

ORDINANCE NO. 2006-77

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, EXPANDING THE TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2005); DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT EXPANSION AREA; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Turnbull Creek Community Development District ("Petitioner"), a local unit of special-purpose government, petitioned the Board of County Commissioners of St. Johns County (the "County") to adopt an ordinance expanding the Turnbull Creek Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2005); and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the County on June 27, 2006; and

WHEREAS, upon consideration of the record established at that hearing, the County determined that the statements within the Petition were true and correct, that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the local government comprehensive plan, that the land within the District is of sufficient size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally interrelated community, that the District is the best alternative available for delivering community development services and facilities to the area served by the District, that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities, and that the area to be served by the District is amenable to separate special-district governance; and

WHEREAS, this expansion of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the petition.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. RECITALS. The above Recitals are hereby incorporated herein by reference as legislative findings of fact in support of this Ordinance.

SECTION 2. AUTHORITY. This ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2005).

SECTION 3. EXPANSION. The expansion area described in Exhibit A attached hereto and incorporated herein by reference is hereby added to the previous established Community Development District created by Ordinance 2004-47 pursuant to Sections 190.006 - 190.046, Florida Statutes, situated entirely within unincorporated St. Johns County, Florida, which expanded District is known as the "Turnbull Creek Community Development District." Said Expansion Area encompasses approximately 109.79 acres.

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The total area of the expanded Turnbull Creek Community Development District shall encompass approximately 498.79 acres.

SECTION 5. SEVERABILITY. If any provision of this ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect pursuant to general law.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 27th day of June, 2006.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: Cynthia W. Stevenson

RENDITION DATE 7/3/2006

Cynthia W. Stevenson, Vice-Chair

ATTEST: Cheryl Strickland, Clerk of Court

By: Robin S. Platt
Deputy Clerk

Effective date: 07/05/06

MAP SHOWING SURVEY OF

Sunshine 13

A portion of Subsection 10, lying within Section 38, of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the Southwesterly corner of Tract "A" as shown on the plat of Murabella Unit One, as recorded in Map Book 52, Pages 16 through 42, inclusive, of the Public Records of said County; thence South $72^{\circ}21'59''$ East, along the Southerly line of said Tract "A", a distance of 25.01 feet for a POINT OF BEGINNING; thence continue South $72^{\circ}21'59''$ East, along said Southerly line of Tract "A" and along the Southerly boundary of said Murabella Unit One, a distance of 1672.84 feet; thence South $19^{\circ}30'15''$ West, along the Westerly boundary of said plat of Murabella Unit One, and along the Westerly boundary of Murabella Unit Two, as recorded in Map Book 52, Pages 55 through 69, inclusive, of said Public Records, 2050.00 feet to the Southwest corner thereof and a point situate on the Southerly boundary of said Subsection 10; thence North $72^{\circ}21'59''$ West, along said Southerly line of Subsection 10, a distance of 1672.84 feet to said present right of way line of County Road No. 13-A and/or Pacetti Road; thence North $19^{\circ}30'15''$ East, along said Southeasterly right of way line, 2050.00 feet to the POINT OF BEGINNING.

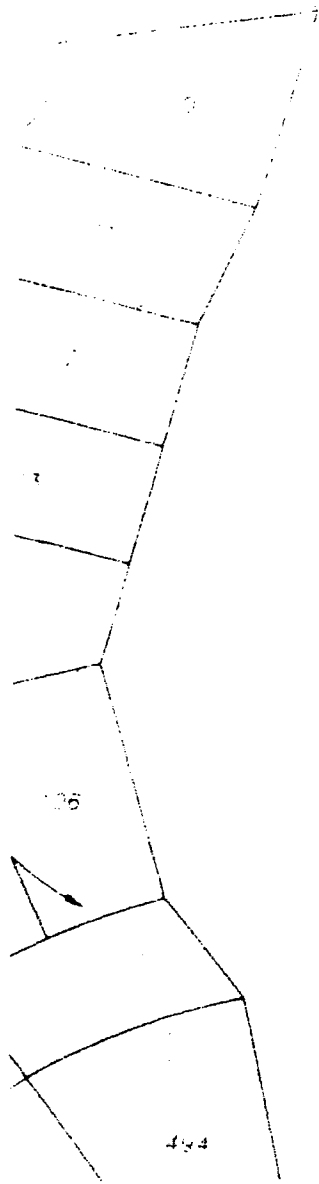
Containing 78.68 acres, more or less.

Sunshine 16
PALM LAKES COMMERCIAL

PARCEL 3:

A portion of Subsection 10, lying within Section 38 of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the intersection of the centerline of County Road No. 13-A (a 100 foot right of way as presently established) with the survey baseline for State Road No. 16 (a 200 foot right of way as shown on the Florida Department of Transportation Right of Way Map Section 78060-2522, dated November 16, 1998); thence South 19°30'15" West, along said centerline of County Road No. 13-A, a distance of 71.23 feet to its intersection with the Westerly prolongation of the Southerly right of way line of said State Road No. 16; thence South 81°10'44" East, along last said line and along the Southerly right of way line of said State Road No. 16, a distance of 1940.51 feet; thence continue South 81°10'44" East, along said Southerly right of way line, 981.93 feet to the Northwest corner of Murabella Unit Two, as recorded in Map Book 52, Pages 55 through 69, inclusive, of the Public Records of said County; thence South 08°49'16" West, along the Westerly boundary of said Murabella Unit Two, and along the Westerly boundary of Murabella Unit One, as recorded in Map Book 52, Pages 16 through 42, inclusive, of said Public Records, 1335.06 feet; thence North 81°10'44" West, along the Northerly boundary of said Murabella Unit One, a distance of 1041.93 feet to the Northwestern corner of the Northerly terminus of Verona Way, a 60 foot right of way as shown on said plat of Murabella Unit One; thence North 08°49'16" East, departing from said Northerly boundary of Murabella Unit One, a distance of 736.01 feet; thence South 81°10'44" East, 60.00 feet; thence North 08°49'16" East, 599.05 feet to the POINT OF BEGINNING.

Containing 31.11 acres, more or less.



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

IN RE: A Petition to Amend)
the Boundary of the Turnbull Creek)
Community Development District)
_____)

**PETITION TO AMEND THE BOUNDARY OF THE
TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Turnbull Creek Community Development District (hereinafter, "Petitioner" or "District"), a local unit of special-purpose government established pursuant to the provisions of Chapter 190, Florida Statutes, and St. Johns County Ordinance No. 2004-47, located entirely within unincorporated St. Johns County, Florida, hereby petitions the Board of County Commissioners of St. Johns County, Florida, pursuant to the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes, and specifically section 190.046(1)(b), Florida Statutes, to adopt an amendment to St. Johns County Ordinance No. 2004-47, to add approximately 109.79 acres to the District. In support of this Petition, Petitioner states as follows:

1. **Location and Size.** The proposed District is located entirely within unincorporated St. Johns County, Florida. **Exhibit 1** depicts the general location of the existing District and the location of the parcels to be added to the District. The District currently covers approximately 389 acres of land. The current metes and bounds description of the external boundary of the District is set forth in **Exhibit 2**. The metes and bounds description of the lands to be added to the district is set forth in **Exhibit 3** ("the Expansion Parcels"). After expansion, the District will encompass a total of approximately 498.79 acres. The metes and bounds description of the proposed District

boundary is set forth in **Exhibit 4**.

