



**KEYS EDGE
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
& PUBLIC HEARING
JULY 27, 2022
3:00 P.M.**

Special District Services, Inc.
8785 SW 165th Avenue, Suite 200
Miami, FL 33193

www.keysedgecdd.org
786.347.2700 ext. 2027 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile

AGENDA
KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT
Conference Room
1100 West Palm Drive
Florida City, Florida 33034
REGULAR BOARD MEETING & PUBLIC HEARING
July 27, 2022
3:00 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. June 2, 2022 Special Board Meeting.....Page 2
- G. Public Hearing
 - 1. Proof of Publication.....Page 8
 - 2. Receive Public Comments on Fiscal Year 2022/2023 Final Budget
 - 3. Consider Resolution No. 2022-07 – Adopting a Fiscal Year 2022/2023 Final Budget.....Page 9
- H. Old Business
 - 1. Update Regarding Petition to Amend District Boundary
- I. New Business
 - 1. Consider Developer’s Funding Agreement.....Page 14
 - 2. Consider Resolution No. 2022-08 – Adopting a Fiscal Year 2022/2023 Meeting Schedule.....Page 21
- J. Administrative & Operational Matters
 - 1. Staff Report, as Required
- K. Board Member & Staff Closing Comments
- L. Adjourn

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

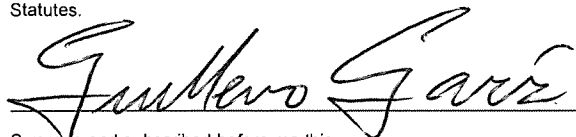
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT -
REVISED FISCAL YEAR 2021/2022 REGULAR MEETING
SCHEDULE

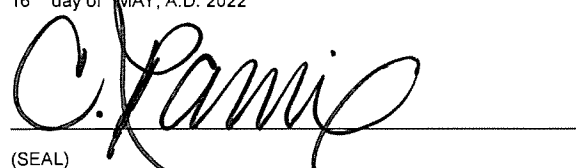
in the XXXX Court,
was published in said newspaper by print in the issues of
and/or by publication on the newspaper's website, if
authorized, on

05/16/2022

Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.

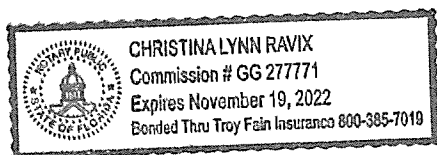


Sworn to and subscribed before me this
16 day of MAY, A.D. 2022



(SEAL)

GUILLERMO GARCIA personally known to me



KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT REVISED FISCAL YEAR 2021/2022 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Keys Edge Community Development District (the "District") will hold Regular Meetings in the Conference Room at 1100 West Palm Drive, Florida City, Florida 33034 at 3:00 p.m. on the following dates:

May 25, 2022
June 22, 2022
July 27, 2022
August 24, 2022
September 28, 2022

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time with no advertised notice.

KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT

www.keysedgecd.org

5/16

22-11/0000596673M

**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT
SPECIAL BOARD MEETING
JUNE 2, 2022**

A. CALL TO ORDER

District Manager Nancy Nguyen called the June 2, 2022, Special Board Meeting of Keys Edge Community Development District (the “District”) to order at 11:07 a.m. in the Conference Room located at 1100 West Palm Drive, Florida City, Florida 33034.

B. PROOF OF PUBLICATION

Ms. Nguyen presented proof of publication that notice of the Special Board Meeting had been published in the *Miami Daily Business Review* on May 24, 2022, *as legally required*.

C. ESTABLISH A QUORUM

Ms. Nguyen determined that the attendance of Vice Chair Miriam Lopez and Supervisors Ronald Fields and Fernando Arango constituted a quorum and it was in order to proceed with the meeting.

