are located on the typical lot plans at RSP-3, but are shown on plan Sheets C000 and C010 with RSP-1 setbacks. Please review this detail and the easement lines on the plan sheets and make sure the two groupings of information match each other.

Please review the comments above, revise the plans accordingly, and provide a detailed response letter outlining all responses to comments. After the residential is reached addressing the above comments, additional review will occur, and there will likely be additional comments provided.

Sincerely,

 Alan Owen
 Senior Project Manager
 Rayl Engineering and Surveying, LLC

Address: Town Code Council requirements checklist, attached
 600 East Main Street • Suite 101 • Bartlett, IL 60010 • 630-557-7900 • alan@rayleng.com
 www.rayleng.com

Crystal Lake Preserve, IL-104
 1/26/21
 JMS/SL

- TOWN OF ORANGE CERTIFIED SUBDIVISION PLAN (CSP) CONTENT REQUIREMENTS CHECKLIST**
- Per Town Code 12-01, the following items of content must be included in the Certified Subdivision Plan.
- The CSP shall be substantially similar to the PEP and shall be drawn to a scale of not more than one inch = 50 feet.
 - The size of sheets shall be 34 inches by 58 inches.
 - CSP shall contain, in addition to the data presented on the PEP, the following:
 - Name, address, and date of registered engineer and surveyor responsible for the plan and associated data.
 - All existing lot systems, underground and aboveground utilities on or adjacent to the proposed subdivision.
 - All existing streets or adjacent to the site, including name, functional classification, right-of-way width, and pavement width. Existing streets shall be shown to the NE corner. All subdivisions shall show streets and all subdivisions shall show streets to a minimum extent of 100 feet from the subdivision line. Plans shall be prepared in accordance with the standards of the American Society of Civil Engineers (ASCE) and shall be prepared in accordance with the standards of the American Society of Civil Engineers (ASCE) and shall be prepared in accordance with the standards of the American Society of Civil Engineers (ASCE).
 - Site design including details with proposed street names and functional classification, lot area, utility lines and service connections, including fire hydrant locations, and all other features.
 - Typical roadway cross-section and profiles shall be provided for all streets and all other features.
 - Roadway profiles and cross-sections shall be provided for all streets and all other features.
 - A permit or permit from the jurisdictional permitting agency or agencies approving any access to water, during, or prior to construction.
 - Section features when and adjacent to the proposed site, including average streambank, banks of water, sections, water rights, and other significant features.
 - All easement setbacks shall be clearly delineated and surveyed, signed and sealed by a registered land surveyor.
 - On all subdivisions showing the true direction of flow shall be indicated, and for all subdivisions showing the true direction of flow shall be indicated, and for all subdivisions showing the true direction of flow shall be indicated.
 - Identification and designation of any portion of the site within the 100-year floodplain, based on information received by FEMA, to the right to be shown and advance location. Where a portion of the site is shown or indicated to be within the 100-year flood zone, and a FEMA report or other floodplain zoning is not sufficiently precise, an engineering analysis shall be required. Such analysis shall be performed by a registered engineer.
 - All information needed to establish drainage and stormwater management facilities, including complete cross sections and complete calculations based on design criteria established in recent editions of the Code, including the design of the facilities. This information shall be signed and sealed by a registered engineer. Accompanying these data shall be a permit or permit from the jurisdictional permitting agency or agencies approving the proposed drainage management system. Plans shall be prepared in accordance with the standards of the American Society of Civil Engineers (ASCE) and shall be prepared in accordance with the standards of the American Society of Civil Engineers (ASCE).
 - Utilities shall include the utility and service lines and wastewater treatment facilities, including sewer lines, water lines, electric lines, water, gas, telephone, fire hydrant, storm drains and other data as set forth in the Code.