2. Excluded Parcels. There are no lands within the Expansion Parcels that are to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to amend the boundary of the District from the owners of one hundred percent (100%) of the real property located within the Expansion Parcels in accordance with Section 190.046(1)(e), Florida Statutes. Documentation of ownership and consent to the inclusion of the Expansion Parcels into the District is contained in **Exhibit 5**. The owner of the lands within the Expansion Parcels is Turnbull Creek Development Company, Inc. The consent by the Board of Supervisors of the District to the amendment serves as consent by the existing landowners of real property remaining in the District, by law. This consent is evidenced by the District's submission of this Petition and Resolution 2006-02, attached hereto as **Exhibit 6**.

4. Future Land Uses. The designation of the future general distribution, location, and extent of public and private land uses proposed for the area by the future land use plan element of the adopted St. Johns County Comprehensive Plan are shown in **Exhibit 7**. Expansion of the District in the manner proposed is consistent with the adopted St. Johns County Comprehensive Plan, as amended. The Expansion Parcels are both approved PUDs, Sunshine 13 PUD and Sunshine 16 PUD, which interconnect with the adjacent Palm Lakes PUD.

5. District Facilities and Services. **Exhibit 8** describes the type of facilities Petitioner presently expects the District to finance, construct, acquire and/or install, as well as the anticipated owner and entity responsible for maintenance. Based upon available data, the proposed timetable for the construction of the District's improvements on the Expansion Parcels and their estimated

construction costs are set forth in **Exhibit 9**. Actual construction timetables and expenditures may vary, due in part to the effects of future changes in economic conditions and upon costs such as labor, services, materials, interest rates and market conditions.

6. Statement of Estimated Regulatory Costs. **Exhibit 10** is the Statement of Estimated Regulatory Costs ("SERC") prepared in accordance with the requirements of Section 120.541, Florida Statutes (2005). The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

7. Authorized Agents. The authorized agents for the Petitioner are Cheryl Stuart and Brian A. Crumbaker of Hopping Green & Sams, P.A. The Authorization of Agent is attached to this Petition as **Exhibit 11**. Copies of all correspondence and official notices should be sent to:

Cheryl Stuart, Esq.
 Brian A. Crumbaker, Esq.
 HOPPING GREEN & SAMS, P.A.
 123 South Calhoun Street
 Post Office Box 6526
 Tallahassee, FL 32314

8. Board of Supervisors. The names and addresses of the current members of the Board Supervisors of the Turnbull Creek Community Development District are listed in **Exhibit 12**.

9. This petition to expand the Turnbull Creek Community Development District should be granted for the following reasons:

a. Amendment of the District and all land uses and services planned within the District as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the St. Johns County Comprehensive Plan.

b. The District as amended will continue to be of a sufficient size and sufficiently

compact and contiguous to be developed as one functional and interrelated community.

c. The amendment of the District will prevent the general body of taxpayers in St. Johns County from bearing the burden for installation of the infrastructure and the maintenance of the above-described facilities within the Expansion Parcels. The District is the best alternative for delivering community development services and facilities to the Expansion Parcels without imposing an additional burden on the general population of the local general-purpose government. Amendment of the District to include such lands within a comprehensively planned community, as proposed, allows for a more efficient use of resources as well as providing the opportunity for new growth to pay for itself.

d. The community development services and facilities of the District as amended will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the District, as amended, will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities for the lands to be included within the District.

e. The area to be served by the District as amended is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the County Commission of St. Johns County to:

- A. Schedule a public hearing in accordance with the requirements of 190.046(1)(d); and
- B. Grant this Petition and adopt an amendment to St. Johns County Ordinance No. 2004-47, to expand the boundary of the Turnbull Creek Community Development District, pursuant to Chapter 190, Florida Statutes.

RESPECTFULLY SUBMITTED, this ___ day of March, 2006.

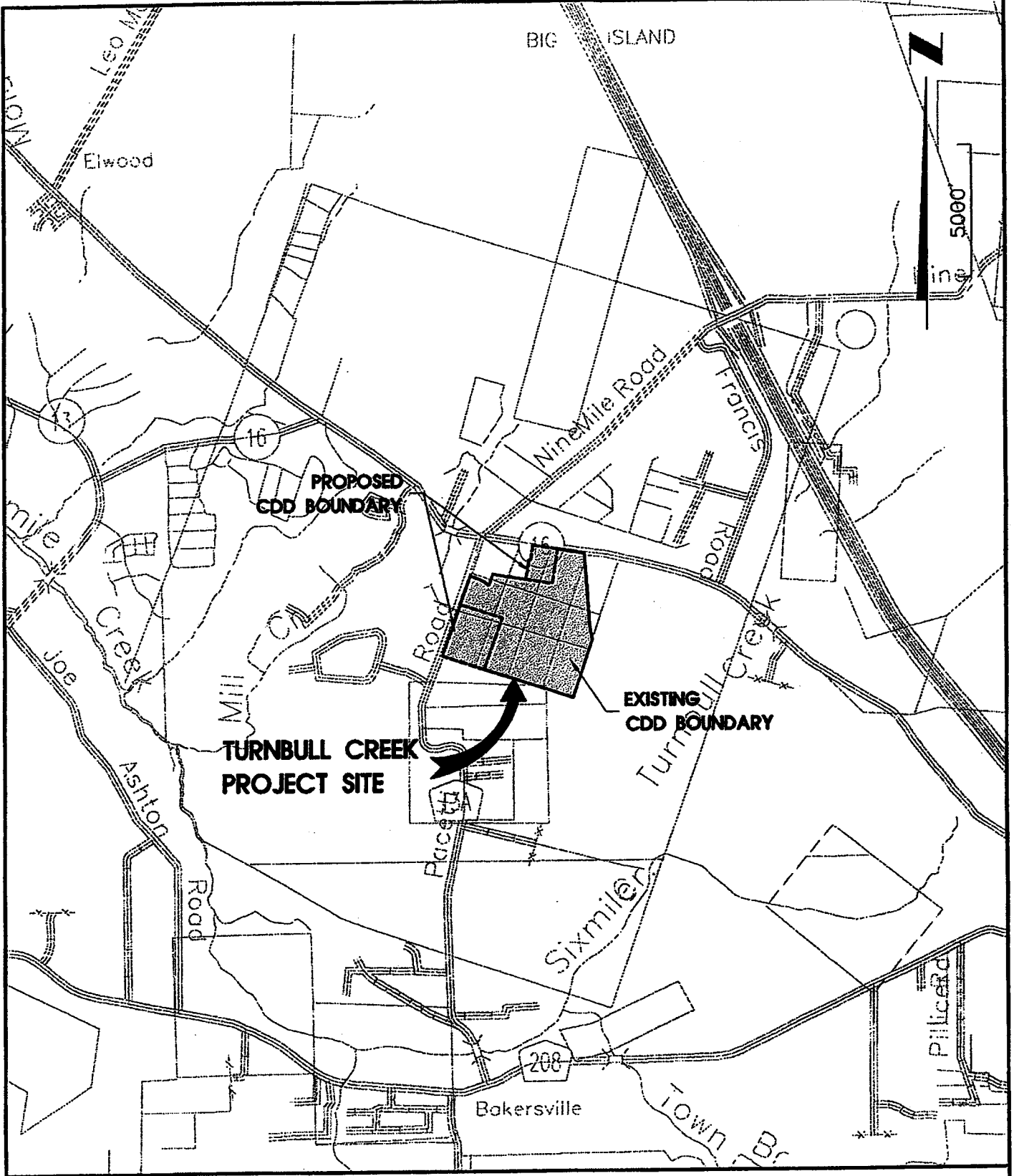
HOPPING GREEN & SAMS, P.A.