Staff members in attendance were: District Manager Nancy Nguyen of Special District Services, Inc.; and District Counsel, Ginger Wald of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Also in attendance were: District Manager Armando Silva (via speakerphone); Juan Alvarez of Alvarez Engineers (via speakerphone); Gabriel Delgado of Onx Homes; and Alicia Ale of Onx Homes.

D. CONSIDER BOARD MEMBER RESIGNATION (GARY HUTCHERSON)

Ms. Nguyen stated that she was in possession of a resignation letter from Gary Hutcherson with an effective date of May 25, 2022, and it would be in order to accept his resignation. It was noted that the resignation letter in the meeting book was incorrect.

NOTE: Ms. Nguyen proceeded to Item E. while Mr. Delgado located Gary Hutcherson’s resignation letter.

NOTE: Following Item F., Ms. Nguyen proceeded with the acceptance of Gary Hutcherson’s resignation.

Mr. Delgado presented a copy of Gary Hutcherson’s resignation letter with an effective date of May 25, 2022.

A **motion** was made by Mr. Fields, seconded by Ms. Ale and unanimously passed accepting Gary Hutcherson’s resignation with an effective date of May 25, 2022.

Ms. Nguyen stated that there was now a vacancy in Seat #2, which term expires in 2023.

E. APPOINTMENT OF SUPERVISOR TO VACANT SEAT

A **motion** was made by Mr. Fields, seconded by Ms. Lopez and unanimously passed appointing Alicia Ale to the unexpired 4-year term of office in Seat #4 and such term of office will expire in November 2025.

F. ADMINISTER OATH OF OFFICE AND REVIEW NEW BOARD MEMBER DUTIES AND RESPONSIBILITIES

Ms. Nguyen, Notary Public in the State of Florida, administered the Oath of Office to Ms. Ale.

Ms. Nguyen will review the duties and responsibilities as a Board Supervisor with emphasis on the Sunshine Law, Financial Disclosure for Public Officials (2021 Form 1 must be completed and mailed to the Supervisor of Elections in the County of residency within thirty (30) days of appointment) and the Code of Ethics for Public Officials with Ms. Ale upon the adjournment of the meeting.

NOTE: Ms. Nguyen returned to item D.

G. ELECTION OF OFFICERS

As a result of the changes to the Board of the District, Ms. Nguyen recommended that re-election of the District's Officers take place. She provided the following slate of names for election:

- Chairperson – Alicia Ale
- Vice Chairperson – Miriam Lopez
- Secretary/Treasurer – Nancy Nguyen
- Assistant Secretaries – Ronald Fields, Fernando Arango, Armando Silva and Gloria Perez

A **motion** was made by Mr. Fields, seconded by Mr. Arango and passed unanimously electing the District's Officers, as listed above.

H. ADDITIONS OR DELETIONS TO THE AGENDA

Ms. Nguyen stated that she would like to add the following items to the agenda:

- New Business L.3. - Consider Resolution No. 2022-06 Authorizing Boundary Amendment
- New Business L.4. - Consider Engineer's Report
- New Business L.5. - Consider Acquisition Agreement

The Board acknowledged Ms. Nguyen's request.

I. COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

There were no comments from the public for items not on the agenda.

J. APPROVAL OF MINUTES

1. April 27, 2022, Regular Board Meeting

Ms. Nguyen presented the minutes of the April 27, 2022, Regular Board Meeting and asked if there were any changes and/or corrections.

There being no changes, a **motion** was made by Mr. Fields, seconded by Ms. Lopez and unanimously passed approving the minutes of the April 27, 2021, Regular Board Meeting, *as presented*.

K. OLD BUSINESS

1. Update Regarding Petition to Expand District Boundaries

Ms. Nguyen stated that this item would be discussed during the item added to the agenda, New Business L.3., Consider Resolution No. 2022-06 – Authorizing Boundary Amendment.