Resolution 22-50
 Crystal Lake Preserve Certified Subdivision Plan (CSP)
 Page 12

RESOLUTION 22-50 EXHIBIT D
 COMMENT LETTERS

*Crystal Lake Preserve 22-115
 10/13/22*

TOWN OF DUNDY CERTIFIED SUBDIVISION PLAN (CSP) CONTENT REQUIREMENTS CHECKLIST
 Per Town Code 701.07, the following items of content must be included in the Certified Subdivision Plan.

The CSP shall be substantially similar to the PSP and shall be drawn to a scale of not more than one inch = 50 feet.

The size of sheets shall be 24 inches by 36 inches.

CSP shall contain, in addition to the data provided on the PSP, the following:
 Name, address, and seal of registered engineer and surveyor responsible for the plan and accepted data.

All existing fire hydrants, underground and aboveground utilities on or adjacent to the proposed subdivision.

All existing streets on or adjacent to the tract, including name, functional classification, right-of-way width and pavement width. Existing streets shall be shown to the lot boundaries. All subdivisions shall have 10-foot minimum access and no subdivision shall have access to drainage on a subdivided street.

Existing and proposed structures shown at not more than one-foot intervals and shall be extended a maximum of 100 feet beyond the boundaries of the proposed site. Utility datum shall be used with benchmarks shown on the plan.

Site design, including names and functional classification, lot lines, utility access and service easements.

Typical machine cross-section and profiles shall be provided, showing a minimum for street and sidewalk construction.

Roadway profiles shall include existing and proposed underground construction along the street centerline. Slopping size shall be in increments of no less than 50 feet.

A permit or permits from the jurisdictional permitting agency or agencies approving any access to state, county, or local roadways.

Natural features within and adjacent to the proposed plan, including drainage channels, bodies of water, wetlands, wildlife habitat, and other significant features.

Jurisdictional wetlands shall be clearly delineated and surveyed, signed and sealed by a registered land surveyor.

On all watercourses leaving the tract the direction of flow shall be indicated, and for all watercourses entering the tract the approximate drainage area and watershed name above the point of entry shall be noted.

Identification and designation of any portion of the site within the 100-year floodplain, based on calculations prepared by FEMA as the most recent and accurate available. Where a portion of the site is known or suspected to be within the 100-year flood area, and a FEMA report or letter floodplain inventory is not sufficiently precise, an engineering analysis shall be required. Such analysis shall be performed by a registered engineer.

An alternative needed to construct drainage and stormwater management facilities, including complete cross sections and complete calculations based on design criteria established in relevant sections of the Code, including off-site, on-site and final outlet. This information shall be signed and sealed by a registered engineer. Accompanying these data shall be a permit or permits from the required permitting agency or agencies approving the proposed stormwater management system. All projects are required to have a stormwater management plan that includes the following:
 - Utilizes both existing public and private water and wastewater treatment facilities, wastewater effluent treatment lines, location of lines, valves, pumps, fire hydrants, manholes, pump stations and other data as set

All streets, driveways, or access shall have sufficient right-of-way provided to allow for the installation of the curb, plus a minimum of a 30-foot easement from on each side and a 10-foot property setback adjacent to the installation. Areas adjacent to the ditches and canals shall be graded in such a manner as to produce the entrance of excessive runoff except as follows provided.

The maximum side slope provided shall be 3 to 1, with the top-ditch bank rounded off. The minimum bottom width of ditches and canals shall be four feet.

All runoff from each individual unit must be handled to a point of positive outlet. No design of an individual unit shall be dependent upon the ultimate installation of a future unit.

Where an existing outlet is being utilized and the capacity to handle any additional runoff is in question, data to support the design shall be included in the analysis. All ditches shall be sized using accepted engineering practices. In all cases, sufficient engineering data giving drainage area, velocity, and depth of flow is to be included in the drainage analysis.

Unless unusual or highly variable soil conditions indicate that a lower design velocity is desirable, or unless erosion protection is provided, the maximum allowable velocity shall be five feet per second. The maximum grade of the outlet ditch, however, shall be that grade which will produce a velocity of five feet per second. The maximum grade shall be that grade required to provide for design flow.