Brian A. Crumbaker
Florida Bar No. 0167819
Erin E. Banks
Florida Bar No. 0750301
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorneys for the District

List of Exhibits

<u>Exhibit Number</u>	<u>Description</u>
1	General location of existing district and the parcels to be added to the district.
2	Current metes and bounds description of the external bounds of the existing district
3	Metes and bounds description of lands to be added to the district
4	Metes and bounds description of proposed new district
5	Consent and joinder of landowner to inclusion within the district
6	Resolution No. 2006-02, authorizing Chairman and District Staff to seek passage of an ordinance amending the district's boundary
7	Future land use map
8	List of facilities the district will provide in the expansion parcels and identification of the anticipated owner and entity responsible for maintenance
9	The estimated costs and estimated timetable for constructing the expansion parcels' improvements
10	Statement of Estimated Regulatory Costs (SERC)
11	Authorization of agents
12	Members of the Board of Supervisors



England-Thimby & Miller, Inc.
 ENGINEERS - PLANNERS
 SURVEYORS - LANDSCAPE ARCHITECTS
 14775 St. Augustine Road
 Jacksonville, Florida 32258
 Certificate of Authorization No.:2584
 Phone No. (904) 642-8990
 Fax No. (904) 646-9485

LOCATION MAP

**TURNBULL CREEK
 COMMUNITY DEVELOPMENT DISTRICT**

ETM NO.	03-176-19
DATE:	MARCH 2006
DRAWN BY:	R.P.E.
DRAWING NO.	

Turnbull Creek Community Development District

PALM LAKES
 JOB NO. 2001-2124-11
 Revised July 16, 2003

CAPTION

A portion of Sub Sections 7 and 10, lying within Section 38 of the Antonio Muertas Grant, and a portion of the Pacetti Donation, Section 37, all lying within Township 6 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows: COMMENCE at the intersection of the centerline of County Road No. 13-A (a 100 foot right of way as presently established) with the centerline of base line for State Road No. 16 (a 200 foot right of way as shown on the Florida Department of Transportation Right of Way Map Section No. 78060-2522, dated November 16, 1998); thence South 19°30'15" West, along said centerline of County Road No. 13-A, a distance of 71.23 feet to its intersection with the Westerly prolongation of the Southerly right of way line of said State Road No. 16; thence South 81°10'44" East, along last said line and along the Southerly right of way line of said State Road No. 16, a distance of 2922.44 feet to the POINT OF BEGINNING; thence continue South 81°10'44" East, along said Southerly right of way line of State Road No. 16, a distance of 1022.92 feet; thence South 04°31'22 East, a distance of 2709.28 feet to the point of curvature of a curve concave Northeasterly having a radius of 2750.00 feet; thence Southeasterly along the arc of said curve a distance of 592.38 feet, said arc being subtended by a chord bearing and distance of South 10°41'38" East, 591.24 feet to a point situate in the Easterly line of said Sub-Section 10; thence South 18°36'15" West, along said Easterly line of Sub-Section 10, a distance of 2321.49 feet to the Southeast corner thereof; thence North 71°41'07" West, along the Southerly line of said Sub Section 10, a distance of 1,061.37 feet to its intersection with the Easterly line of said Section 37; thence South 00°59'34" East, along last said line, 10.56 feet; thence North 72°21'59" West, 2510.92 feet; thence North 19°30'15" East, 2050.00 feet; thence North 72°21'59" West, 1,697.85 feet to a point lying on the Southeasterly right of way line of said County Road No. 13-A; thence North 19°30'15" East, along last said line, 1202.88 feet to the point of cusp of a curve concave Northeasterly having a radius of 50.00 feet; thence Southeasterly along the arc of said curve a distance of 78.36 feet, said arc being subtended by a chord bearing and distance of South 25°23'31" East, 70.58 feet to the point of tangency of said curve; thence South 70°17'17" East, a distance of 344.30 feet to the point of curvature of a curve concave Southerly having a radius of 850.00 feet; thence Easterly along the arc of said curve a distance of 412.68 feet, said arc being subtended by a chord bearing and distance of South 56°22'45" East, 408.64 feet to a point of said curve; thence North 20°44'25" East, a distance of 444.56 feet; thence South 81°10'44" East, a distance of 2309.30 feet; thence North 08°49'16" East, a distance of 1335.06 feet to the POINT OF BEGINNING.

Containing 389.0428 acres, more or less.

File: PACETTI-SOD FARM2.DOC

MAP SHOWING SURVEY OF

Sunshine 13

A portion of Subsection 10, lying within Section 38, of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the Southwesterly corner of Tract "A" as shown on the plat of Murabella Unit One, as recorded in Map Book 52, Pages 16 through 42, inclusive, of the Public Records of said County; thence South 72°21'59" East, along the Southerly line of said Tract "A", a distance of 25.01 feet for a POINT OF BEGINNING; thence continue South 72°21'59" East, along said Southerly line of Tract "A" and along the Southerly boundary of said Murabella Unit One, a distance of 1672.84 feet; thence South 19°30'15" West, along the Westerly boundary of said plat of Murabella Unit One, and along the Westerly boundary of Murabella Unit Two, as recorded in Map Book 52, Pages 55 through 69, inclusive, of said Public Records, 2050.00 feet to the Southwest corner thereof and a point situate on the Southerly boundary of said Subsection 10; thence North 72°21'59" West, along said Southerly line of Subsection 10, a distance of 1672.84 feet to said present right of way line of County Road No. 13-A and/or Pacetti Road; thence North 19°30'15" East, along said Southeasterly right of way line, 2050.00 feet to the POINT OF BEGINNING.

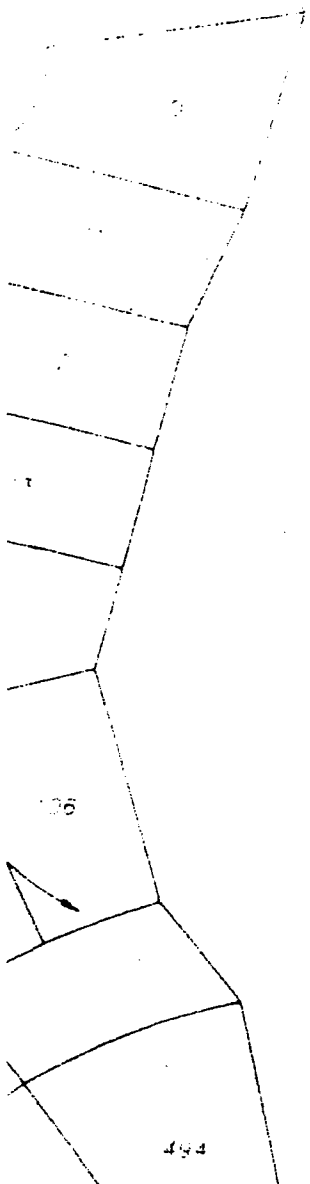
Containing 78.68 acres, more or less.

Sunshine 16
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Containing 31.11 acres, more or less.

