

**SOUTH BROWARD DRAINAGE DISTRICT
GOVERNING BOARD MEETING MINUTES**

March 28, 2024

Present:

Scott Hodges, Chair
Jack McCluskey, Vice-Chair
Robert E. Goggin, IV, Secretary
Alanna Mersinger, Treasurer
Mercedes Santana-Woodall, Commissioner
Clair E. Perdomo, Commissioner
Henry A. Rose, Commissioner

Douglas R. Bell, Legal Counsel

SBDD Staff:

Luis Ochoa, District Director
Andrew Sobrino, Assistant Director
Isabel Trujillo, Financial Services Coordinator
Susie Perez, District Clerk
Curtis Gervin, Operations & Maint. Manager
Kevin Hart, Project Manager/Engineering Asst.

Absent: Commissioner Santana-Woodall

General Public: Lori Hart

01. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Hodges called the South Broward Drainage District (SBDD) Board Meeting to order at 8:30 a.m., followed by the Pledge of Allegiance.

02. ROLL CALL

District Director Ochoa conducted a roll call, and the following Board members were present: Commissioner Mersinger, Commissioner Goggin, Commissioner Perdomo, Commissioner Rose, Vice-Chair McCluskey, and Chair Hodges.

Six Commissioners were physically present at the SBDD headquarters. Therefore, a quorum and an in-person quorum were established.

Members of the public were able to attend physically at SBDD headquarters, or virtually via "Go-To-Meeting".

03. PUBLIC COMMENT

Chair Hodges asked if anyone from the public was present and wished to speak at this time. There were no members of the public who wished to speak.

04. APPROVAL OF MINUTES

Commissioner Goggin moved for approval of the minutes of the February 29, 2024, SBDD Board meeting. Motion was seconded by Vice-Chair McCluskey.

Director Ochoa conducted a roll call vote, and the motion passed by unanimous vote.

05. DIRECTOR'S REPORT

A. **CONSENT ITEMS:** Chair Hodges noted that there was one (1) consent item for consideration as follows:

1. Release & Vacation of SWMA for Altschul property located at 5109 S.W. 164th Terrace, SWR, FL 33331.

Vice-Chair McCluskey moved for approval of the consent agenda. The motion was seconded by Commissioner Goggin.

Director Ochoa conducted a roll call vote, and it was carried by unanimous vote.

REGULAR ITEMS:

B. **SBDD RESOLUTION NO. 2024-08- SBDD APPROVING AN INDEMNIFICATION AGREEMENT WITH BELLA ADVERTISING, LLC AND ALLVISION, LLC**

Director Ochoa stated that proposed SBDD Resolution No. 2024-08 approves SBDD entering into an Indemnification Agreement with Bella Advertising, LLC and Allvision, LLC at the SBDD S-1 pump station.

Currently, SBDD is party to a certain Mutual Non-Exclusive Access Easement between SBDD and Safeguard Properties, LLC ("Safeguard"), pursuant to which Safeguard and SBDD have granted each other ingress and egress rights over their respective properties. This easement was approved by the Board at last month's Board meeting (2/29/24). This easement agreement provided provisions for Safeguard to extend access rights to the easement for the purposes of constructing a billboard sign.

Safeguard has entered into a ground lease with Bella Advertising, LLC and Allvision, LLC (Sign Owners), to construct and operate a billboard sign (the "Sign") on the Safeguard Property and pursuant to the terms of the Easement Agreement, the Sign Owner is authorized to exercise the ingress and egress rights granted by SBDD to Safeguard therein for the purpose of constructing, operating, maintaining, and removing said Sign.

The Sign Owners in consideration of SBDD allowing the Sign Owners to utilize the ingress and egress rights granted by SBDD to Safeguard in the Easement Agreement, have agreed to indemnify SBDD from and against any and all claims for property damage and personal injury resulting from Sign Owner's use of the SBDD Property pursuant to the Easement Agreement.

Director Ochoa stated that District Attorney Bell has reviewed the Indemnification Agreement and has approved its form and correctness.

Director Ochoa stated that SBDD staff have no objections to this agenda item.

Financial impacts to this Agenda Item: None. The Sign Owners will reimburse the District for Attorney Bell's time for this item.

Director Ochoa requested approval of SBDD Resolution No. 2024-08 - Indemnification Agreement with Bella Advertising, LLC and Allvision, LLC at the SBDD S-1 Pump Station.

Commissioner Goggin motioned for approval of Resolution No. 2024-08- Indemnification Agreement with Bella Advertising, LLC and Allvision, LLC at the SBDD S-1 Pump Station. The motion was seconded by Vice-Chair McCluskey.

Commissioner Mersinger asked since the District has no input in what the sign is going to say could the District be liable or sued for what is put out there, since the sign is not located on SBDD's property. Director Ochoa deferred the question to Attorney Bell. Attorney Bell stated that he could not guarantee that SBDD would not be involved in any legal action regarding the sign and noted that the sign is not on SBDD's property, but SBDD now has an easement over the land where the sign will be located. SBDD has an easement for access but does not own the land.

Vice-Chair McCluskey asked Attorney Bell if there were any conditions that a signed ordinance drafted by Miramar would jeopardize the District either in this agreement or the one previously passed by the Board. Attorney Bell stated that the sign company would be responsible to get the approval through the City; and it is very unlikely SBDD would be involved in any type of action, but again, he could not guarantee that. Vice-Chair McCluskey asked for assurance that SBDD would not be held liable for anything related to the sign (content). Attorney Bell stated that it would be highly unlikely. SBDD will not be a signer on any applications or agreements related to the sign. Director Ochoa confirmed that the City will set the requirements through the permitting process with the Applicant and SBDD will not be part of the permit or any of the requirements related to the sign.

Commissioner Goggin stated that he appreciated Staff for all the work involved in this item, and asked if the District has some sort of protocol when hurricane season is upon us, and the District is preparing for a storm. Director Ochoa stated that the District will be having a pre-construction meeting with the sign company before they start the construction; and this information will be discussed and be put in place prior to the sign installation.

Director Ochoa conducted a roll call vote, and the motion passed by unanimous vote.

C. PRESENTATION OF THE KEVIN M. HART EXEMPLARY AWARD

District Director Ochoa presented Kevin Hart with an exemplary award for his dedication and years of service at South Broward Drainage District followed by an honorary speech.

Kevin Hart accepted this award with great honor and gave a short speech thanking everyone.

D. FINANCIAL SERVICES REPORT-SBDD FINANCIAL AND ADMINISTRATIVE SERVICES COORDINATOR, ISABEL TRUJILLO

Director Ochoa introduced Ms. Trujillo to give the Board an update on the District's financial status.

Ms. Trujillo stated she had a couple of things to discuss with the Board as follows:

1. Ms. Trujillo stated that on 03/25/24, the District's insurance company, Preferred Governmental Insurance Trust (PGIT), awarded the District a check for \$5,000 as part of the TIPS reimbursement program. This is a 50/50 reimbursement for anything the District pays towards safety improvements.
2. Ms. Trujillo mentioned that there were two CD's that matured. In last month's meeting it was mentioned that one of the CD's with Synovus was due and the District reinvested and received an interest check of \$10,636.31. Ms. Trujillo stated that just recently, the District had a CD mature with US Century Bank and reinvested the principal at 4.85% and received an interest check in the amount of \$11,036.24 for the prior maturity. Ms. Trujillo stated that the District received its analysis on the 26th for interest payments on its accounts with Synovus which totaled \$25,102.55. She also mentioned that there is another CD that will mature on April 5th with Ameris Bank and the District is looking into options for either rolling it over or moving it to US Century Bank and taking advantage of the 4.85% rate. She will provide the Board with an update at next month's Board meeting.
3. Ms. Trujillo stated that the Commissioners are officially members of the FRS and advised them to be on the lookout for literature that will be sent out in the mail that will require some necessary decisions to be made.
4. Ms. Trujillo stated that the audit is almost complete and there are only a few items under review. A draft of the audit will be presented in April's Board meeting and a final in May.
5. Ms. Trujillo asked if all the signers on the bank account could see her after the meeting to sign an updated signature card, since Mr. Hart has been officially removed from the bank signature card.
6. Ms. Trujillo stated that the Commissioners who requested to have their picture on their business card should be receiving them before next month's meeting. She stated that she will be sending an email with the information that will be on the card for verification and accuracy.