All retention/detention basins shall be readily accessible from streets or public ways, and shall be designed so that emergency can be easily performed. All drainage facilities and for a stormwater system shall be designed to handle the 100-year flood peak flow rate. All retention/detention basins shall be designed to handle the 100-year flood peak flow rate. All retention/detention basins shall be designed to handle the 100-year flood peak flow rate. All retention/detention basins shall be designed to handle the 100-year flood peak flow rate.

The side slopes of all detention basins shall be kept as flat as possible (maximum of four feet horizontal to one foot vertical), providing soil conditions are suitable to sustain plant growth and control erosion. If one side or more of water remains in the retention basin for more than 72 consecutive hours, detention basins shall be enclosed with a gate, six-foot high chain-link fence, except when the detention facility is a man-made lake or a part of a landscaped park or conservation scheme.

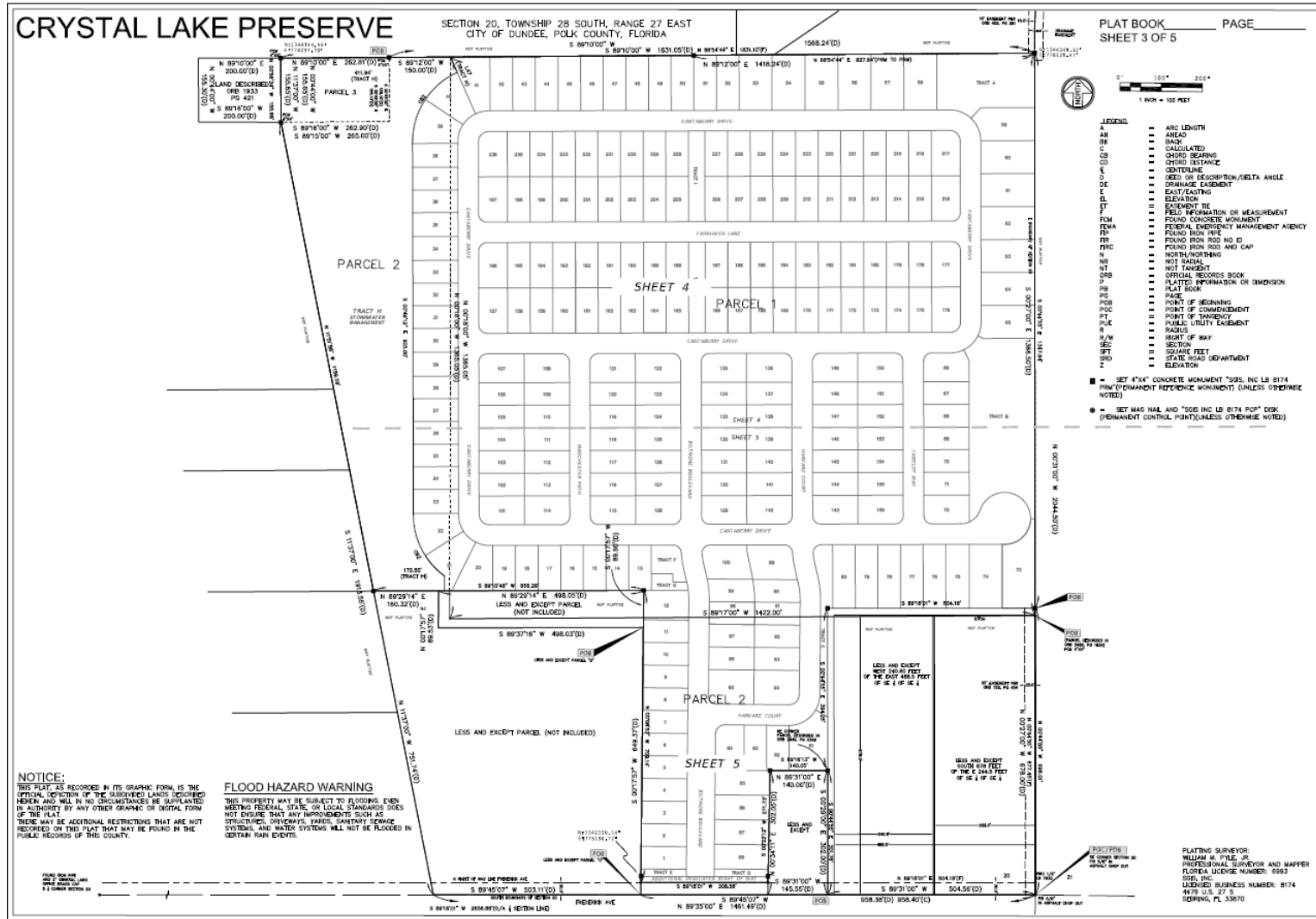
Underground drainage systems are not allowed.