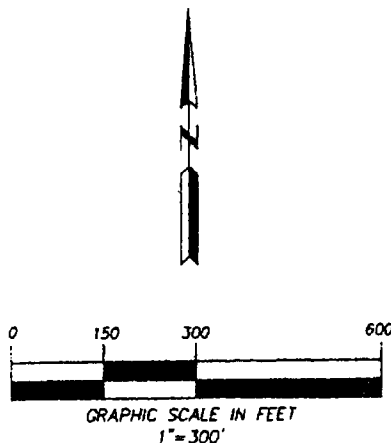


MAP SHOWING SURVEY OF

All of Murabella Unit One, as recorded in Map Book 52, Pages 16 through 42, inclusive, together with all of Murabella Unit Two, as recorded in Map Book 52, Pages 56 through 59, inclusive, of the Public Records of St. Johns County, Florida, together with a portion of Sub-sections 7 and 10, within Section 38 of the Antonio Huertas Grant, and a portion of the Pacetti Donation, Section 37, all lying within Township 6 South, Range 28 East, said County, and all being more particularly described as follows: BEGINNING at the Southwest corner of Tract "A" as shown on said plat of Murabella Unit One; thence North 19°30'15" East, along the Westerly line of said Tract "A", and along the Easterly right of way line of County Road No. 13-A and/or Pacetti Road, as shown on said plat, a distance of 1202.88 feet to a point of cusp of a curve concave Easterly and having a radius of 50.00 feet; thence Southerly around and along the arc of said curve and along the Northerly right of way line of West Positano Avenue (as shown on said plat of Murabella Unit One), 78.36 feet, said arc being subtended by a chord bearing and distance of South 25°23'31" East, 70.58 feet to the point of tangency of said curve; thence South 70°17'17" East, continuing along said Northerly right of way line, 344.30 feet to the point of curvature of a curve concave Southwesterly and having a radius of 850.00 feet; thence Southeasterly around and along the arc of said curve and continuing along said Northerly right of way line, 412.68 feet, said arc being subtended by a chord bearing and distance of South 56°22'45" East, 408.64 feet; thence departing from said Northerly right of way line run thence North 20°44'25" East, along the Westerly line of Tract "E" and along the Westerly line of Tract "F", said plat of Murabella Unit One, a distance of 444.56 feet to the Northwesterly corner of said Tract "F"; thence South 81°10'44" East, along the Northerly line of said Tract "F", 1267.37 feet; thence North 08°49'16" East, departing from said Northerly line of Tract "F", a distance of 736.01 feet; thence South 81°10'44" East, 60.00 feet; thence North 08°49'16" East, 599.05 feet to the Southerly right of way line of State Road No. 16 (a 200 foot right of way as now established); thence South 81°10'44" East, along said Southerly right of way line, 2004.85 feet; thence South 04°31'22" East, 2709.28 feet to the point of curvature of a curve concave Easterly and having a radius of 2750.00 feet; thence Southerly around and along the arc of said curve, 592.38 feet, said arc being subtended by a chord bearing and distance of South 10°41'38" East, 591.24 feet to the Easterly line of said Sub-section 10; thence South 18°36'15" West, along said last mentioned line, 2321.49 feet to the Southeast corner of said Sub-section 10; thence North 71°41'07" West, along the Southerly line of said Sub-section 10, a distance of 1061.37 feet to its intersection with the Easterly line of said Section 37; thence South 00°59'34" East, along said last mentioned line, 10.56 feet; thence North 72°21'59" West, along the Southerly boundary of said plat of Murabella Unit Two, and along said South line of Sub-section 10, a distance of 4183.76 feet to the present Easterly right of way line of County Road No. 13-A and/or Pacetti Road, being 125 feet in width at this point; thence North 19°30'15" East, along said present Easterly right of way line, 2050.00 feet to the Southerly line of said Tract "A"; thence North 72°21'59" West, along said last mentioned line, 25.01 feet to the POINT OF BEGINNING.

Excepting any portion thereof lying within said 125 foot road right of way of County Road 13-A and/or Pacetti Road.

Containing 498.79 acres, more or less.



**Consent and Joinder of Landowner
To Inclusion in the Turnbull Creek Community Development District**

The undersigned is the owner of certain lands more fully described on Exhibit A attached hereto and made a part hereof ("Property").

The undersigned understands and acknowledges that the Turnbull Creek Community Development District ("District") intends to submit a petition to amend the boundaries of the District in accordance with the provisions of Chapter 190, Florida Statutes, to incorporate additional lands within the external boundaries of the District.

As an owner of lands which are intended to be incorporated within the external boundaries of the District, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.046(1)(e), Florida Statutes, the District is required to include the written consent of one hundred percent (100%) of the owners of the lands that are to be added to the District.

The undersigned hereby consents to the inclusion of the Property as identified in **Exhibit A** within the boundaries of the District and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the amendment of the District's external boundaries.

The undersigned acknowledges that the consent will remain in full force and effect until the District's external boundaries are amended or three years from the date hereof, whichever shall first occur. The undersigned further agrees that it will provide to the next purchaser or successor in interest of all or any portion of the Property a copy of this consent form and obtain, if requested by the District, consent to the inclusion of the property within the boundaries of the District in substantially this form.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

Executed this 6th day of February, 2006.

**Turnbull Creek Development Company,
Inc.**

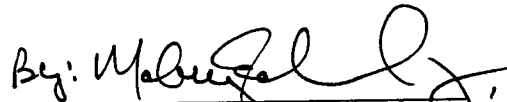
By: , ITS CFO
By: MABEL EDWARDS, JR.
Its: CFO

EXHIBIT "A"
Legal Description

SUNSHINE 13

A PORTION OF SUBSECTION 10, LYING WITHIN SECTION 38, OF THE ANTONIO HUERTAS GRANT, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWESTERLY CORNER OF TRACT "A" AS SHOWN ON THE PLAT OF MURABELLA UNIT ONE, AS RECORDED IN MAP BOOK 52, PAGES 16 THROUGH 42, INCLUSIVE, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 72 DEGREES 21 MINUTES 59 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID TRACT "A", A DISTANCE OF 25.01 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 72 DEGREES 21 MINUTES 59 SECONDS EAST, ALONG SAID SOUTHERLY LINE OF TRACT "A" AND ALONG THE SOUTHERLY BOUNDARY OF SAID MURABELLA UNIT ONE, A DISTANCE OF 1672.84 FEET; THENCE SOUTH 19 DEGREES 30 MINUTES 15 SECONDS WEST, ALONG THE WESTERLY BOUNDARY OF SAID PLAT OF MURABELLA UNIT ONE, AND ALONG THE WESTERLY BOUNDARY OF MURABELLA UNIT TWO, AS RECORDED IN MAP BOOK 52, PAGES 55 THROUGH 69, INCLUSIVE, OF SAID PUBLIC RECORDS, 2050.00 FEET TO THE SOUTHWEST CORNER THEREOF AND A POINT SITUATE ON THE SOUTHERLY BOUNDARY OF SAID SUBSECTION 10; THENCE NORTH 72 DEGREES 21 MINUTES 59 SECONDS WEST, ALONG SAID SOUTHERLY LINE OF SUBSECTION 10, A DISTANCE OF 1672.84 FEET TO SAID PRESENT RIGHT OF WAY LINE OF COUNTY ROAD NO. 13-A AND/OR PACETTI ROAD; THENCE NORTH 19 DEGREES ~~30~~ MINUTES 15 SECONDS EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 2050.00 FEET TO THE POINT OF BEGINNING.