L. NEW BUSINESS

1. Consider Resolution No. 2022-04 – Authorizing Chair or Vice Chair to Execute Plats

Ms. Nguyen presented Resolution No. 2022-04, entitled:

RESOLUTION NO. 2022-04

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS
EDGE COMMUNITY DEVELOPMENT DISTRICT GRANTING THE
CHAIR AND VICE CHAIR THE AUTHORITY TO EXECUTE REAL
AND PERSONAL PROPERTY CONVEYANCE AND DEDICATION
DOCUMENTS, PLATS AND OTHER DOCUMENTS RELATED TO
THE DEVELOPMENT OF THE DISTRICT'S IMPROVEMENTS;
APPROVING THE SCOPE AND TERMS OF SUCH
AUTHORIZATION; PROVIDING A SEVERABILITY CLAUSE; AND
PROVIDING AN EFFECTIVE DATE**

Ms. Nguyen stated that this document authorizes the Chair or Vice Chair to approve conveyances, dedication documents, plats and other documents related to the development of the District's improvements. Ms. Wald stated, prior to the approval of any documents by the Chair or Vice Chair, all necessary persons will review such documents (District Counsel, District Engineer, Developer and/or District Manager). It was further explained that this would allow the development to proceed without delays.

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving and adopting Resolution No. 2022-04, authorizing the Chair and Vice Chair in the Chair's absence, to approve conveyances, dedication documents, plats and other documents related to the development of the District's improvements.

2. Consider Resolution No. 2022-05 – Authorizing Electronic Approvals & Check Signers

Resolution No. 2022-05 was presented, entitled:

RESOLUTION NO. 2022-05

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT, AUTHORIZING THE ESTABLISHMENT OF A DISTRICT CHECKING/OPERATING ACCOUNT, DESIGNATING DISTRICT OFFICIALS AND/OR AUTHORIZED STAFF TO REVIEW, APPROVE AND ISSUE PAYMENT OF EXPENDITURES, SELECTING THE SIGNATORIES THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen advised that due to the changes to the Board of Supervisors, it would be in order to designate a new District Official as an authorized electronic approver and re-elect authorized District Staff as electronic approvers and check signers. The following slate of names were suggested:

- Todd Wodraska
- Jason Pierman
- Patricia LasCasas
- Nancy Nguyen
- Alicia Ale

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving and adopting Resolution No. 2022-05, designating the authorized electronic approvers and check signers, as listed above.

3. ADD-ON: Consider Resolution No. 2022-06 – Authorizing Boundary Amendment

Resolution No. 2022-06 was presented, entitled:

RESOLUTION NO. 2022-06
(AMENDING RESOLUTION NO. 2008-10 and RESOLUTION NO. 2020-01)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT AMENDING RESOLUTION NO. 2008-10 AND RESOLUTION NO. 2020-01, AUTHORIZING AND DIRECTING THE CHAIRPERSON AND/OR VICE CHAIRPERSON AND DISTRICT STAFF TO FILE A PETITION WITH THE MIAMI-DADE COUNTY COMMISSION AND FLORIDA CITY, FLORIDA, REQUESTING THE PASSAGE OF AN ORDINANCE AMENDING THE DISTRICT'S BOUNDARIES; AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY IN FURTHERANCE OF THE BOUNDARY AMENDMENT PROCESS; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nguyen advised that Resolution No. 2022-06 amends Resolution Nos. 2008-10 and 2020-01. She further explained that this document will allow the District to submit a petition to the City of Florida City and Miami-Dade County to expand and contract the District boundaries. Ms. Nguyen stated that Mr. Silva would continue communicating with the developer regarding the petition to expand and contract the District boundaries. A discussion ensued, after which:

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving and adopting Resolution No. 2022-06, as presented.

More information on this matter will be provided at an upcoming meeting.

4. ADD-ON: Consider Engineer's Report

Ms. Nguyen presented the Board with a copy of the Keys Edge Community Development District Engineer's Report Draft 2 (the "Engineer's Report Draft 2"), as well as a print out of an email from Gabriel Delgado with updated dates for Tables 3 and 5 of the Engineer's Report Draft 2. Ms. Nguyen requested that Mr. Alvarez provide an explanation for the document.