E. OTHER

Director Ochoa had several "other" items to discuss as follows:

1. Director Ochoa stated that both gear drives that were ordered for the S-7 and S-1 pump stations have arrived.
2. Director Ochoa stated that the S-4/S-5 re-roof project is now complete and SBDD has the warranty in hand; all pumps and exhaust fans should be back in full operation by next week.

3. Director Ochoa updated the Board on the S-3 #1 engine rebuild, and thanked the District's mechanic, Ronnie Thompson and his Assistant, Mr. Anand Maharaj, for their excellent work; the engine rebuild has been completed, re-installed, and is back in operation.
4. Director Ochoa gave an update on the mobile pumps and stated that in order for SBDD to take advantage of the mobile pumps, the District is creating mobile pump pads and anticipating the locations of where to deploy the units. Construction of the S-2 mobile pump pad started this week and entails reshaping and regrading the canal bank and installing five pallets of rip-rap and several sections of fabric form revetment. Assistant Director Sobrino has been on top of this job and has done a phenomenal job.
5. Director Ochoa stated that the SBDD Tree Trimming Project is out for bid. There are approximately seven locations throughout the District. These bids are due April 12th and a request for the contract award will be presented at next month's Board meeting.
6. Director Ochoa gave an update on the Century Village Flood Gate, which is a joint project with the City of Pembroke Pines. The City has received a grant for the work; 75% from FEMA and then a cost share of 12.5% from the City and 12.5% from SBDD. This project is tentatively scheduled to be on the May 1st agenda at the City of Pembroke Pines for bidding. The electrical and civil plans are in the final stages of revisions and then the project will be released for bids. The District will be issuing Purchase Orders for the telemetry, sluice gates, motor and actuator that are involved in this project. Overall, the District has committed up to \$60,000 in its CIP budget for this project.
7. Director Ochoa stated that the Hidden Lake Seepage Management Pump Station is being finalized with SFWMD as part of the pre-application process. They have requested some additional data on elevations be presented as part of the application process. Since this project was delayed last year, the District has to go through the pre-application process again.
8. Director Ochoa stated that March has been a busy month and gave a summary on the following:
 - On March 5th, along with Director Hart and Assistant Director Sobrino, they gave a presentation to the Pembroke Pines Environmental Advisory Board on drainage resiliency. They spoke about what the District is currently doing with its own resiliency plans and what efforts the City can make on their end to improve their resiliency efforts.
 - March 9th was the 22nd annual Broward County Water Matters Day where several Staff members along with Assistant Director Sobrino, Director Hart and the majority of the District's Board of Commissioners attended. A presentation was shown, displaying some pictures of the event, which included the appearance of one of the District's mobile pumps and grapple truck.
 - On March 14th, Chair Hodges, Assistant Director Sobrino, and Director Ochoa took part in a stakeholder meeting regarding the Broward County Resiliency Plan and Adaptation results. The meeting was hosted at SBDD headquarters. The Engineers from Hazen and Sawyer discussed their

model and the different ways the County could adapt to sea level rise of more than three feet and the Heat Islands effect Circa Year 2070. The Heat Island Effect refers to a phenomenon where cities experience higher air temperatures compared to the surrounding countryside. The model shows that the areas most impacted are the east side of the County where there is less greenery and less lake areas.

Some of their adaptations include:

1. Raising seawalls to elevation 5.0' NAVD which is consistent with many of the District's top of bank elevations.
 2. Creating underground storage areas in paved areas.
 3. Lowering control structures to increase discharge rates.
 4. Adding more swales and reducing impermeable areas.
- On March 20th, Assistant Director Sobrino and Chair Hodges attended Career Day at Flanigan High School. Assistant Director Sobrino gave a summary of the event and stated it went very well. Chair Hodges thanked Commissioner Rose for the invitation and stated it was a great event.
9. Director Ochoa gave an update on the previous weekend's rainfall event. On Friday, March 22nd and Saturday, March 23rd the District registered approximately 2"-2.5" of rain. Since water levels were low, none of SBDD's pumps turned on during the event; nevertheless, the District was able to keep the stages in check by operating the sluice gates along the C-11 canal as well as the gates at the S-3 and S-7 pump stations.
 10. Director Ochoa mentioned that the Special Districts Bill (HB 7013) has made its way through both the House and Senate and is awaiting signature by the Governor. If signed, the Bill will take effect on July 1st, 2024.
 11. Director Ochoa stated that the FASD online ethics training module will need to be completed by December 31st. The program is put on by the Florida Institute of Government. Director Ochoa reached out to FASD to inquire about the in-person training, but it is only offered at the annual conference in Orlando in June. The online module is now ready and available.
 12. Director Ochoa informed the Board that on March 22nd Secretary of State Cord Byrd sent out the official notice of the 2024 general election. SBDD zones 1, 3, and 6 are up for election in November. He stated that Zone 1 is Commissioner Perdomo, Zone 3 is Chair Hodges and Zone 6 is Vice-Chair McCluskey and the qualifying period for this is from noon, June 10th through noon, June 14th.

06. ATTORNEY'S REPORT

Attorney Bell gave a follow-up on the Special District's legislation and stated that by October 1st, 2024, the District will be required to put together goals and objectives for each program and activity undertaken by the District, as well as performance measures and standards to determine if the District's goals and objectives have been achieved. Attorney Bell also stated that starting in December 2025, the District must publish a list of the goals and objectives achieved by the District on its website, as well as the performance measures used by the District to make the determination, along with any goals and objective the District failed to achieve.

Attorney Bell stated that the 12-year term limit noted in the legislation will go into effect after the new election cycle in November.

07. APPROVAL OF LEGAL BILLS

Commissioner Goggin moved for approval of the legal bills. Motion was seconded by Vice-Chair McCluskey.

Director Ochoa conducted a roll call vote, and it was carried by unanimous vote.

08. BOARD MEMBERS QUESTIONS/COMMENTS

Vice-Chair McCluskey informed the Board that there was some literature distributed in District 3 and District 2 commenting about flooding and asked if anyone knew what they were talking about. Commissioner Rose stated that, in general, they were talking about standing water in the streets, and not homes flooding. Vice-Chair McCluskey commented that he was aware of Chapel Trail having some flooding issues but not long lasting, and not getting into resident's homes. Chair Hodges commented that typically when residents say "flooding", they mean street flooding; and there was discussion about the importance of keeping drains free of leaves and debris, and the jurisdictional limits of the District to the east.

Commissioner Goggin expressed some concern about drainage in older parking lots, and the loss of swales and the ability of swales to convey water to drains and culverts; and driveways that are blocking swales and conveyance. There are culverts in place, but the water is not getting to the drains effectively. Director Ochoa stated that what needs to happen is for the City to go in and implement a reconstruction project to remediate the swales; and he noted that on the east side of the District, not all the swales are connected to culverts, and there is less lake area, so the swales are more important for storage and to keep water off the streets. Ideally, this work would take place at the same time that the roads are resurfaced.

Commissioner Rose and Commissioner Mersinger informed the Board that they will not be in attendance for next month's meeting.

09. MEETING DATE(S)

- A. THE NEXT BOARD MEETING WILL BE HELD ON **THURSDAY, APRIL 25th AT 8:30 A.M.**

Adjournment at 9:42 A.M.

Respectfully submitted,

Robert E. Goggin IV, Secretary
South Broward Drainage District

*****MEMORANDUM*****

DATE: April 18, 2024

TO: South Broward Drainage District Commissioners

FROM: Luis Ochoa, P.E.
District Director

Subject: Request for the Release of Rights in Canal Reservations on the Property Owned by Bergeron US 27, LLC, Southwest Ranches, FL

Comments:

South Broward Drainage District (SBDD) received a request to release the Rights in Canal Reservations that are currently held for Parcel ID # 5039 2702 0210 and Parcel ID # 5039 3401 0570. The subject property is located in the Town of SW Ranches, Broward County, FL and is owned by Bergeron US 27, LLC.