SUNSHINE 16
PALM LAKES COMMERCIAL
PARCEL 3:

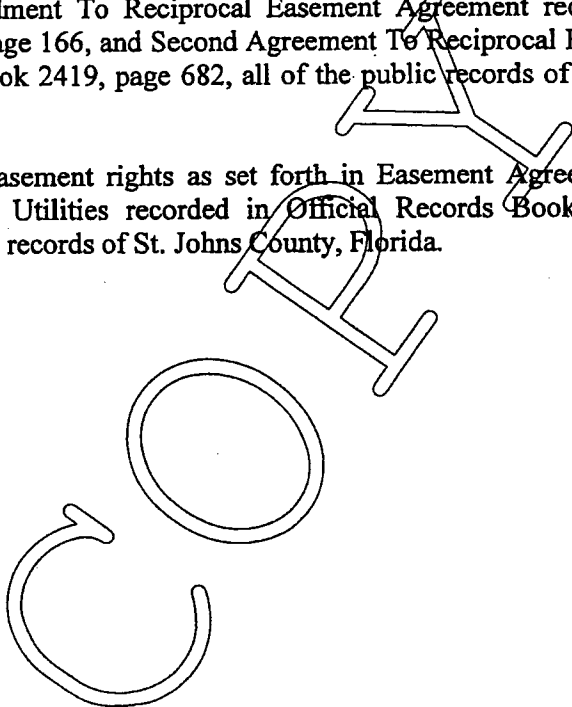
A PORTION OF SUBSECTION 10, LYING WITHIN SECTION 38 OF THE ANTONIO HUERTAS GRANT, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF COUNTY ROAD NO. 13-A (A 100 FOOT RIGHT OF WAY AS PRESENTLY ESTABLISHED) WITH THE SURVEY BASELINE FOR STATE ROAD NO. 16 (A 200 FOOT RIGHT OF WAY AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 78060-2522, DATED NOVEMBER 16, 1998); THENCE SOUTH 19 DEGREES 30 MINUTES 15 SECONDS WEST, ALONG SAID CENTERLINE OF COUNTY ROAD NO. 13-A, A DISTANCE OF 71.23 FEET TO ITS INTERSECTION WITH THE WESTERLY PROLONGATION OF THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16; THENCE SOUTH 81 DEGREES 10 MINUTES 44 SECONDS EAST, ALONG LAST SAID LINE AND ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROAD NO. 16, A DISTANCE OF 1940.51 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 81 DEGREES 10 MINUTES 44 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 981.93 FEET TO THE NORTHWEST CORNER OF MURABELLA UNIT TWO, AS RECORDED IN MAP BOOK 52, PAGES 55 THROUGH 69, INCLUSIVE, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 08

DEGREES 49 MINUTES 16 SECONDS WEST, ALONG THE WESTERLY BOUNDARY OF SAID MURABELLA UNIT TWO, AND ALONG THE WESTERLY BOUNDARY OF MURABELLA UNIT ONE, AS RECORDED IN MAP BOOK 52, PAGES 16 THROUGH 42, INCLUSIVE, OF SAID PUBLIC RECORDS, 1335.06 FEET; THENCE NORTH 81 DEGREES 10 MINUTES 44 SECONDS WEST, ALONG THE NORTHERLY BOUNDARY OF SAID MURABELLA UNIT ONE, A DISTANCE OF 1041.93 FEET TO THE NORTHWESTERLY CORNER OF THE NORTHERLY TERMINUS OF VERONA WAY, A 60 FOOT RIGHT OF WAY AS SHOWN ON SAID PLAT OF MURABELLA UNIT ONE; THENCE NORTH 08 DEGREES 49 MINUTES 16 SECONDS EAST, DEPARTING FROM SAID NORTHERLY BOUNDARY OF MURABELLA UNIT ONE, A DISTANCE OF 736.01 FEET; THENCE SOUTH 81 DEGREES 10 MINUTES 44 SECONDS EAST, 60.00 FEET; THENCE NORTH 08 DEGREES 49 MINUTES 16 SECONDS EAST, 599.05 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH easement rights as set forth in Reciprocal Easement Agreement For Ingress, Egress, Drainage and Utilities recorded in Official Records Book 2107, page 734, and assigned in Assignment of Reciprocal Easement Rights recorded in Official Records Book 2433, page 1455, all of the public records of St. Johns County, Florida;

and
 TOGETHER WITH easement rights as set forth in Reciprocal Easement Agreement For Ingress, Egress, Drainage and Utilities recorded in Official Records Book 2107, page 742, and First Amendment To Reciprocal Easement Agreement recorded in Official Records Book 2173, page 166, and Second Agreement To Reciprocal Easement recorded in Official Records Book 2419, page 682, all of the public records of St. Johns County, Florida;

and
 TOGETHER WITH easement rights as set forth in Easement Agreement for Ingress, Egress, Drainage and Utilities recorded in Official Records Book 2614, page 20 of the public records of St. Johns County, Florida.



RESOLUTION NO. 2006-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT DIRECTING THE CHAIRMAN AND ALL DISTRICT STAFF TO FILE A PETITION WITH ST. JOHNS COUNTY, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES, AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Turnbull Creek Community Development District ("District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes ("Uniform Act"), by St. Johns County, Florida ("County") by passage of Ordinance No. 2004-47 ("Ordinance"); and

WHEREAS, pursuant to the Uniform Act, the District is authorized to construct, acquire, and maintain infrastructure improvements and services including, but not limited to, water and sewer facilities, stormwater management facilities, entry feature and signage, transportation improvements, and a recreation facility; and

WHEREAS, the District presently consists of 389 acres, more or less, as more fully described in the Ordinance; and

WHEREAS, Murabella, LLC, a Florida Limited Liability Company, ("Developer"), and its affiliates are presently developing real property within and adjacent to the District; and

WHEREAS, the Developer has approached the District and requested the District petition to amend its boundaries to include certain lands depicted in the attached **Exhibit A**, in an effort to facilitate development of the overall lands as a functionally interrelated community and to promote compact and economical development of the lands sought to be added to the District; and

WHEREAS, the proposed amendment to the District's boundaries by the addition is within the amendment size restrictions contained within Section 190.046(1), Florida Statutes; and

WHEREAS, the proposed boundary amendment is in the best interests of the District and the area of land within the proposed amended boundaries of the District will continue to be of sufficient size, sufficiently compact, and sufficiently contiguous to be developable as one functionally related community; and

WHEREAS, for the area of land that will lie in the amended boundaries of the District, the District is the best alternative available for delivering community development services and facilities; and

WHEREAS, the area of land that will lie in the amended boundaries of the District is amenable to separate special district government; and

WHEREAS, the Board has determined that the proposed boundary amendment would accommodate a proposed school site; and

WHEREAS, in order to seek a boundary amendment pursuant to Chapter 190, Florida Statutes, the District desires to authorize District Staff, including but not limited to legal, engineering, and managerial staff, to provide such services as are necessary throughout the pendency of the boundary amendment process; and

WHEREAS, the retention of any necessary consultants and the work to be performed by District Staff may require the expenditure of certain fees, costs, and other expenses by the District as authorized by the District's Board; and

WHEREAS, the Developer has agreed to provide sufficient funds to the District to reimburse the District for any expenditures including, but not limited to, legal, engineering and other consultant fees, filing fees, administrative, and other expenses, if any; and

WHEREAS, the District desires to petition to amend its boundaries in accordance with the procedures and processes described in Chapter 190, Florida Statutes, which processes include the preparation of a petition to Clay County, the holding of a local hearing in accordance with Section 190.046(1), Florida Statutes, and such other actions as are necessary in furtherance of the boundary amendment process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. The recitals as stated above are true and correct and by this reference are incorporated into and form a material part of this Resolution.