All submitted stormwater design plans shall include the following calculations:
 - Location and type of structure
 - Type and length of pipe
 - Drainage area
 - Runoff factor
 - Time of concentration to structure
 - Rainfall intensity
 - Total runoff
 - Hydraulic gradient control elevation
 - Hydraulic grade line, crown elevation, and flow line of each pipe
 - Physical pipe in pipe
 - Hydraulic gradient loss
 - Diameter of pipe
 - Hydraulic gradient slope
 - Velocity

RESOLUTION NO. 24-01

EXHIBIT "B"

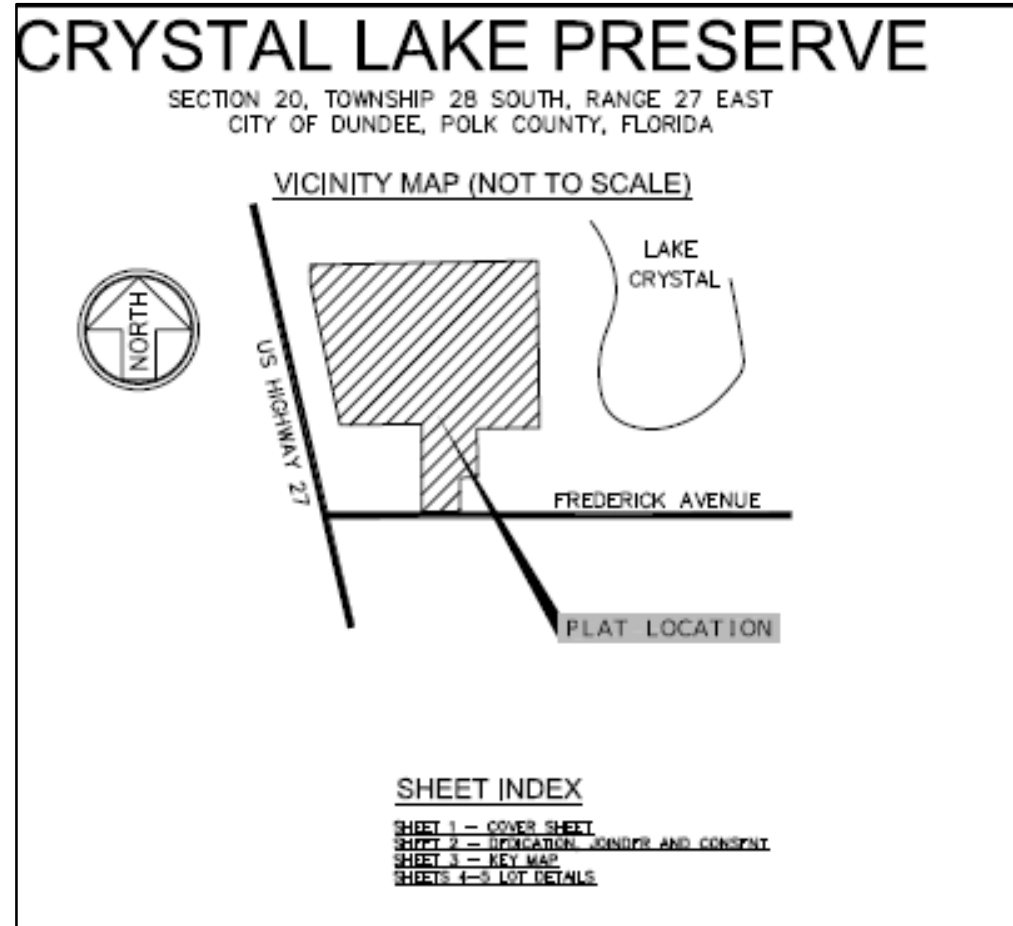
Plat



RESOLUTION NO. 24-01

EXHIBIT "B"

LOCATION MAP



RESOLUTION NO. 24-01
EXHIBIT "C"

PERFORMANCE BOND

Bond No. 41K236924

KNOWN ALL MEN BY THESE PRESENTS, That we, Dundee Frederick, LLC, as Principal, and The Ohio Casualty Insurance Company, a corporation organized and doing business under and by virtue of the laws of the State of NH and duly licensed to conduct surety business in the State of Florida, as Surety, are held and firmly bound unto Town of Dundee, a political subdivision of the State of Florida, as Obligee, in the sum of Two Million Four Hundred Ten Thousand Six Hundred Fifty-Nine & 00/100 (\$ 2,410,659.00 ---) Dollars, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and successors, jointly and severally firmly by these presents.

WHEREAS, Town of Dundee Land Development Code (hereinafter "LDC") is by reference incorporated into and made part of this Performance Bond (hereinafter "Bond"); and

WHEREAS, the Principal has agreed to construct the improvements described in the Engineer's Cost Estimate, attached hereto as Exhibit "A" and incorporated into and made part of this Bond (hereinafter "Improvements"), in the Crystal Lake Preserve platted subdivision, in accordance with the drawings, plans, specifications, and other data and information (hereinafter "Plans") filed with Town of Dundee Land Development Division, which Plans are by reference incorporated into and made part of this Bond; and