The Rights in Reservations were originally established in 1908 by the Internal Improvement Fund of the State of Florida for the purposes of creating canals, cuts, sluice-ways, dikes and other works as may be in the judgement of said Trustees for the drainage and reclamation of lands (Corrected Deed No. 16,189).

The areas in question fall within the proposed footprint of the US-27 Business Center project that SBDD has reviewed in correlation with the Land Use Plan Amendment through the Town of SW Ranches. SBDD has also issued a site clearing, grubbing and grading permit PD 210915 for the site. SBDD Cemetery Trails Canal is located approximately 580 feet east of said parcels, and SBDD has no plans to expand, extend or otherwise modify the canal in this area.

SBDD staff has reviewed the request and has no objections, subject to the payment of all associated fees and costs by the property owner. Upon approval by the Board, SBDD will issue a Letter of No Objection to South Florida Water Management District.

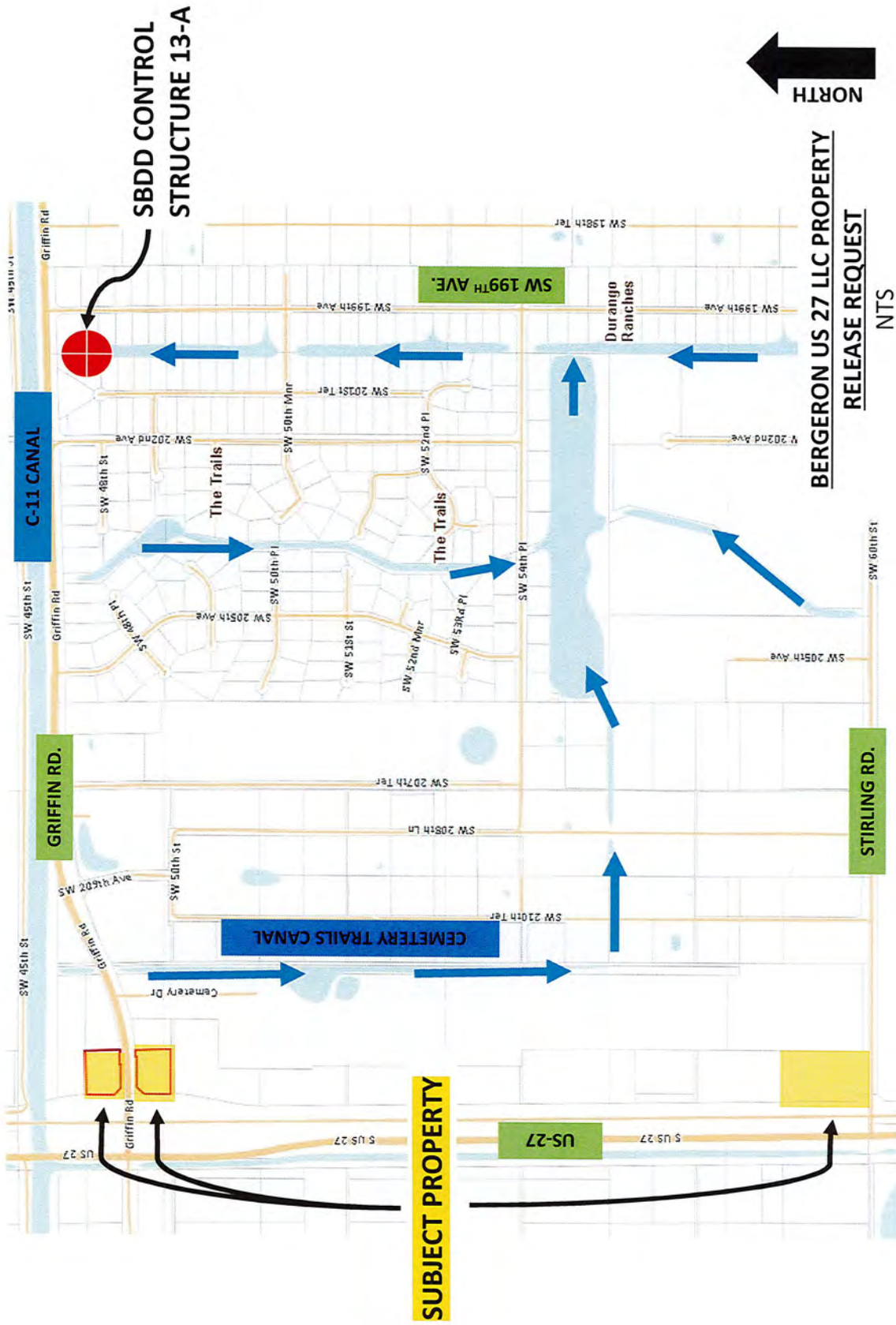
The following documents/sketches are attached to this memo:

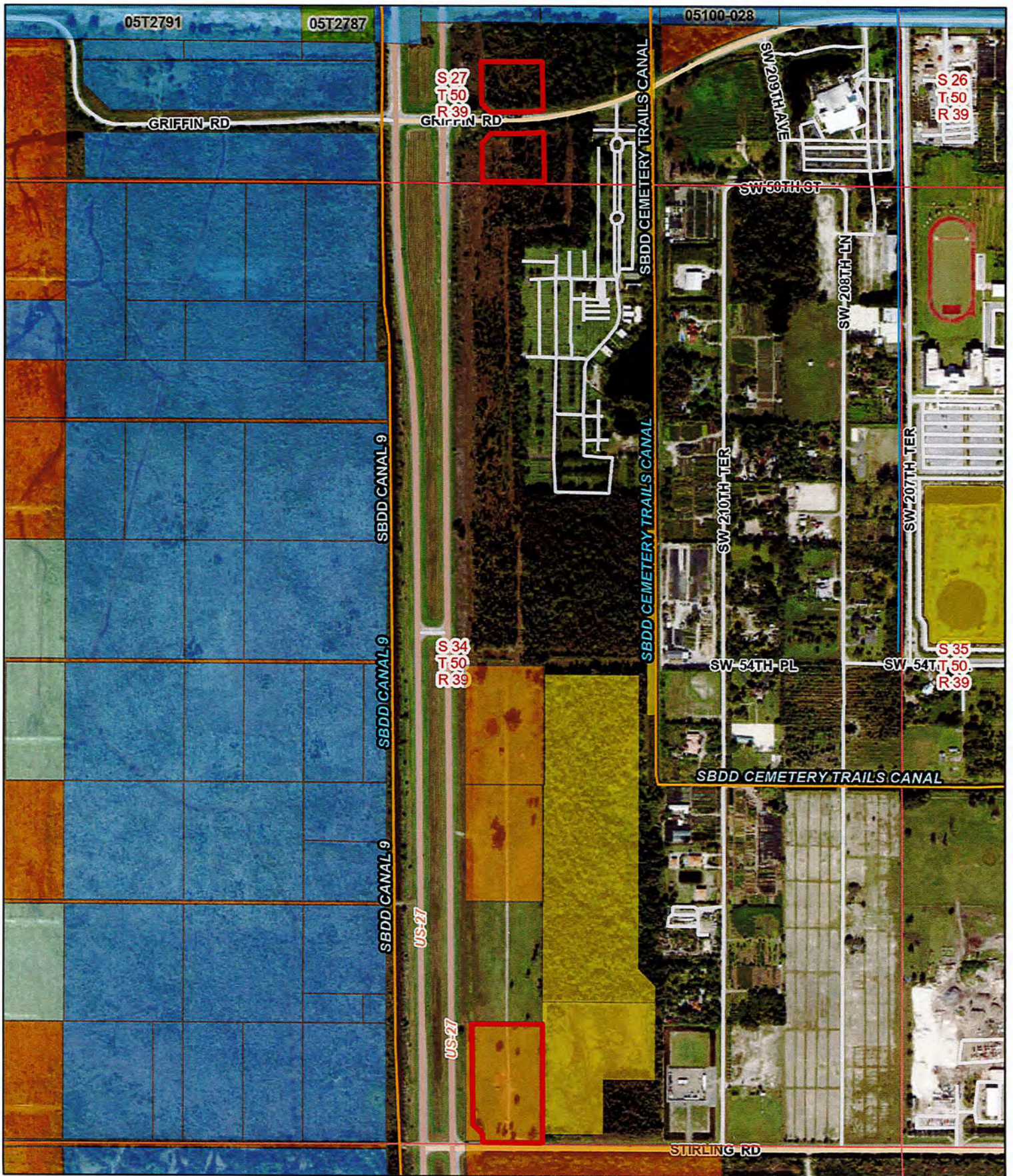
- Location Map with depiction of existing flow patterns.
- Release of Rights in Reservation document.