Mr. Alvarez introduced himself to the Board and stated that the dates provided by Gabriel Delgado had been incorporated into the Engineer's Report Draft 2 and he had circulated an email with a copy of the Keys Edge Community Development District Engineer's Report Draft 3. Mr. Alvarez provided an explanation for the document as well as reviewed the Exhibits within the document. A discussion ensued, after which:

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving the Keys Edge Community Development District Engineer's Report, in substantial final form.

5. ADD-ON: Consider Acquisition Agreement

Ms. Nguyen presented the Board with a copy of an Acquisition Agreement and stated that this Agreement was prepared by District Counsel. Ms. Wald stated that the language in the document ties in with the Engineer's Report. She also provided an explanation for the document with emphasis on the District's improvements and conveyance of such improvements. A discussion ensued, after which:

A **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed approving the Acquisition Agreement, in substantial final form.

M. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Staff Report, as Required

There was no staff report at this time.

N. BOARD MEMBER & STAFF CLOSING COMMENTS

There were no further comments from Board Members or District Staff.

O. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Mr. Fields, seconded by Mr. Arango and unanimously passed adjourning the Special Board Meeting at approximately 11:49 a.m.

Secretary/Assistant Secretary

Chair/Vice Chair

Miscellaneous Notices



Published in Miami Daily Business Review on July 7, 2022

Location

Miami-Dade County,

Notice Text

NOTICE OF PUBLIC HEARING AND REGULAR BOARD MEETING OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT

NOTICE IS HEREBY GIVEN that the Keys Edge Community Development District (the "District") will hold a Public Hearing and Regular Board Meeting (the "Meeting") of its Board of Supervisors (the "Board") on July 27, 2022, at 3:00 p.m. in the Conference Room at 1100 West Palm Drive, Florida City, Florida 33034. The purpose of the Public Hearing is to receive public comment on the Fiscal Year 2022/2023 Proposed Budget and Non-Ad Valorem Assessment Roll of the District. The Regular Board Meeting is being held for the necessary public purpose of considering any other District business which may lawfully and properly come before the Board. At such time the Board is so authorized and may consider any business that may properly come before it.

A copy of the budget and/or the agenda for the Meeting may be obtained at the offices of the District Manager, c/o Special District Services, Inc., at 786-347-2700 ext. 2027 or nnguyen@sdsinc.org (the "District Manager's Office") during normal business hours. The Meeting is open to the public and will be conducted in accordance with the provisions of Florida law for special districts. The Meeting may be continued to a date, time, and place to be specified on the record at the Meeting.

Any person requiring special accommodations in order to access and participate in the Meeting because of a disability or physical impairment should contact the District Manager's Office at least forty-eight (48) hours prior to the Meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

Anyone requiring assistance in order to participate in this Meeting should contact the District Manager's Office at least forty-eight (48) hours prior to the Meeting. Similarly, any person requiring or that otherwise may need assistance accessing or participating in this Meeting because of a disability or physical impairment is strongly encouraged to contact the District Manager's Office at least forty-eight (48) hours in advance so that arrangements may be made.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the Meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT

www.keysedgecdd.org

7/7-14 22-39/0000606770M

RESOLUTION NO. 2022-07

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS
EDGE COMMUNITY DEVELOPMENT DISTRICT APPROVING
AND ADOPTING A FISCAL YEAR 2022/2023 FINAL BUDGET
PURSUANT TO CHAPTER 190, *FLORIDA STATUTES*; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Board of Supervisors (the “Board”) of the Keys Edge Community Development District (the “District”) has prepared a Proposed Operating Fund Budget for Fiscal Year 2022/2023, and the Board is empowered to provide a funding source to operate the District and to impose special assessments upon the properties within the District, as required; and

WHEREAS, the District has held a duly advertised Public Hearing to receive public comments on the Proposed Operating Fund Budget, has considered and adopted the Fiscal Year 2022/2023 Operating Fund Budget; and is now authorized to levy non-ad valorem assessments upon the assessable properties within the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT, THAT:**

Section 1. The Operating Fund Budget for Fiscal Year 2022/2023 attached hereto as Exhibit “A” is accepted, approved and adopted by the Board.