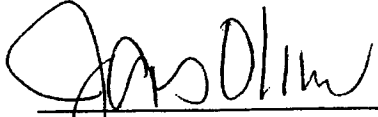
SECTION 2. The Board hereby directs the Chairman and District Staff to proceed in an expeditious manner with the preparation and filing of a petition and related materials with St. Johns County to seek the amendment of the District's boundaries to include the lands depicted in **Exhibit A**, pursuant to Chapter 190, Florida Statutes, and authorizes the prosecution of the procedural requirements detailed in Chapter 190, Florida Statutes, for the amendment of the District's boundaries.

SECTION 3. This Resolution shall become effective upon its passage.

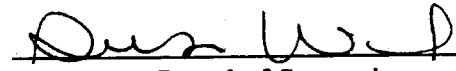
PASSED AND ADOPTED this 24th day of January, 2006

ATTEST:

**TURNBULL CREEK COMMUNITY
DEVELOPMENT DISTRICT**



Assistant Secretary



Chairman, Board of Supervisors

MAP SHOWING SURVEY OF

Sunshine 13

A portion of Subsection 10, lying within Section 38, of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the Southwesterly corner of Tract "A" as shown on the plat of Murabella Unit One, as recorded in Map Book 52, Pages 16 through 42, inclusive, of the Public Records of said County; thence South 72°21'59" East, along the Southerly line of said Tract "A", a distance of 25.01 feet for a POINT OF BEGINNING; thence continue South 72°21'59" East, along said Southerly line of Tract "A" and along the Southerly boundary of said Murabella Unit One, a distance of 1672.84 feet; thence South 19°30'15" West, along the Westerly boundary of said plat of Murabella Unit One, and along the Westerly boundary of Murabella Unit Two, as recorded in Map Book 52, Pages 55 through 69, inclusive, of said Public Records, 2050.00 feet to the Southwest corner thereof and a point situate on the Southerly boundary of said Subsection 10; thence North 72°21'59" West, along said Southerly line of Subsection 10, a distance of 1672.84 feet to said present right of way line of County Road No. 13-A and/or Pacetti Road; thence North 19°30'15" East, along said Southeasterly right of way line, 2050.00 feet to the POINT OF BEGINNING.

Containing 78.68 acres, more or less.

Sunshine 16
PALM LAKES COMMERCIAL

PARCEL 3:

A portion of Subsection 10, lying within Section 38 of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the intersection of the centerline of County Road No. 13-A (a 100 foot right of way as presently established) with the survey baseline for State Road No. 16 (a 200 foot right of way as shown on the Florida Department of Transportation Right of Way Map Section 78060-2522, dated November 16, 1998); thence South 19°30'15" West, along said centerline of County Road No. 13-A, a distance of 71.23 feet to its intersection with the Westerly prolongation of the Southerly right of way line of said State Road No. 16; thence South 81°10'44" East, along last said line and along the Southerly right of way line of said State Road No. 16, a distance of 1940.51 feet; thence continue South 81°10'44" East, along said Southerly right of way line, 981.93 feet to the Northwest corner of Murabella Unit Two, as recorded in Map Book 52, Pages 55 through 69, Inclusive, of the Public Records of said County; thence South 08°49'16" West, along the Westerly boundary of said Murabella Unit Two, and along the Westerly boundary of Murabella Unit One, as recorded in Map Book 52, Pages 16 through 42, inclusive, of said Public Records, 1335.06 feet; thence North 81°10'44" West, along the Northerly boundary of said Murabella Unit One, a distance of 1041.93 feet to the Northwestern corner of the Northerly terminus of Verona Way, a 60 foot right of way as shown on said plat of Murabella Unit One; thence North 08°49'16" East, departing from said Northerly boundary of Murabella Unit One, a distance of 736.01 feet; thence South 81°10'44" East, 60.00 feet; thence North 08°49'16" East, 599.05 feet to the POINT OF BEGINNING.

Containing 31.11 acres, more or less.

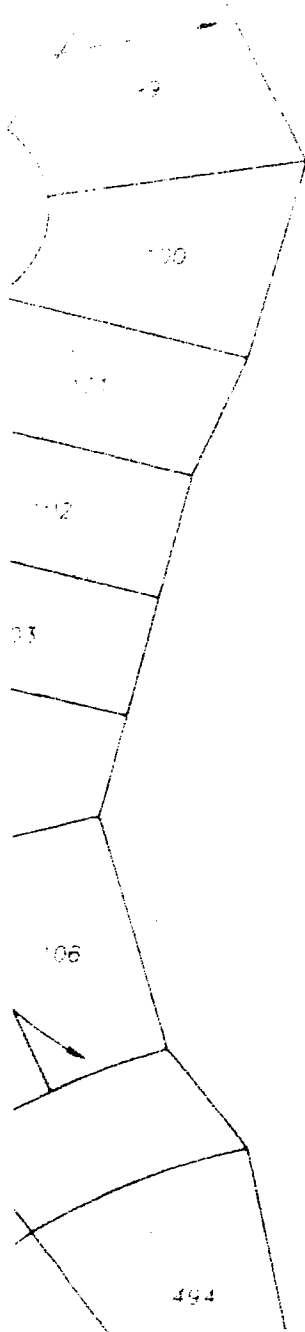


Exhibit 8

PROPOSED FACILITIES AND SERVICES Turnbull Creek Community Development District Expansion Parcels

<u>Facility</u>	<u>Financed By</u>	<u>Ownership</u>	<u>Operation and Maintenance</u>
Roadways	CDD	SJC	SJC
Street Lighting	CDD	CDD	CDD
Stormwater Management System	CDD	CDD	CDD
Master Water & Sewer Improvements	CDD	SJU	SJU
Recreation Improvements	CDD	CDD	CDD
Front Entry Improvements, Landscape & Irrigation	CDD	CDD	CDD

CDD = Turnbull Creek Community Development District
 SJC = St. Johns County
 SJU = St. Johns Utilities

Exhibit 9**ESTIMATED CONSTRUCTION COSTS AND CONSTRUCTION TIMETABLE
Turnbull Creek Community Development District Expansion Parcels**

<u>Category</u>	<u>Cost</u>
Roadways	\$ 1,103,000
Street Lighting	\$ 25,000
Master Water & Sewer * Improvements	\$ 851,000
Stormwater Management System	\$ 2,397,000
Recreation Improvements	\$ 1,872,000
Front Entry Improvements, Landscaping & Irrigation	\$ 724,000
Total	\$ 6,972,000

* The water and sewer cost estimate includes the costs of off-site upgrades to the existing sanitary sewer lift stations.

Construction will commence in 2006 and is estimated to be completed in 2008.

TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF ESTIMATED REGULATORY COSTS
BOUNDARY AMENDMENT

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs (“SERC”) supports the petition to amend boundaries of the **Turnbull Creek Community Development District** (“District” or CDD”). The District proposes to add approximately 109.79 acres of land to the current 389 acres of land in the District located in St. Johns County, Florida. The amended boundaries of the District would total 498.79 acres. The limitations on the scope of this SERC are explicitly set out in Section 190.002 (2) (d), Florida Statutes (governing district formation or alteration), as follows:

That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant.