Financial impacts to this Agenda Item: none, other than SBDD administrative costs; all other costs will be incurred by the property owner.

The request is for SBDD approval to release the Rights in Canal Reservations for properties identified as Parcel ID # 5039 2702 0210 and Parcel ID # 5039 3401 0570 owned by Bergeron US 27, LLC. Located within the Town of SW Ranches, FL, subject to the payment of all associated fees and costs.

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Attachments

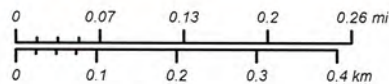




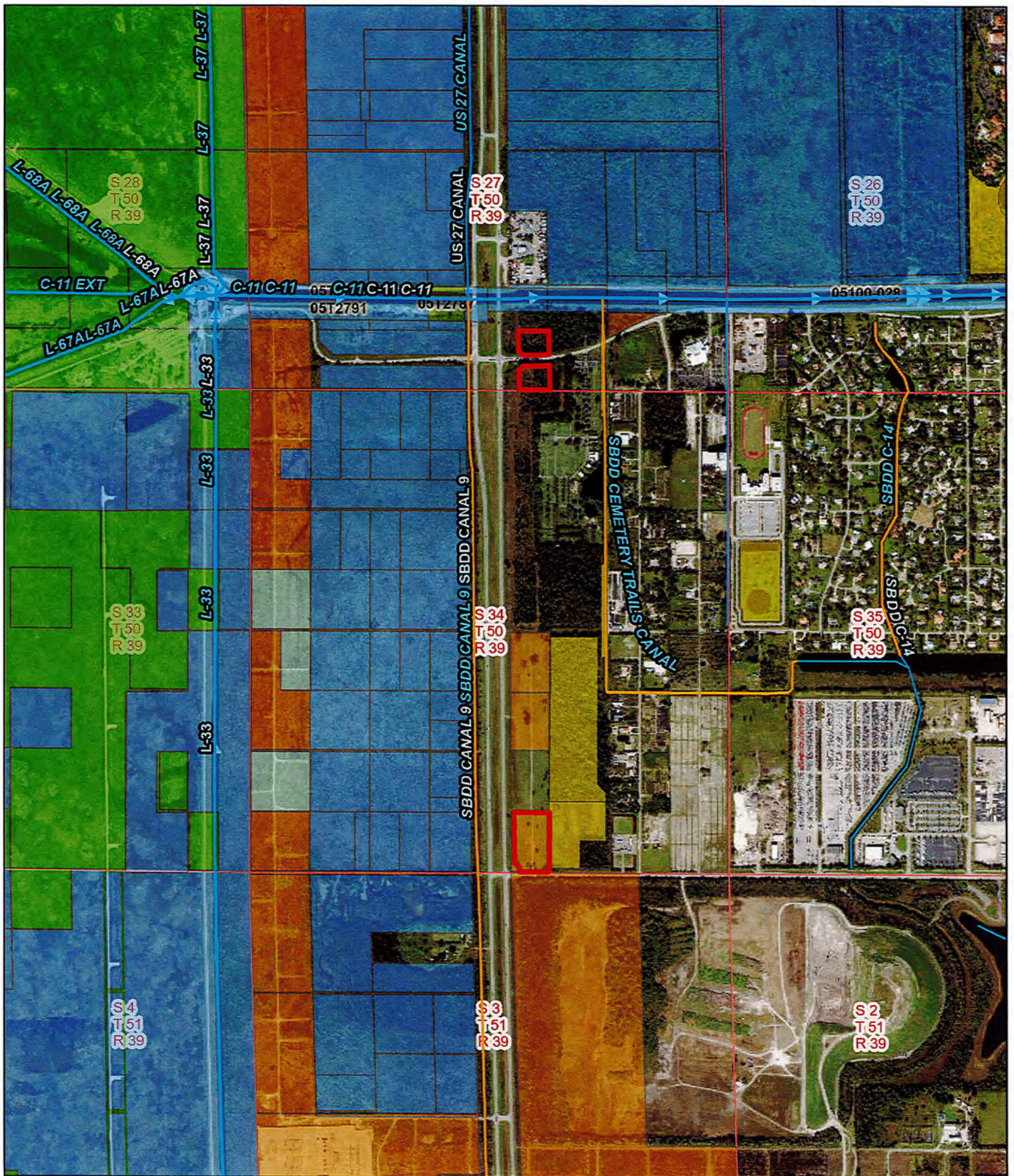
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South Florida Water Management District
3301 Gun Club Road, West Palm Beach, Florida 33406
561-886-8800; www.sfwmd.gov



DISCLAIMER:
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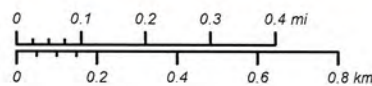


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South Florida Water Management District
 3301 Gun Club Road, West Palm Beach, Florida 33406
 561-886-8300; www.sfwmd.gov





Application for Release of Canal and Road Reservations, and Non-Use Commitments for Mineral Reservations

RESERVED UNDER CHAPTER 6456, 6957, 7305, 14717 and 20658, LAWS OF FLORIDA

Form #0108, Revised 10/2023

District File No. 18945 (District Use Only)

FAILURE TO SUBMIT A COMPLETE APPLICATION WILL RESULT IN YOUR APPLICATION BEING RETURNED. ALL RELEASES AND NON-USE COMMITMENTS ARE GRANTED AT THE SOLE AND ABSOLUTE DISCRETION OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT. ACCEPTANCE OF AN APPLICATION DOES NOT IMPLY THAT A RELEASE WILL BE APPROVED AND ISSUED.

RESERVATIONS REQUESTED TO BE RELEASED:

CANAL X ROAD (County and/or State) MINERAL (Non-Use Commitment)

NOTE: The right of entry for mineral reservations on parcels of 20 acres or less is automatically released pursuant to Chapter 270.11, Florida Statutes; Non-Use Commitments are issued for parcels greater than 20 acres.

REQUIRED FEES:

- Non-refundable payment of \$250 per release instrument or TITF approval, and \$750 minimum payment for a Non-Use Commitment is required pursuant to Rule 40E-9.965, Florida Administrative Code; and
Release Value Payment specifically applies for Everglades Drainage District (EDD) and Trustees of the Internal Improvement Fund (TIIF) deeds, if applicable pursuant to Section 140-86 of SFWMD Policy Code, calculated based on the current land value according to the Property Appraiser's records:

Current Total Land Value \$ N/A X 3% = \$ N/A

Government, not-for-profit Conservation entities, and homesteaded properties are exempt from the release value payment. Please provide attached homestead affidavit if exemption is not reflected in the Property Appraiser's current records.

You will be advised of any additional fees owed when your application is received. Make checks payable to South Florida Water Management District. All releases, approvals and non-use commitments are subject to payment and will not be processed or issued until all applicable fees are paid in full.

REQUIRED INFORMATION (submit one (1) copy and attach exhibits when applicable):

- Title vested in (fee simple owner): Bergeron US 27, LLC, a Florida limited liability company*
Legal description of property subject to reservations: Lot(s) Block
Subdivision Exhibit "B" - Map reflecting Tracts affected Plat Book/page
Complete property address: Vacant Land, Southwest Ranches, Florida
County: Broward

*Note: Bergeron SW Ranches US 27, LLC is listed as an owner on the Title Commitment provided but does not own the tracts we are seeking a release on.