Section 2. The Secretary and/or Assistant Secretary of the District is authorized to execute any and all necessary transmittals, certifications or other acknowledgements or writings, as necessary, to comply with the intent of this Resolution.

PASSED, ADOPTED and EFFECTIVE this 27th day of July, 2022.

ATTEST:

**KEYS EDGE
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

Keys Edge
Community Development District

**Final Budget For
Fiscal Year 2022/2023
October 1, 2022 - September 30, 2023**

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- II DETAILED FINAL BUDGET**

FINAL BUDGET
KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2022/2023 BUDGET
REVENUES	
Administrative Assessments	0
Maintenance Assessments	0
Developer Contribution	109,825
Debt Assessments	0
Interest Income	0
TOTAL REVENUES	\$ 109,825
EXPENDITURES	
Maintenance Expenditures	
Engineering	5,000
Street/Roadway Maintenance/Signage	3,000
Common Area Maintenance	18,000
Entry Feature Maintenance	12,000
Maintenance Contingency	2,500
TOTAL MAINTENANCE EXPENDITURES	\$ 40,500
Administrative Expenditures	
Supervisor Fees	0
Management	26,100
Legal	13,000
Assessment Roll	10,000
Audit Fees	4,000
Arbitrage Rebate Fee	0
Insurance	8,000
Legal Advertisements	3,500
Miscellaneous	1,500
Postage	300
Office Supplies	750
Dues & Subscriptions	175
Trustee Fees	0
Continuing Disclosure Fee	0
Website Management	2,000
Administrative Contingency	0
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 69,325
TOTAL EXPENDITURES	\$ 109,825
REVENUES LESS EXPENDITURES	\$ -
Bond Payments	0
BALANCE	\$ -
County Appraiser & Tax Collector Fee	0
Discounts For Early Payments	0
EXCESS/ (SHORTFALL)	\$ -

