

RESOLUTION NO. 26-15

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, MAKING FINDINGS; ACCEPTING A PERFORMANCE BOND POSTED BY KB HOME ORLANDO, LLC FOR CERTAIN REQUIRED INFRASTRUCTURE AND IMPROVEMENTS ASSOCIATED WITH LANDINGS AT LAKE MABEL LOOP PHASE 2; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

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 (Chapter 166, Florida Statutes) and Article VIII, Section 2 of the Florida Constitution; and

WHEREAS, pursuant to Chapter 166, Florida Statutes, the Town possesses governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, KB Home Orlando, LLC (the "Developer"), is the developer and/or owner of certain real property and improvements associated with the development known as "Landings at Lake Mabel Loop Phase 2" (the "Development"); and

WHEREAS, pursuant to the Town of Dundee Land Development Code, the Developer is required to provide financial security to guarantee the installation, construction, and completion of certain public infrastructure and required improvements associated with the Development; and

WHEREAS, the Developer has submitted a Performance Bond (the "Performance Bond") in favor of the Town of Dundee to secure the completion of required infrastructure and improvements associated with Landings at Lake Mabel Loop Phase 2, with a copy of the Performance Bond attached hereto as **Exhibit "A"** and made a part hereof by reference; and

WHEREAS, Town staff and/or the Town's consultants have reviewed the submitted Performance Bond and determined that the bond form and amount satisfy the applicable requirements of the Town of Dundee Land Development Code and applicable development approvals; and

WHEREAS, the Town Commission finds that acceptance of the Performance Bond is necessary and appropriate to ensure completion of the required public improvements and to protect the public health, safety, and welfare.

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 exhibit(s) are incorporated herein as true and correct statements which form a factual and material basis for the passage 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 passage of this Resolution.

Section 2. Acceptance. The Town Commission of the Town of Dundee hereby accepts the Performance Bond submitted by KB Home Orlando, LLC, for the construction and completion of required infrastructure and improvements associated with Landings at Lake Mabel Loop Phase 2, subject to all applicable Town approvals, standards, development orders, engineering requirements, and conditions of approval. Acceptance of the Performance Bond shall not constitute acceptance of any public improvements by the Town

Section 3. Authorization. The Town Manager, or designee, is hereby authorized to execute any administrative documents and take any actions necessary to implement the purposes of this Resolution and to administer the Performance Bond in accordance with applicable law, Town Code, and approved development documents.

Section 4. Conflicts. All resolutions in conflict with this Resolution are repealed to the extent necessary to give this Resolution full force and effect.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or provision of this Resolution is held invalid or unconstitutional by a court or administrative body of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

Section 6. Administrative Correction of Scrivener's Errors. The administrative 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 designee, without further action by the Town Commission, by filing a corrected or re-codified copy with the Town Clerk.”.

Section 7. Effective Date. This Resolution shall take effect immediately upon passage.

DULY INTRODUCED, PASSED, AND ADOPTED by the Town Commission of the Town of Dundee, Florida, at a duly noticed public meeting assembled on the _____

day of _____, 2026.

TOWN OF DUNDEE, FLORIDA

Joe Garrison, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Markeishia Smith, Town Attorney