5. Section(s) 27 and 34 Township 50 South, Range 39 East
(attach exhibit for multiple Townships and Ranges)

6. Folio No(s): 503927020210 and 503934010570
(attach exhibit if more than 4 folio numbers are applicable)

7. Total size of parcel to be released: 10.82 acres or Entire Property square feet;

8. Name of municipality or local drainage district: _____

9. Zoning: Current: A-1 Proposed: _____

10. Land Use: Current: Agriculture Proposed: Industrial Use No. of Units: _____

11. Reserving Deed(s) - must provide a clear and legible copy of each document:

a. Everglades Drainage District (EDD) - Chapters 6456, 14717, 20658:

Deed No. N/A Dated N/A Deed Book N/A Page N/A Recording County N/A

Deed No. N/A Dated N/A Deed Book N/A Page N/A Recording County N/A

b. Trustees of the Internal Improvement Fund (TIIF) - Chapters 6456, 6957, 7305:

Deed No. N/A Dated N/A Deed Book N/A Page N/A Recording County N/A

Deed No. N/A Dated N/A Deed Book N/A Page N/A Recording County N/A

c. Canal Reservations held by the Trustees of the Internal Improvement Trust Fund (TIITF) or State Board of Education (BOE) – Florida Statutes 253.03 and 270.11 (approval to release by SFWMD and local governments required pursuant to F.A.C. 18-2.018(3)(e)3.):

Deed No. See Ex. C attached Dated See Ex. C attached Deed Book _____ Page _____ Recording County _____

Deed No. See Ex. C attached Dated See Ex. C attached Deed Book _____ Page _____ Recording County _____

NOTE: Murphy Act Mineral and Road Reservations held by TIITF (Section 9, Chapter 18296, Acts of 1937) are released by Florida Department of Environmental Protection, Division of State Lands, contact (850) 245-2720

12. Affidavits (if required):

a. Beneficial Interest and Disclosure – if owner is a Corporation, Partnership, Trust, LLC or LC (not publicly traded)

b. Homestead Affidavit – if owner will homestead the property upon purchase and desires to be exempt from payment of the release value payment pursuant to Section 140-86 of SFWMD Policy Code

13. Certification:

I hereby certify that the information contained in this application is true and correct to the best of my knowledge, and I hereby agree to the terms and conditions contained herein:

[Signature] (954) 524-1100 02/02/2024
Signature of Owner or Representative Phone Number Date

14. Address where unrecorded release document(s) will be sent: c/o Aleida Ors Waldman, P.A., 19612 SW 69th Place, Fort Lauderdale, FL 33332

BENEFICIAL INTEREST AND DISCLOSURE AFFIDAVIT

STATE OF FLORIDA
 COUNTY OF BROWARD

Before me, the undersigned authority, personally appeared Ronald M. Bergeron, Sr.
 ("Affiant") this 2nd day of February,
 2024, who, first being duly sworn, as required by law, subject to the penalties prescribed
 for perjury, deposes and says:

- 1) Affiant has read the contents of this Affidavit, has actual knowledge of the facts contained herein, and states that the facts contained herein are true, correct, and complete.
- 2) That Bergeron US 27, LLC, a Florida limited liability company,
 whose address is 19612 SW 69th Place, Fort Lauderdale, FL 33332,
 is the record owner of the real property more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter called the "Premises"). The following is a list of every "person" (as defined in Section 1.01(3), Florida Statutes) holding a beneficial interest in the disclosing entity: (If more space is needed, attach separate sheet)

<u>Name</u>	<u>Address</u>	<u>Percentage Interest*</u>
Ronald M. Bergeron, Sr. Declaration of Trust, as amended	19612 SW 69th Place, Fort Lauderdale, FL 33332	51%
Bergeron US 27/Weston Family Revocable Gift Trust	19612 SW 69th Place, Fort Lauderdale, FL 33332	49%

* Persons holding an interest in an Employee Stock Ownership Plan only need to be disclosed if they hold greater than 1% interest in the Plan.

3) All persons, individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, or other entities or groups, who have a financial interest in this transaction (other than persons who have a beneficial interest in the Premises as disclosed in Section 2 above), or who have received or who are entitled to receive a fee, consideration, real estate commission, percentage, gift, or other non-monetary consideration, in connection with this transaction or as compensation contingent upon the South Florida Water Management District entering into the agreement to acquire the Premises or subsequent closing applicable to this transaction, or to solicit or secure the agreement to acquire the Premises, are **(if non-applicable, please indicate None or Non-Applicable)**:

<u>Entity</u>	<u>Address</u>	<u>Reason for Payment</u>	<u>Amount of Fee To Be Disclosed*</u>
N/A	N/A	N/A	N/A
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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* Attorney's fees received as result of legal representation are exempt

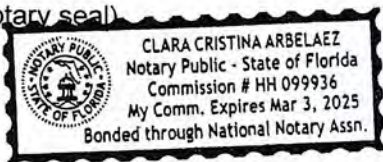
FURTHER AFFIANT SAYETH NOT.

AFFIANT

By: Ronald M. Bergeron, Sr., Managing Member

SWORN TO and subscribed before me by means of this 2nd day of February, 2024, by physical presence or online notarization, who is personally known to me or who has produced _____ as identification.

(notary seal)



Clara Cristina Arbelaez
 Notary Public
 State of Florida 03/03/2025

EXHIBIT "A"
ENTIRE PROPERTY LEGAL DESCRIPTION

A PORTION OF TRACTS 51, 52, 61, AND 62, OF SECTION 27, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 89°46'19" WEST, ALONG THE SOUTH LINE OF SAID SECTION 27 FOR 1317.07 FEET; THENCE NORTH 01°19'41" WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27, FOR 874.72 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE NORTH 89°57'39" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 90.08 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°20'39" EAST, 322.40 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD AND A POINT ON A CIRCULAR CURVE CONCAVE NORTHWESTERLY FROM WHICH A RADIAL LINE BEARS NORTH 24°26'02" WEST; THENCE SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 1849.86 FEET AND A CENTRAL ANGLE OF 24°12'21", AN ARC DISTANCE OF 781.52 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°46'15" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE 97.45 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 86060-2516; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) NORTH 45°14'08" WEST, 69.95 FEET; 2) NORTH 00°50'31" WEST 150.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 3) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET AND A CENTRAL ANGLE OF 11°36'38", AN ARC DISTANCE OF 292.21 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE SOUTH 89°57'39" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 933.35 FEET TO THE POINT OF BEGINNING.

AND

TRACTS 71, 90, 103, & 122, AND PORTIONS OF TRACTS 6, 7, 8, 25, 26, 39, 40, 57, 58, 72, 89, 104, & 121, OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, AND THE PLATTED RIGHTS-OF-WAY ADJACENT THERETO, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 89°51'57" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 FOR 328.93 FEET; THENCE NORTH 02°25'14" WEST 10.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 86060-2516 THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: 1) CONTINUE NORTH 02°25'14" WEST 45.04 FEET; 2) NORTH 45°29'17" WEST 70.27 FEET; 3) NORTH 00°50'31" WEST 4478.25 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; 4) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1358.00 FEET, A CENTRAL ANGLE OF 11°47'41", FOR AN ARC DISTANCE OF 279.55 FEET TO A POINT OF TANGENCY; 5) NORTH 10°57'10" EAST 200.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 6) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET, A CENTRAL ANGLE OF 11°47'41", FOR AN ARC DISTANCE OF 296.85 FEET TO A POINT OF TANGENCY; 7) NORTH 00°50'31" WEST 150.00 FEET; 8) NORTH 44°45'52" EAST 71.46 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD; THENCE NORTH 89°46'15" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 94.04 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE, HAVING A RADIUS OF 1969.86 FEET, A CENTRAL ANGLE OF 12°22'13", FOR AN ARC DISTANCE OF 425.29 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF "SHARON GARDENS MEMORIAL PARK", AS RECORDED IN PLAT BOOK 84, PAGE 40, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH

00°12'20" EAST ALONG SAID WESTERLY BOUNDARY 665.12 FEET TO A POINT ON THE NORTH LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE", AS RECORDED IN PLAT BOOK 110, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°46'19" WEST ALONG SAID NORTH LINE 350.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE SOUTH 89°23'54" WEST 27.00 FEET TO A POINT ON A LINE 27.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH 00°11'26" EAST ALONG SAID PARALLEL LINE 712.00 FEET; THENCE NORTH 89°23'54" EAST 27.00 FEET TO A POINT ON SAID WEST LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH 00°11'26" EAST ALONG THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE" AND SAID "SHARON GARDENS MEMORIAL PARK" 1579.82 FEET; THENCE NORTH 89°49'12" EAST ALONG SAID WESTERLY BOUNDARY OF "SHARON GARDENS MEMORIAL PARK" 128.21 FEET; THENCE SOUTH 00°11'00" EAST ALONG THE EAST LINES OF SAID TRACTS 71, 90, 103, AND 122 AND THE EXTENSIONS THEREOF 2631.36 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 122; THENCE SOUTH 89°51'57" WEST ALONG THE SOUTH LINE OF SAID TRACTS 121 AND 122 FOR 331.49 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.

EXHIBIT "A"
ENTIRE PROPERTY LEGAL DESCRIPTION

A PORTION OF TRACTS 51, 52, 61, AND 62, OF SECTION 27, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 89°46'19" WEST, ALONG THE SOUTH LINE OF SAID SECTION 27 FOR 1317.07 FEET; THENCE NORTH 01°19'41" WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27, FOR 874.72 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE NORTH 89°57'39" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 90.08 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°20'39" EAST, 322.40 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD AND A POINT ON A CIRCULAR CURVE CONCAVE NORTHWESTERLY FROM WHICH A RADIAL LINE BEARS NORTH 24°26'02" WEST; THENCE SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 1849.86 FEET AND A CENTRAL ANGLE OF 24°12'21", AN ARC DISTANCE OF 781.52 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°46'15" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE 97.45 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 86060-2516; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) NORTH 45°14'08" WEST, 69.95 FEET; 2) NORTH 00°50'31" WEST 150.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 3) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET AND A CENTRAL ANGLE OF 11°36'38", AN ARC DISTANCE OF 292.21 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE SOUTH 89°57'39" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 933.35 FEET TO THE POINT OF BEGINNING.

AND

TRACTS 71, 90, 103, & 122, AND PORTIONS OF TRACTS 6, 7, 8, 25, 26, 39, 40, 57, 58, 72, 89, 104, & 121, OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, AND THE PLATTED RIGHTS-OF-WAY ADJACENT THERETO, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 89°51'57" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 FOR 328.93 FEET; THENCE NORTH 02°25'14" WEST 10.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 86060-2516 THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: 1) CONTINUE NORTH 02°25'14" WEST 45.04 FEET; 2) NORTH 45°29'17" WEST 70.27 FEET; 3) NORTH 00°50'31" WEST 4478.25 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; 4) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1358.00 FEET, A CENTRAL ANGLE OF 11°47'41", FOR AN ARC DISTANCE OF 279.55 FEET TO A POINT OF TANGENCY; 5) NORTH 10°57'10" EAST 200.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 6) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET, A CENTRAL ANGLE OF 11°47'41", FOR AN ARC DISTANCE OF 296.85 FEET TO A POINT OF TANGENCY; 7) NORTH 00°50'31" WEST 150.00 FEET; 8) NORTH 44°45'52" EAST 71.46 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD; THENCE NORTH 89°46'15" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 94.04 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE, HAVING A RADIUS OF 1969.86 FEET, A CENTRAL ANGLE OF 12°22'13", FOR AN ARC DISTANCE OF 425.29 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF "SHARON GARDENS MEMORIAL PARK", AS RECORDED IN PLAT BOOK 84, PAGE 40, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH

00°12'20" EAST ALONG SAID WESTERLY BOUNDARY 665.12 FEET TO A POINT ON THE NORTH LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE", AS RECORDED IN PLAT BOOK 110, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°46'19" WEST ALONG SAID NORTH LINE 350.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE SOUTH 89°23'54" WEST 27.00 FEET TO A POINT ON A LINE 27.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH 00°11'26" EAST ALONG SAID PARALLEL LINE 712.00 FEET; THENCE NORTH 89°23'54" EAST 27.00 FEET TO A POINT ON SAID WEST LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH 00°11'26" EAST ALONG THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE" AND SAID "SHARON GARDENS MEMORIAL PARK" 1579.82 FEET; THENCE NORTH 89°49'12" EAST ALONG SAID WESTERLY BOUNDARY OF "SHARON GARDENS MEMORIAL PARK" 128.21 FEET; THENCE SOUTH 00°11'00" EAST ALONG THE EAST LINES OF SAID TRACTS 71, 90, 103, AND 122 AND THE EXTENSIONS THEREOF 2631.36 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 122; THENCE SOUTH 89°51'57" WEST ALONG THE SOUTH LINE OF SAID TRACTS 121 AND 122 FOR 331.49 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA.

COMPOSITE EXHIBIT "C"

BERGERON US 27 PROPERTY Deeds Containing Reservations

Reservations	Date	Deed Book & Page Deed No.	Parties
Canals reservations: Canals, cuts, sluiceways, dikes	Dated: October 26, 1908 Recorded: January 13, 1909	Deed Book 46, Page 252 Deed No. 16189 F.S. SECTION 617	Grantor: Trustees of the Internal Improvement Fund Grantee: Davie Realty Company
Canal reservations: Canals, cuts, sluiceways, dikes	Dated: May 14, 1912 Recorded: June 24, 1912	Deed Book 65, Page 357 Corrected Deed No. 16189 F.S. SECTION 617	Grantor: Trustees of the Internal Improvement Fund Grantee: Davie Realty Company
Canal Reservations: Canals, cuts, sluice- ways, dikes and other works as may be necessary for drainage or reclamation.	Dated: December 27, 1910 Recorded: March 8, 1911	Deed Book 67, Page 12 STATE OF FLORIDA – ACT OF CONGRESS SEPTEMBER 28, 1850	Grantor: The Everglades Land Company Grantee: [cannot read the name]
Canal Reservations: Canals, cuts, sluice- ways, dikes and other works as may be necessary for drainage or reclamation.	Dated: October 26, 1911 Recorded: June 20, 1912	Deed Book 71, Page 390 STATE OF FLORIDA – ACT OF CONGRESS SEPTEMBER 28, 1850	Grantor: The Everglades Land Company Grantee: George Raymond Smith

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himself, to renounce, relinquish and convey, whether of separate estate, in and to the within-described property upon purchasers complying with the terms of the within contract.

IN TESTIMONY WHEREOF, Witness my hand and official seal at St. Leonards this 24th day of December A. D. 1908.

(J. P. Seal)

V. F. Young

A Justice of the Peace

Filed Jan. 4 and recorded Jan 13, 1909, in Deed Book 46, Page 251.

T. Merritt, Clerk

By _____ D. C.

INTERNAL IMPROVEMENT FUND, STATE OF FLORIDA,

Deed No. 16189.

60,000.00 Acres, Estimated.

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, the Trustees of the Internal Improvement Fund of the State of Florida, under the provisions of Section 617 of the General Statutes of the State of Florida, for and in consideration of the sum of the dollar and twenty-five cents per acre, by them in hand paid by the Davis Realty Company, a corporation organized under the laws of the State of Colorado, of Colorado Springs, Colorado, have granted, bargained and sold, and do by these presents grant, bargain, sell and convey unto the said Davis Realty Company and its successors and assigns, forever, the following described lands, to-wit:-

The South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30), and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty (50) South, Range Fifty-eight (58) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5), Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-one (51) South, Range Fifty-eight (58) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5), Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-two (52) South, Range Fifty-eight (58) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-three (53) South, Range Fifty-eight (58) East.