DETAILED FINAL BUDGET
KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023
OCTOBER 1, 2022 - SEPTEMBER 30, 2023

	FISCAL YEAR 2020/2021 ACTUAL	FISCAL YEAR 2021/2022 BUDGET	FISCAL YEAR 2022/2023 BUDGET	COMMENTS
REVENUES				
Administrative Assessments	0	0	0	
Maintenance Assessments	0	0	0	
Developer Contribution	43,384	101,825	109,825	Developer Contribution
Debt Assessments	0	0	0	
Interest Income	8	0	0	No Change From 2019/2020 Budget
TOTAL REVENUES	\$ 43,392	\$ 101,825	\$ 109,825	
EXPENDITURES				
Maintenance Expenditures				
Engineering	5,717	1,500	5,000	\$3,500 Increase From 2021/2022 Budget
Street/Roadway Maintenance/Signage	0	3,000	3,000	No Change From 2021/2022 Budget
Common Area Maintenance	0	18,000	18,000	No Change From 2021/2022 Budget
Entry Feature Maintenance	0	12,000	12,000	No Change From 2021/2022 Budget
Maintenance Contingency	0	6,000	2,500	\$3,500 Decrease From 2021/2022 Budget
TOTAL MAINTENANCE EXPENDITURES	\$ 5,717	\$ 40,500	\$ 40,500	
Administrative Expenditures				
Supervisor Fees	0	0	0	Typically Non-Applicable First Few Years
Management	26,100	26,100	26,100	No Change From 2021/2022 Budget
Legal	7,220	11,000	13,000	\$2,000 Increase From 2021/2022 Budget
Assessment Roll	0	10,000	10,000	Billed First Year District Is On Tax Roll
Audit Fees	0	0	4,000	Will Be Needed If 2021/2022 Expenditures Exceed \$50,000
Arbitrage Rebate Fee	0	0	0	Will Commence In First Year After Bond Issue
Insurance	5,650	6,000	8,000	Insurance Estimate
Legal Advertisements	298	3,500	3,500	Higher First Few Years Due To More Required Advertising
Miscellaneous	163	1,500	1,500	No Change From 2021/2022 Budget
Postage	112	300	300	No Change From 2021/2022 Budget
Office Supplies	196	750	750	No Change From 2021/2022 Budget
Dues & Subscriptions	175	175	175	Annual Dues Paid To Department Of Economic Opportunity
Trustee Fees	0	0	0	Will Commence In First Year After Bond Issue
Continuing Disclosure Fee	0	0	0	Will Commence In First Year After Bond Issue
Website Management	2,000	2,000	2,000	Website Management
Administrative Contingency	0	0	0	Administrative Contingency
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 41,914	\$ 61,325	\$ 69,325	
TOTAL EXPENDITURES	\$ 47,631	\$ 101,825	\$ 109,825	
REVENUES LESS EXPENDITURES	\$ (4,239)	\$ -	\$ -	
Bond Payments	0	0	0	2023 P & I Payments Less Earned Interest
BALANCE	\$ (4,239)	\$ -	\$ -	
County Appraiser & Tax Collector Fee	0	0	0	Two Percent Of Total Assessment Roll
Discounts For Early Payments	0	0	0	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (4,239)	\$ -	\$ -	

DEVELOPER'S FUNDING AGREEMENT
(Fiscal Year 2022-2023)

This Agreement is made and entered into this ____ day of _____, 2022 (the "Effective Date"), by and between:

KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT, a local unit of special purpose government established pursuant to Chapter 190, *Florida Statutes*, being situated in Florida City, Miami-Dade County, Florida, and whose mailing address is 2501A Burns Road, Palm Beach Gardens, Florida 33410 (the "District"); and

ONX-ODAGLED GRAND PALMS II, LLC, a Delaware limited liability company, registered to do business in the state of Florida, **and ONX-ODAGLED GRAND PALMS, LLC**, a Delaware limited liability company, registered to do business in Florida, collectively the primary developer of lands within the boundaries of the District, whose address is 1200 NW 4th Street, Homestead, Florida 33030, and their respective successors, successors-in-title, and assigns (collectively the "Developer").

RECITALS

WHEREAS, the Developer owns or controls all lands within the District; and

WHEREAS, the District pursuant to the responsibilities and authorities vested in it by Chapter 190, *Florida Statutes*, desires to proceed with the discharge of its duties, including but not limited to its administrative and legal functions and its preparations to acquire, construct and deliver certain community development services, facilities, and improvements to serve the District, including without limitation certain water distribution and sanitary sewer collection and transmission systems and facilities, a stormwater management system, roads and roadway improvements, and related improvements, all as such services, facilities, and improvements are more specifically described in the plans and specifications on file at the offices of the District (collectively referred to hereafter as "Improvements"); and

WHEREAS, the Developer recognizes that in the District's discharging of said duties and responsibilities, certain benefits will accrue to the land; and

WHEREAS, the Developer is agreeable to funding the operations of the District as called for in the annual fiscal year budget approved by the Board of Supervisors as governing body of the District (herein the "Budget"), which is attached and made a part hereof as Exhibit "A", as such Budget may be amended from time to time for the fiscal year that it covers; and

WHEREAS, the Developer agrees and acknowledges that this Agreement shall be binding upon its heirs, executors, receivers, trustees, successors and assigns.

NOW, THEREFORE, based upon good and valuable consideration and the mutual covenants of the parties hereinafter recited, the receipt and sufficiency of which is hereby acknowledged, the District and the Developer agree as follows:

1. The recitals stated above are true and correct and by this reference are incorporated by reference as a material part of this Agreement.