1.2 Overview of the Turnbull Creek Community Development District

The Turnbull Creek Community Development District is able to provide community infrastructure, services, and facilities, along with their operations and maintenance to the land proposed to be added to the District. The development plan with the additional acreage will include a total of 959 single family detached housing units.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541 (2), Florida Statutes (2005), defines the elements a statement of estimated regulatory costs must contain:

- (a) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

- (b) A good faith estimate of the cost to the agency , and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.
- (c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, “transactional costs” are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.
- (d) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.
- (e) Any additional information that the agency determines may be useful.
- (f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

For the purposes of this SERC the term “agency” means St. Johns County and the term “rule” means the ordinance(s) which St. Johns County will enact in connection with the amendment of the District.

2.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

As noted above, the proposed boundary amendment will add 109.79 acres to the existing 389 acres of the District for a total area of 498.79 acres. The State of Florida and St. Johns County will likely be affected by the rule.

A. THE STATE OF FLORIDA

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District and will only be affected to the extent that the State incurs those nominal administrative costs outlined below. The cost of any additional administrative services provided by the State as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

B. ST. JOHNS COUNTY

St. Johns County ("County") and its residents not residing within the boundaries of the District will not incur any compliance costs related to the on-going administration of the CDD other than any one-time administrative costs as outlined below. Because the District is already established, these residents will not be affected by adoption of the ordinance amending the District. The cost of any additional administrative services provided by the County as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

3.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

3.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed boundary amendment of the District. Because the District already exists and is operating, there are no additional ongoing costs to the various State Government entities to implement and enforce the proposed boundary amendment.

Local Governments

The proposed boundary amendment for the District is located within the unincorporated limits of St. Johns County and consists of less than 1,000 acres.

Any costs to St. Johns County will be modest for a number of reasons. First, review of the petition to amend the District does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, St. Johns County already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is minimal capital required to review the petition. Fifth, potential costs are offset by the required filing fee. Finally, St. Johns County routinely processes similar petitions for land uses and zoning changes that are far more complex than is the petition to amend the CDD.

The annual costs to St. Johns County, because of the existence of the District, are also very small. The District is an independent unit of local government. The only annual costs St. Johns County faces are the minimal costs of receiving and reviewing the various reports that the District is already required to provide to the local governments. The proposed boundary amendment will not affect the number or type of reports.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the Development. It has its own sources of revenue. No state or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

4.0 A good faith estimate of the transactional costs that are likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the District may provide to the expansion parcel. The CDD has financed a portion of the overall master infrastructure improvements and intends to finance the remainder of the infrastructure improvements necessary for development in the expansion parcel.

Table 1. Turnbull Creek Community Development District Proposed Facilities and Services

FACILITY	FUNDED BY	O&M	OWNERSHIP
Stormwater Management System	CDD	CDD	CDD
Landscaping, Irrigation & Front Entry Improvements	CDD	CDD	CDD
Master Water and Sewer Improvements	CDD	SJU	SJU
Recreation	CDD	CDD	CDD
Roadways	CDD	SJC	SJC
Street Lighting	CDD	CDD	CDD

SJC : St. Johns County SJU : St. Johns Utilities

The petitioner has estimated the design and development costs for providing the capital facilities as outlined in Table 2. As it has for its existing infrastructure, the District may issue special assessment revenue bonds to fund these facilities as well. These bonds will be repaid through non-ad valorem assessments levied on properties in the District that may benefit from the District's capital improvement program as outlined in Table 1.

Future landowners in the District will be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to

the levy of non-ad valorem assessments for debt service, the District also imposes a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Furthermore, the decision to purchase lands in the District by new residents is completely voluntary. Ultimately, all owners and users of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides residents with the option of having higher levels of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, County provision, or through developer equity and/or bank loans.

In considering these costs, it should be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services and amenities sooner than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Amendment of the District's boundaries will ensure that the landowners in the District pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the County's overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

Table 2. Cost Estimate for District Facilities

District infrastructure for the boundary amendment area based upon current cost estimates is anticipated as follows:

Table 2

<u>Category</u>	<u>Cost</u>
Stormwater Management System	\$2,397,000
Landscaping, Irrigation & Front Entry Improvements	\$ 724,000
Master Water and Sewer Improvements	\$ 851,000
Recreation	\$1,872,000
Roadways	<u>\$1,103,000</u>
Total	<u>\$6,947,000</u>

5.0 An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes, and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

There will be no impact on small businesses because of the amendment of the District. If anything, the impact may be positive because of the expansion of the District boundaries. This is because the District must competitively bid all of its contracts. This affords small businesses the opportunity to bid on District work.

St. Johns County, Florida has an estimated population (not incarcerated) in 2005 that is greater than 75,000. Therefore, the County is not defined as a "small county" according to Section 120.52 (17), Florida Statutes.

5.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the District's Engineer and other professionals associated with the Developer.

**Prepared By: Governmental Management Services, LLC
March 24, 2006**

Authorization of Agent

This shall serve as a designation of Cheryl Stuart and Brian A. Crumbaker to act as agents for the Turnbull Creek Community Development District, a local unit of special-purpose government created pursuant to Chapter 190, Florida Statutes, ("Petitioner"), with regard to any and all matters pertaining to the Petition to St. Johns County, Florida, to amend the boundaries of the Turnbull Creek Community Development District pursuant to Chapter 190, Florida Statutes. This authorization shall remain in effect until revoked in writing.

Executed this 6th day of February, 2006.

**Turnbull Creek Community
Development District**

By: Susan Wood
Susan Wood
Chairperson, Board of Supervisors

STATE OF FLORIDA
COUNTY OF Clay

The foregoing instrument was acknowledged before me this 6th day of February, 2006, by Susan Wood of Turnbull Creek CDD. He/she is known to me and did ^{NOT} take an oath.

Ann Tabor
Ann Tabor
Signature of person taking acknowledgment.

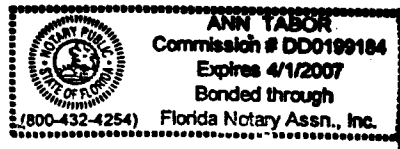


Exhibit 12

BOARD OF SUPERVISORS
Turnbull Creek Community Development District

<u>Name</u>	<u>Address</u>
Susan Wood, Chairperson	414 Old Hard Road, Suite 201 Orange Park, Florida 32003
Leed Silverfield, Vice Chairman	4141 Southpoint Dr. East, Suite B Jacksonville, Florida 32216
Leo Johns, Assistant Secretary	10410 Big Tree Circle East Jacksonville, Florida 32257
Linda Edwards, Assistant Secretary	129 Parkside Drive St. Augustine, Florida 32095
Tom Rodgers, Assistant Secretary	4322 Baltic Street Jacksonville, Florida 32210

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being **DISPLAY ADVERTISEMENT**
in the matter **TURNBULL CREEK CDD AMENDMENT**
was published in said newspaper in the issues of
JUNE 3, 2006.