The South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty (50) South, Range Fifty-nine (59) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-one (51) South, Range Fifty-nine (59) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12);

(12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36) in Township Fifty-two (52) South, Range Forty-nine (49) East.

All of Sections Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and Thirty-three (33), in Township Fifty-four (54) South, Range Thirty-nine (39) East.

According to map adopted as official by Trustees of Internal Improvement Fund of Florida, January 2, 1905, and amended June 10, 1907 and June 14, 1907, and containing an estimated area of Eighty thousand (80,000.00) acres, and lying and being in the County of Dade, in said State of Florida.

TO HAVE AND TO HOLD the above granted and described premises with the said Davis Realty Company, and its successors and assigns, forever.

SAVING AND RESERVING unto the said, the Trustees of the Internal Improvement Fund of the State of Florida, and their successors, the right at any time to enter upon the said lands and make or cause to be made and constructed thereon such canals, cuts, sluice-ways, dikes and other works as may in the judgment of the said Trustees, or their successors, be necessary and needful for the drainage or reclamation of any of the lands granted to the State of Florida by Act of Congress, approved September 28, 1850, and to take from the said lands hereby conveyed, and to use such gravel, stone or earth, as may, in the judgment of the said Trustees, or their successors, be necessary to use in the making and construction of said canals, cuts, sluice-ways, dikes and other works upon said lands for the purposes aforesaid.

IN TESTIMONY WHEREOF, The said Trustees have hereunto subscribed their names and affixed their seals and have caused the seal of "The Department of Agriculture of the State of Florida" to be hereunto affixed, at the Capitol, in the City of Tallahassee, on this the 26, day of October, A. D. 1908.

H. B. Broward (Seal) Governor
A. C. Croom (Seal) Comptroller
W. V. Knott (Seal) Treasurer
..... (Seal) Attorney-General
H. E. McLin (Seal) Commissioner of Agriculture

(Seal Dept.)
(" Agri.)

Filed Jan. 4 and recorded Jan 15, 1909,
in Deed Book 46, page 252.
Z. T. Merritt, Clerk
By W. V. Knott D. C.

THIS INSTRUMENT, made this 15th day of October, A. D. 1908 Between J. S. Danforth, widower, and Walter Kitching and Emma Kitching, his wife, all of Stuart, Dade County, Florida, parties of the first part, and Florida East Coast Railway Company, a corporation organized and existing under the laws of the State of Florida, party of the second part witnesses,

That the said parties of the first part, for and in consideration of the sum of Ten Dollars to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said party of the second part, its successors and assigns forever, the following described land, in Dade County, Florida, to-wit:-

A strip of land one hundred feet in width being fifty feet wide on each side of the center line of the railroad of said Railway Company, as now located and constructed over and across the northeast corner of the southwest quarter of the southwest quarter of section four, township thirty-eight, south, range forty-one east.

signed, sealed and delivered in our presence:

R.G.Pryke

M.A.Barrett

State of Missouri

County of Jackson

I Hereby Certify, that on this 15th day of February A.D. 1912, before me personally appeared George A. Padlock and John Matthew respectively President and Secretary of the Florida Fruit Lands Co. a corporation under the laws of the State of Colorado, to be known to be the persons described in and who executed the foregoing conveyance to Thomas Bayley Bassall and severally acknowledged the execution thereof to be their free act and deed as such Officers for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation. Witness my signature and official seal at Kansas City in the County of Jackson and State of Missouri the day and year last aforesaid.

M.A.Barrett (Seal)

Notary Public

My commission expires April 15th, 1915

(N.P. Seal)

Filed June 24th 1912

Recorded in Deed Book 65 Page 356

Z.T. Herritt, Clerk.

By *E.H. Adams* D.C.

.....00000000.....

Internal Improvement Fund, State of Florida.

Corrected Deed No. 16, 189.

80,000 Acres estimated.

Whereas the Trustees of the Internal Improvement Fund sold and conveyed certain lands hereinafter described, being the lands described in deed number 16, 189 executed by the Trustees of the Internal Improvement Fund of the State of Florida under date of October 26, A.D. 1908 to the Davie Realty Company, a corporation organized under the laws of the State of Colorado of Colorado Springs, Colorado, containing 80,000 acres estimated, which was fully and duly paid for and deed numbered 16, 189 executed and delivered by four of five members of the Trustees of the Internal Improvement Fund. It appearing that the Attorney General of the State of Florida, being a member of the Trustees of the Internal Improvement Fund of the State of Florida, did not join in the execution of said deed, and, whereas, some enquiry has been made on behalf of the grantee in said deed relating to the absence of the signature of the Attorney General on said deed, and, whereas, the deed was intended as conveyance of the full title of the land vested in the Trustees of the Internal Improvement Fund and the Trustees desire to remove ^{any} and question relating to the title to the land so conveyed and intended to be conveyed by said deed numbered 16, 189 to the Davie Realty Company, which was fully paid for, therefore, in consideration of One Dollar (\$1.00) to the Trustees of the Internal Improvement Fund of the State of Florida in hand paid by and on behalf of the said Davie Realty Company, a corporation as aforesaid and for the purpose of correcting said deed by a full and complete execution thereof and conveyance of the lands intended to be conveyed and in conformity with the powers and duties of the Trustees of the Internal Improvement Fund and in further consideration of

the premises, the following additional deed supplying the omission of the execution on behalf of the Attorney General of the State of Florida as a member of the Trustees of the Internal Improvement Fund, the following deed is hereby executed in words and figures as follows, to-wit:

INTERNAL IMPROVEMENT FUND, STATE OF FLORIDA.

Deed No. 10189.

80,000.00 Acres, Estimated.

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, the Trustees of the Internal Improvement Fund of the State of Florida, under the provisions of section 617 of the General Statutes of the State of Florida, for and in consideration of the sum of One Dollar and twenty-five cents per acre, to them in hand paid by the Davis Realty Company, a corporation organized under the laws of Colorado, of Colorado Springs, Colorado, have granted, bargained and sold, and, by these presents grant, bargain, sell and convey unto the Davis Realty Company and its successors and assigns, forever, the following described lands, to-wit:-

The South half of sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), and Thirty (30), and all of sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36) in Township Fifty (50) South, Range Thirty-eight (38) East.

All of sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-one (51) South, Range Thirty-eight (38) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-two (52) South, Range Thirty-eight (38) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-three (53) South, Range Thirty-eight (38) East.

The South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30) and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty (50) South, Range Thirty-nine (39) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30) and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Fifty-one (51) South, Range Thirty-nine (39) East.

All of Sections One (1), Two (2), Three (3), Four (4), Five (5) and Six (6); the North half of Sections Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12); the South half of Sections Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29) and Thirty (30); and all of Sections Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36) in Township Fifty-two (52) South, Range Thirty-nine (39) East.

All of Sections Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and Thirty-three (33), in Township Fifty-four (54) South, Range Thirty-nine (39) East.

According to map adopted as official by Trustees of Internal Improvement Fund of Florida, January 2, 1905, and as amended June 10, 1907 and June 14, 1907, and containing as estimated area of Eighty thousand (80,000.00) Acres, and lying and being in the County of Dade, in said State of Florida; To Have and To Hold the above granted and described premises unto the said Davis Realty Company and its successors and assigns, forever.

Saving and Reserving unto the said, the Trustees of the Internal Improvement Fund of the State of Florida, and their Successors, the right at any time to enter upon the said lands and make or cause to be made and constructed thereon such canals, cuts, sluice-ways, dikes and other works as may in the judgment of the said Trustees, or their successors, be necessary and useful for the drainage or reclamation of any of the lands granted to the

State of Florida, by Act of Congress, approved September 12, 1909, and to pass thereon said

lands hereby conveyed and to use such gravel, stone or other earth, as may, in the judgment of the said Trustees, or their successors, be necessary to use in the making and construction of said canals, cuts, sluiceways, dikes and other works upon said lands for the purposes aforesaid.

IN TESTIMONY WHEREOF, The said Trustees have hereunto subscribed their names and affixed their seals, and have caused the seal of "The Department of Agriculture of the State of Florida" to be hereunto affixed, at the Capitol, in the City of Tallahassee, on this the 14th day of May, A.D. 1912.