2. Developer agrees to make available to the District the moneys necessary for the operation of the District during all or a portion of the fiscal year as called for in the Budget, monthly, within fifteen (15) days of written request by the District. The funds shall be placed in the District's general checking account. These payments are made in lieu of taxes, fees or assessments that might otherwise be levied or imposed by the District.

3. The parties hereto recognize that payments not part of the Budget may be made by the Developer to the District, or on behalf of the District, in connection with the Improvements set forth in the report of the District Engineer which are to be financed with the special assessment bonds, in one or more series (the "Bonds") and as such, the payments may be considered to be reimbursable advances. The District agrees to use best efforts such that upon the issuance of its Bonds that there will be included an amount sufficient to repay the Developer for the payments advanced to the District by the Developer prior to the issuance of the Bonds in accordance with this Agreement and in connection with the cost of the Improvements. Such repayment shall be made within a reasonable period of time following the issuance of the Bonds. The parties further agree that any repayments will not include any interest charge.

4. Developer shall make available to the District the moneys necessary for any and all maintenance, repair, reconstruction, and replacement of the District's Improvements arising during the fiscal year covered by the Budget, as set forth in the Budget, as such Budget may be amended from time to time.

5. This instrument constitutes the entire agreement between the parties relating to the subject matter of this Agreement. Amendments to and waivers of the provisions contained in this Agreement may be made only in writing which is executed by both of the parties hereto.

6. The execution of this Agreement has been duly authorized by the appropriate body or official of all parties hereto, each party has complied with all the requirements of law, and each party has full power and authority to comply with the terms and provisions of this Agreement.

7. A default by either party under the Agreement shall entitle the other to all remedies available at law or in equity, which shall include but not be limited to the right of damages, injunctive relief and specific performance and specifically include the ability of the District to

enforce any and all payment obligations under this Agreement through the imposition and enforcement of a contractual or other lien on property owned by the Developer.

8. In the event that either party is required to enforce this Agreement by court proceedings or otherwise, then the parties agree that the prevailing party shall be entitled to recover from the other all costs incurred, including reasonable attorney's fees and costs for trial, alternate dispute resolution, or appellate proceedings.

9. This Agreement is solely for the benefit of the formal parties herein and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement expressed or implied is intended or shall be construed to confer upon any person or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof; and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the parties hereto and their respective representatives, successors and assigns.

10. This Agreement and the provisions contained herein shall be construed, interpreted and controlled according to the laws of the State of Florida.

11. This Agreement has been negotiated fully between the parties in an arm's length transaction. The parties participated fully in the preparation of this Agreement with the assistance of their respective counsel. In the case of a dispute concerning the interpretation of any provision of this Agreement, the parties are deemed to have drafted, chosen and selected the language, and the doubtful language will not be interpreted or construed against any party.

12. This Agreement, or any monies to become due hereunder, may be assigned, provided that the assigning party first obtains the prior written consent of the other party, which consent shall not unreasonably be withheld.

13. The rights and obligations created by this Agreement shall be binding upon and inure to the benefit of Developer and District, their heirs, executors, receivers, trustees, successors and assigns.

14. Whenever used the singular number shall include the plural, the plural the singular; the use of any gender shall include all genders, as the context requires; and the disjunctive shall be construed as the conjunctive, the conjunctive as the disjunctive, as the context requires.

15. This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original; however, all such counterparts together shall constitute, but one and the same instrument. Signature and acknowledgment pages, if any, may be executed by facsimile, which shall be good as an original, and may be detached from the counterparts and attached to a single copy of this document to physically form one document.

IN WITNESS WHEREOF, the parties hereto execute this Agreement and further agree that it shall take effect as of the Effective Date first above written.