WHEREAS, the LDC requires the Principal to submit an instrument ensuring completion of construction of the Improvements.

NOW, THEREFORE, the conditions of this Bond are such that:

1. If the Principal shall well and truly perform the construction of the Improvements in the platted area known as Crystal Lake Preserve subdivision in accordance with the Plans and LDC by November 7, **20 24** (the "Guaranty Period") and as verified by Town of Dundee Land Development Division, then upon approval by the Obligee this Bond shall be null and void. If the Improvements are not constructed within the Guaranty Period or such later date the Obligee may approve, then this Bond shall be payable to the Obligee.
2. The Surety unconditionally covenants and agrees that if the Principal fails to complete construction of all or any part of the requirement Improvements within the Guaranty Period, the Surety, upon thirty (30) days written notice from the Obligee, or its authorized agent or officer, of the default, will forthwith perform and complete the Improvements and pay the cost thereof, including without limitation, engineering, legal, and contingent costs. Should the Surety fail or refuse to perform and complete the said Improvements, the Obligee, in view of the public interest, health, safety and welfare factors involved and the inducement in approving and filing the plat for the above-referenced subdivision, shall have the right to resort to any and all legal remedies against the Principal and Surety, or

Initials 

either, both at law and in equity including specific performance, to which the Principal and Surety unconditionally agree.