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this **6TH** day of **JUNE, 2006.**

by *Ch. Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE

OF LOCAL PUBLIC HEARING

St. Johns County Board of County Commissioners to Consider an Amendment of the Boundary of the Turnbull Creek Community Development District

DATE: June 27th, 2006
 TIME: 9:00 a.m.
 LOCATION: County Auditorium
 at the County Administrative Complex
 4020 Lewis Speedway (County Road 16A and U.S. 1 North),
 St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on June 27th, 2006, in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida, to consider an ordinance granting a petition to amend the boundary of the "Turnbull Creek Community Development District" (the "District"). The title of the proposed ordinance is as follows:

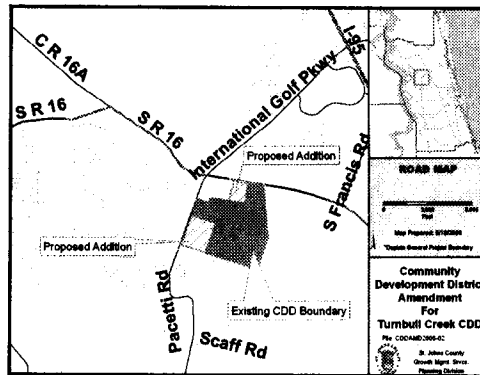
AN ORDINANCE AMENDING ORDINANCE NUMBER 2004-47 THAT ESTABLISHED THE TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AMENDING THE EXTERNAL BOUNDARY OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The Turnbull Creek Community Development District is comprised of approximately 389 acres, more or less, generally located in the area south of State Road 16, north of County Road 208 and east of Pacetti Road (County Road 13-A), located entirely within St. Johns County, Florida. Petitioner has proposed to amend the boundary of the District by expanding the existing boundary to include approximately 109.79 acres currently not within but contiguous to the District Boundary, for a total after expansion of 498.79 acres. Petitioner plans to finance, acquire, construct, operate and maintain certain infrastructure and community facilities on the expansion parcels as authorized under Florida law, including Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general - purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general - purpose local government, who wish to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or local unit of general-purpose government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 209-0651 or the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095 (for hearing impaired individuals call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearing).



BOARD OF COUNTY COMMISSIONERS
 ST. JOHNS COUNTY, FLORIDA
 BRUCE A. MAGUIRE, CHAIRMAN

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **CHARLES BARRETT**
who on oath says that he is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being **DISPLAY ADVERTISEMENT**
in the matter **TURNBULL CREEK CDD AMENDMENT**
was published in said newspaper in the issues of
JUNE 10, 2006.

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
heretofore been continuously published in said St. Johns County, Florida, each
day and has been entered as second class mail matter at the post office in the
City of St. Augustine, in said St. Johns County, for a period of one year preceding
the first publication of the copy of advertisement; and affiant further says that
he has neither paid nor promised any person, firm or corporation any discount,
rebate, commission or refund for the purpose of securing the advertisement for
publication in the said newspaper.

Sworn to and subscribed before me this **12TH** day of **JUNE, 2006.**

by *Charles Barrett* who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF LOCAL PUBLIC HEARING

St. Johns County Board of County Commissioners to Consider an Amendment of the Boundary of the Turnbull Creek Community Development District

DATE: June 27th, 2006
 TIME: 9:00 a.m.
 LOCATION: County Auditorium
 at the County Administrative Complex
 4020 Lewis Speedway (County Road 16A and U.S. 1 North),
 St. Augustine, Florida

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the St. Johns County Board of County Commissioners beginning at 9:00 a.m. on June 27th, 2006, in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16A and U.S. 1 North) St. Augustine, Florida, to consider an ordinance granting a petition to amend the boundary of the "Turnbull Creek Community Development District" (the "District"). The title of the proposed ordinance is as follows:

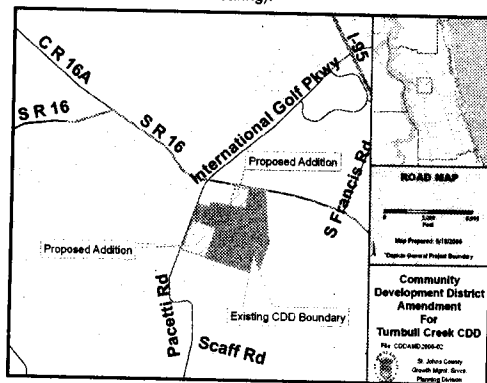
AN ORDINANCE AMENDING ORDINANCE NUMBER 2004-47 THAT ESTABLISHED THE TURNBULL CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; AMENDING THE EXTERNAL BOUNDARY OF THE DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The Turnbull Creek Community Development District is comprised of approximately 389 acres, more or less, generally located in the area south of State Road 16, north of County Road 208 and east of Pacetti Road (County Road 13-A), located entirely within St. Johns County, Florida. Petitioner has proposed to amend the boundary of the District by expanding the existing boundary to include approximately 109.79 acres currently not within but contiguous to the District Boundary, for a total after expansion of 498.79 acres. Petitioner plans to finance, acquire, construct, operate and maintain certain infrastructure and community facilities on the expansion parcels as authorized under Florida law, including Chapter 190, Florida Statutes.

Copies of the petition, department reports and proposed ordinance are open to public inspection at the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (C.R. 16A and U.S. 1 North).

All interested persons and affected units of general - purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any persons or affected unit of general - purpose local government, who wish to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or local unit of general-purpose government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in the proceedings should contact ADA Coordinator, at (904) 209-0651 or the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095 (for hearing impaired individuals call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearing).



BOARD OF COUNTY COMMISSIONERS
 ST. JOHNS COUNTY, FLORIDA
 BRUCE A. MAGUIRE, CHAIRMAN

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COPY OF ADVERTISEMENT

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**
who on oath says that she is an Accounting Clerk of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:
that the attached copy of advertisement, being **PUBLIC HEARING**
in the matter **CONSIDER AN AMENDMENT OF THE BOUNDARY**
was published in said newspaper in the issues of
JUNE 3, 10, 17, 2006.

Affiant further says that the St. Augustine Record is a newspaper published
at St. Augustine, in said St. Johns County, Florida, and that the said newspaper
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day and has been entered as second class mail matter at the post office in the
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he has neither paid nor promised any person, firm or corporation any discount,
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publication in the said newspaper.

Sworn to and subscribed before me this **26TH** day of **JUNE, 2006.**

by Sarah Selfridge who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)



Patricia A. Bergquist
My Commission D927599:
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

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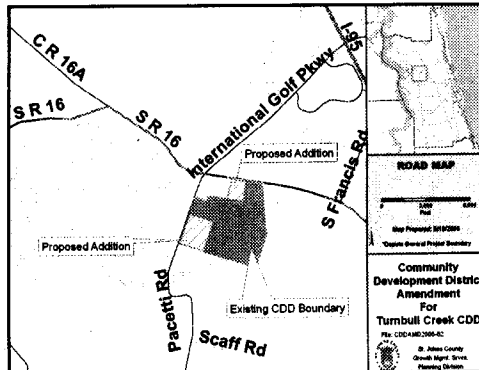
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My Commission DD275991
Expires December 18, 2007

(Seal)

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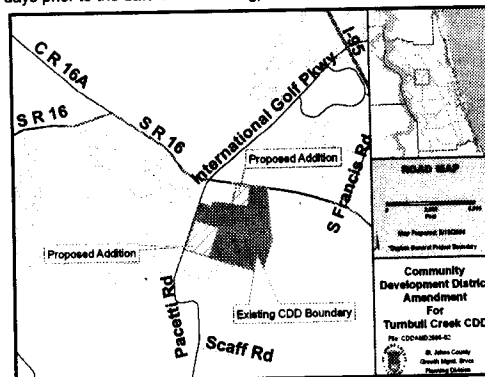
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