Attest:

**KEYS EDGE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

STATE OF FLORIDA }
COUNTY OF MIAMI-DADE }

The foregoing instrument was acknowledged before me by means of (____) physical presence or (____) online notarization, this ____ day of _____, 2022, by _____, as Chairperson/Vice Chairperson of the Board of Supervisors for **KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT**, who is personally known and/or produced _____ as identification and who being duly sworn, deposes and says that the aforementioned is true and correct to his or her best knowledge.

My commission expires:

Notary Public:

Print Name: _____

ONX-ODAGLED GRAND PALMS II, LLC, a Delaware limited liability company,
Authorized to do business in the State of
Florida

Witnesses:

Print Name

Print Name

By: _____
Print Name: _____
Title: _____

_____ day of _____, 2022.

STATE OF FLORIDA }
 }
 }SS:
COUNTY OF MIAMI-DADE }

The foregoing instrument was acknowledged before me by means of (____) physical presence
or (____) online notarization, this _____ day of _____, 2022,
by _____, as _____ of **ONX-
ODAGLED GRAND PALMS II, LLC**, a Delaware limited liability company, authorized to do
business in the State of Florida, who is personally known and/or produced _____
as identification.

My commission expires:

Notary Public:
Print Name: _____

ONX-ODAGLED GRAND PALMS, LLC,
a Delaware limited liability company,
Authorized to do business in the State of
Florida

Witnesses:

Print Name

Print Name

By: _____
Print Name: _____
Title: _____

_____ day of _____, 2022.

STATE OF FLORIDA }
 }
 }SS:
COUNTY OF MIAMI-DADE }

The foregoing instrument was acknowledged before me by means of (____) physical presence
or (____) online notarization, this _____ day of _____, 2022,
by _____, as _____ of **ONX-
ODAGLED GRAND PALMS, LLC**, a Delaware limited liability company, authorized to do
business in the State of Florida, who is personally known and/or produced _____
as identification.

My commission expires:

Notary Public:
Print Name: _____

Exhibit "A" - Budget
(FY 2022/2023)

RESOLUTION NO. 2022-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT, ESTABLISHING A REGULAR MEETING SCHEDULE FOR FISCAL YEAR 2022/2023 AND SETTING THE TIME AND LOCATION OF SAID DISTRICT MEETINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary for the Keys Edge Community Development District (the "District") to establish a regular meeting schedule for fiscal year 2022/2023; and

WHEREAS, the Board of Supervisors (the "Board") of the District has set a regular meeting schedule, location and time for District meetings for fiscal year 2022/2023 which is attached hereto and made a part hereof as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT, MIAMI-DADE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby adopted by the Board.

Section 2. The regular meeting schedule, time and location for meetings for fiscal year 2022/2023 which is attached hereto as Exhibit "A" is hereby adopted and authorized by the Board to be published.

PASSED, ADOPTED and EFFECTIVE this 27th day of July, 2022.

ATTEST:

**KEYS EDGE
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson

**KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the “Board”) of the **Keys Edge Community Development District** (the “District”) will hold Regular Meetings in the Conference Room at 1100 West Palm Drive, Florida City, Florida 33034 at 3:00 p.m. on the following dates:

**October 26, 2022
November 16, 2022
January 25, 2023
February 22, 2023
March 22, 2023
April 26, 2023
May 24, 2023
June 28, 2023
July 26, 2023
August 23, 2023
September 27, 2023**

The purpose of the meetings is for the Board to consider any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law for Community Development Districts. Copies of the Agenda for any of the meetings may be obtained from the District’s website or by contacting the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922, prior to the date of the particular meeting.

From time to time one or two Board members may participate by telephone; therefore, a speaker telephone will be present at the meeting location so that Board members may be fully informed of the discussions taking place. Said meeting(s) may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence on which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at nnguyen@sdsinc.org and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time with no advertised notice.

KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT

www.keysedgecd.org

PUBLISH: MIAMI DAILY BUSINESS REVIEW 10/17/22