3. The Principal and Surety further jointly and severally agree that the Oblige, at its option, shall have the right to construct, or caused to be constructed the Improvements in case the Principal should fail or refuse to do so. In the event the Oblige should exercise such right, the Principal and Surety shall be jointly and severally liable hereunder to reimburse the Oblige the total cost of, including without limitation, engineering, legal, and contingent costs, together with any damages, either direct or consequential, which may be sustained on account of the failure of the Principal to complete all of the obligations for construction of the Improvements.
4. The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, addition or deletion to the Improvements shall in any way affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration, addition or deletion to the Improvements.
5. All notices, demands, and correspondence with respect to this Bond shall be in writing and addressed to:

The Surety at:

The Ohio Casualty Insurance Company
9721 Executive Center Drive, Suite 105
St. Petersburg, FL 33702

The Principal at:

Dundee Frederick, LLC
9270 West Lake Ruby Drive,
Winter Haven, FL 33884

The Oblige at:

Town of Dundee
202 East Main Street
Dundee, FL 33838

[Signatures appear on the next page]

Initials



IN WITNESS WHEREOF, the Principal and Surety have caused this Bond to be executed by their duly authorized officers this 7th day of November, 2023.

PRINCIPAL:

Dundee Frederick, LLC
Name of Corporation

By: [Signature]

Leahon Duroso, Esq.
Printed Name
Title: Manager
(SEAL)

EMT
Witness

Eric Mazza
Printed Name

Keri Martin
Witness

Keri Martin
Printed Name

SURETY:

The Ohio Casualty Insurance Company
Name of Corporation

By: [Signature]

David B. Shick, Attorney-In-Fact &
Licensed FL Resident Agent #A241176
Printed Name & Title
(SEAL)

(attach power of attorney)



Seal No. 7503

[Signature]
Witness

Steven Schumacher
Printed Name

Melanni Braccia
Witness

Melanie Braccia
Printed Name

Initials [Signature]



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No. 8205203-969456

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Braudy Bauch, David B. Sluck

all of the city of Tampa state of FL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding on the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 5th day of April, 2021.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: [Signature]
David M. Carey, Assistant Secretary



Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 5th day of April, 2021, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pistella, Notary Public
Montgomery County
My Commission Expires March 28, 2025
Commission Number 1126644
Member, Pennsylvania Association of Notaries

By: [Signature]
Teresa Pistella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney
Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, whenever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 7 day of November, 2023.



By: [Signature]
Renee C. Llewellyn, Assistant Secretary



For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



Exhibit A to Bond

Engineers, Land Planners and Construction Managers
 5904 Hillside Heights Drive • Lakeland, FL 33812
 Phone: (863) 619-6131 • Facsimile: (863) 619-6103
 www.jsk-consulting.com

ENGINEER'S COST ESTIMATE

October 26, 2023

Mr. Wes Donley
 Dundee Frederick, LLC
 2235 Crump Road
 Winter Haven, Florida 33881

RE: Crystal Lake Preserve
 Opinion of Probable Construction Cost for Remaining Unfinished Project Items

The purpose of this letter is to document remaining items to complete the captioned project. A representative from our office inspected the site on September 11th, 2023, and the following work remains to be completed.

No.	Description	Quantity	Unit	Unit Cost	Total Cost
1	Mobilization/General Conditions	1	EACH	\$90,000	\$90,000
2	Earthwork and Grading	1	EACH	\$250,000	\$250,000
3	Paving and Striping	1	EACH	\$440,000	\$440,000
4	Concrete (Curbs and Sidewalk)	1	EACH	\$135,000	\$135,000
5	Underground Utilities	1	EACH	\$960,000	\$960,000
6	Landscape and Irrigation	1	EACH	\$60,000	\$60,000
7	Fencing and Wall	1	EACH	\$100,000	\$100,000
8	On-Site Wastewater Lift Station		EACH	\$11,225	\$11,225
9	Construction Layout, Testing and Sod	1	EACH	\$50,000	\$50,000
				Sub Total	<u>\$2,096,225</u>
				Contingency @ 15%	\$314,434
				TOTAL	<u>\$2,410,659</u>

The balance to complete the aforementioned work is estimated at **Two Million Four Hundred Ten Thousand Six Hundred Fifty-Nine Dollars (\$2,410,659)**. This opinion of probable construction cost shall serve as the basis for obtaining a bond for these unfinished items. If you have any questions or need any information, please let our office know.

