

Request and proposal for potable water service & reservation from the Town of Howey in the Hills Florida

Ref. property:

Blue Sky Capital Group LLC aka Cedar Creek

Location:

North of Number Two rd. and east of Bloomfield Ave., consisting of appx 160ac

Owner of record:

Blue Sky Capital LLC. hereafter; (applicant)

Tax ID parcels:

27-20-25-0003-000-03100

27-20-25-0002-000-00200

27-20-25-0001-000-03300

28-20-25-0001-000-00100

Project background.

On April 10, 2023, the Town of Howey in the Hills held a public hearing to consider a request from the applicant for voluntary annexation into the Municipal boundaries of Howey in the Hills.

Reference Document; "Ordinance 2023-008 Cedar Creek Annexation"

The Town Council approved the request conditioned on the approval of the Lake County Board of County Commissioners.

On April 11, 2023, the Lake County Board of County Commissioners objected to the annexation therefore rendering the Towns approval mute.

Please let this correspondence stand as the applicants request for potable water service and reservation from the Town of Howey in the Hills.

The proposed development known as Cedar Creek consist of +/- 110 single family residential homes, and lies within the Utility Service Boundary as defined in the 2013 Lake County / Howey in the Hills "Inter-Service Local Boundary Agreement", entered into by Lake County on June 19, 2013 and Howey in the Hills on September 9, 2013.

Terms and Conditions

(1) The applicant agrees at their sole cost to construct all water transmission lines and associated apparatus from the Towns designated point of connection on Number Two Rd. or the closest connection point to the applicant's property line in order to obtain potable water service from the Town.

(2) The applicant acknowledges Florida Statute allows a municipality to impose a water service surcharge for monthly potable water service to areas outside their municipal boundaries.

The surcharge is calculated based on the prevailing potable water usage rate set by the municipality.

The applicant or their successor agrees to pay a surcharge of 15% above the prevailing water usage rate at the time of water meter service connection and notify the homeowner of such surcharge.

(3) The applicant agrees to move forward with the desired voluntary annexation under the following conditions prior to the submittal of final engineering plans to Lake County Planning & Zoning.

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(a) The Lake County Commission withdraws its objection to the Towns April 10, 2023 annexation approval and agrees not to interfere further in the progression of the applicants project,

or

(b) The above-described property becomes contiguous to the Municipal boundaries of Howey in the Hills and qualifies for voluntary annexation pursuant to Part (I) Chapter 171, Florida Statutes.

(4) Prepayment of Potable water impact fees.

(a) The applicant agrees to pay the Town a 10% non-refundable deposit of the impact fees which the project will generate based on the Towns established 2024 potable water impact fee rate. The applicant will pay the fee no later than 30 days after receiving final engineering approval from Lake County.

This deposit as well as any additional deposits provided to extend the potable water reservation will be credited towards the full payment of the potable water impact fee as established in 2024 as each residential building permit is granted to the applicant or their successor.

(b) The Town agrees to reserve potable water capacity for +/- 110 single family residential homes in the proposed Cedar Creek development for a period of five years, (5yrs), unless extended as provided herein.

(c) The applicant reserves the option to extend the potable water reservation for an additional five years, (5yrs) by notifying the Town not less than 30 days in advance of the expiration of the initial reservation date, and by paying an additional 10% non-refundable deposit based on the 2024 potable water impact fee rate the project will generate, provided the applicant has received final engineering approval from Lake County.

(5) The applicant reserves the right to change the name of the development from Cedar Creek by notifying the Town and Lake County of such name change.

The prevailing identifier for the project will be the Lake County property appraisers tax parcel identification numbers as listed under the Tax ID Parcel numbers defined on page one of this proposal dated Feb. 20, 2024.

The applicant and Town will formalize these terms in a written agreement to be signed by the applicant and the Town.

By: Keith Trace  02/19/2024

On behalf of: Blue Sky Capital Group LLC
103 Commerce Street
STE 160
Lake Mary, FL 32746