Sincerely,

JSK CONSULTING
 Matthew K. Johnson, PE
 President

SURETY RIDER

Surety: The Ohio Casualty Insurance Company
Address: 9721 Executive Center Drive, Suite 105
St. Petersburg, FL33702
Phone: (727) 568-8733

Agent: ProSure Group, LLC
7217 Benjamin Road
Tampa, FL 33634
Phone: (813) 243-1110

To be attached to and form a part of:
Crystal Lake Preserve Bond No.: 41K236924
(Bond Name)

In favor of: Town of Dundee
(Obligee)

On behalf of: Dundee Frederick, LLC
(Principal)

Effective: November 7, 2023
(Original Effective Date)

It is agreed that, in consideration of the original premium charged for this bond, and any additional premium that may be properly chargeable as a result of this rider.

1. The Surety hereby gives its consent to and the intent of this rider is to:

- Increase Change the name of the principal
- Decrease Change the address of the principal
- Change the effective date Change the expiration date
- Other: _____

(of) the attached bond From: \$2,410,659.00
To: \$2,620,281.00
Effective: December 12, 2023

2. PROVIDED, however, that this attached bond shall be subject to all its agreements, limitations, and considerations except as herein expressly modified, and that the liability of the Surety under the attached bond and under the attached bond as changed by this rider shall not be cumulative.

3. Signed and sealed this December 13, 2023

The Ohio Casualty Insurance Company
Surety

By: 

David B. Shick, Attorney-in-Fact and
Licensed FL Resident Agent #A241176



SURETY BONDS

Performance Bonds | Contract Bonds | License Bonds | Court Bonds





Engineers, Land Planners and Construction Managers

5904 Hillside Heights Drive • Lakeland, FL 33812
 Phone: (863) 619 -6131 • Facsimile: (863) 619 -6103
 www. jsk-consulting.com

ENGINEER'S COST ESTIMATE

December 12, 2023

Mr. Wes Donley
 Dundee Frederick, LLC
 2235 Crump Road
 Winter Haven, Florida 33881

RE: Crystal Lake Preserve
 Opinion of Probable Construction Cost for Remaining Unfinished Project Items

The purpose of this letter is to document remaining items to complete the captioned project. A representative from our office inspected the site on September 11th, 2023, and the following work remains to be completed.

No.	Description	Quantity	Unit	Unit Cost	Total Cost
1	Mobilization/General Conditions	1	EACH	\$90,000	\$90,000
2	Earthwork and Grading	1	EACH	\$250,000	\$250,000
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5	Underground Utilities	1	EACH	\$960,000	\$960,000
6	Landscape and Irrigation	1	EACH	\$60,000	\$60,000
7	Fencing and Wall	1	EACH	\$100,000	\$100,000
8	Construction Layout, Testing and Sod	1	EACH	\$50,000	\$50,000
9	Lift Station	1	EACH	\$11, 225	\$11,225
				Sub Total	<u>\$2,096,225</u>
				Contingency @ 25%	\$524,056
				TOTAL	<u>\$2,620,281</u>

The balance to complete the aforementioned work is estimated at **Two Million Six Hundred Twenty Thousand Two Hundred Eight-One Dollars (\$2,620,281.)** This opinion of probable construction cost shall serve as the basis for obtaining a bond for these unfinished items. If you have any questions or need any information, please let our office know.

Sincerely,

Matthew K. Johnson, PE
 President



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8205203-969456

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brady Baich, David B. Stack

all of the city of Tampa state of FL, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 5th day of April, 2021.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

State of PENNSYLVANIA
County of MONTGOMERY

On this 5th day of April, 2021 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Ronae C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 13 day of December, 2023.



By: Ronae C. Llewellyn
Ronae C. Llewellyn, Assistant Secretary



For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