(Great Seal of Agr. dept.)

Albert W. Gilchrist (Seal) Governor.
W. V. Knott (Seal) Comptroller.
J. C. Janning (Seal) Treasurer.
Park Trammell (Seal) Attorney-general.
W. A. HoRae (Seal) Commissioner of Agriculture.

Filed June 24th 1912
Recorded in Deed Book 65 Page 357
Z. T. Merritt, Clerk.

By *G. H. Adams* D.C.

KNOW ALL MEN BY THESE PRESENTS: That I, Gaston Drane of Dade County, Florida, do hereby release from a deed or lease, made by Y. K. Knighton, a bachelor, dated November 9th, 1909, and filed for record in the office of the Clerk of the Circuit Court in and for Dade County, Florida, on the 10th day of November A. D. 1909, which said deed or lease is recorded book 49 of Deeds at page 425, and wherein the said Y. K. Knighton did sell and transfer to me all of the timber standing on such land herein ^{after} described, and which said deed or lease was to exist for a period of ten years.

Now therefore, for and in consideration of the sum of Two and no/100 (\$2.00) Dollars and other good and sufficient considerations, I do hereby release back and quit-claim to the said Y. K. Knighton, all right, title, and interest whatever, that I am holding under the said lease to the following described lands, to-wit:

The Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the ^{South} Northeast Quarter (SE $\frac{1}{4}$); also the South half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$); also the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$); also Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$); also the East half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Eighteen (18) Township Fifty-six (56) South of Range Twenty-nine East, and containing Fifty-five (55) acres of land be the same more or less.

TO HAVE AND TO HOLD the same unto him the said Y. K. Knighton, and unto his heirs and assigns forever.

This quit-claim deed is given for the purpose of absolutely releasing and conveying all right, title and interest and which accrued to me under the foregoing described deed or lease.

IN WITNESS WHEREOF, I have hereunto set my hand and seal ^{affixed my} this 14th day of May, 1912.

1912.

Gaston Drane (Seal)

THE EVERGLADES DEED

THE EVERGLADES LAND COMPANY

This Indenture made this 27th day of December, A. D. 1910, between THE EVERGLADES LAND COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Florida, party of the first part, and J. Cunningham Smith or Lathrop, Penn. party of the second part.

WITNESSETH, That the said party of the first part for and in consideration of the sum of Three Hundred Dollars (\$300), to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, conveyed and sold to the said party of the second part, his heirs and assigns forever, the following described land, situated, lying and being in the County of Dade, State of Florida, to-wit:

Tract No. 52, Section No. 27, Township No. 50 South, Range No. 39 East, according to a plat of said lands, filed in the office of the Clerk of the Circuit Court for the County of Dade, State of Florida, in Plat Book No. 2, page 1 of said records; said tract containing Ten (10) acres, more or less, and being subject to the roads and streets shown on said plat.

The right is reserved to the Everglades Land Sales Company and its successors at any time to enter upon the said lands and make any canal to be made and constructed thereon, such canals, cuts, sluice-ways, ditches and other works as may, in the judgment of the said Sales Company, or its successors, be necessary for the drainage and reclamation of the lands designated on the aforementioned plat.

This conveyance is also made subject to the rights reserved to the Trustees of the Internal Improvement Fund of the State of Florida and their successors, contained in the conveyance from the Trustees of the Internal Improvement Fund of the State of Florida to the Dade Realty Company, dated October 29, 1908, and recorded in the office of the Clerk of the Circuit Court of Dade County, Florida, in Deed Book No. 10, Page 22, of any thing to enter upon the said lands and make or cause to be made and constructed thereon, such canals, cuts, sluice-ways, ditches and other works as may, in the judgment of said Trustees, or their successors, be necessary and needful for the drainage and reclamation of any of the lands granted to the State of Florida by Act of Congress approved September 23rd, 1850.

The party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons who may have.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed by its President and attested by its Secretary, and its corporate seal to be hereunto affixed, the day and year first above written.

THE EVERGLADES LAND COMPANY
A. G. Balderson (Corp. Seal) Secretary
W. J. Bessie President
Witnesses as to signatures: Chas. J. Mackie, Paul J. ...

Florida, County of Dade, ss.
I, Allen C. Anderson, a Notary Public in and for the County and State aforesaid, do hereby certify that J. J. Bessie, President of The Everglades Land Company, personally appeared before me this day and acknowledged that he executed the above and as the free act and deed of said corporation, The Everglades Land Company, and being by me duly sworn did say that he is President of said The Everglades Land Company, a corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Dade County, Florida, this 31st day of December, 1910.
Allen C. Anderson, Notary Public in and for Dade County, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in Dade County, Florida, this 31st day of December, 1910.
Allen C. Anderson, Notary Public in and for Dade County, Florida.

STATE OF FLORIDA, COUNTY OF DADE, ss.
On this 3rd day of April, 1911, at ... o'clock, this instrument was filed for record, and being duly acknowledged, I have recorded the same on pages 12 of Book 67 in the public records of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court of the 1st Judicial Circuit of said State, in and for said County.
J. T. Hewitt, Clerk.

Deed Record No. 17, Dade County, Florida. Deed, Jacksonville, 1911.

6-23-79 DADE

WARRANTY DEED

THE EVERGLADES LAND COMPANY

This Subentire Made this 26th day of October A.D. 1911 between THE EVERGLADES LAND COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Florida, party of the first part, and George Raymond Smith, of Litchfield, Pennsylvania, party of the second part.

WITNESSETH: That the said party of the first part for and in consideration of the sum of Three Hundred Dollars (\$300.00), to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, acquired and sold to the said party of the second part, his heirs and assigns forever, the following described land, situated, lying and being in the County of Dade, State of Florida, to-wit:

Tract 41 Section 27 Township 38 South Range 39 East

according to a plat of said lands, filed in the office of the Clerk of the Circuit Court for the County of Dade, State of Florida, in Plat Book No. 7, page 1 of said records, said tract containing 120 acres, more or less; and being subject to the roads and streets shown on said plat.

The right is reserved to the Everglades Land Sales Company and its successors at any time to enter upon the said lands and make or cause to be made and constructed thereon, such canals, cuts, sluice-ways, dikes and other works as may, in the judgment of the said Sales Company or its successors, be necessary for the reclamation of the lands designated on the aforementioned plat.

This conveyance is also made subject to the rights reserved to the Trustees of the Internal Improvement Fund of the State of Florida, and their successors, contained in the conveyance from the Trustees of the Internal Improvement Fund of the State of Florida to the Davis Realty Company, dated October 28, 1908, and recorded in the office of the Clerk of the Circuit Court of Dade County, Florida, in Deed Book No. 44, Page 252, at any time to enter upon the said lands and make or cause to be made and constructed thereon, such canals, cuts, sluice-ways, dikes and other works, as may, in the judgment of said Trustees, or their successors, be necessary and needful for the drainage and reclamation of any of the lands granted to the State of Florida by Act of Congress approved September 28th, 1850.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed by its President and attested by its Secretary and its corporate seal to be hereunto affixed the day and year first above written.

(Corporate Seal) THE EVERGLADES LAND COMPANY, Attest: By A. J. Rendell, President

R. M. Crick, Secretary. Witnesses as to signatures: G. W. Robinson, John S. Rendell

STATE OF FLORIDA, County of Dade, ss.

Before me personally appeared A. J. Rendell, R. M. Crick, President and Secretary respectively of The Everglades Land Company, the corporation named in the foregoing instrument, and known to me to be the persons who, as such officers of said corporation, executed the same; and then and there the said A. J. Rendell and the said R. M. Crick did acknowledge before me that the said instrument is the free act and deed of said corporation, and that the seal thereto affixed is the corporate seal of said corporation, and that they executed said instrument and affixed said corporate seal thereto under authority in their lawfully vested as such officers of said corporation, for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 28th day of October, 1911. H. S. Miller, Notary Public. My commission expires (has least seal) G. J. Shepard, D. L.

STATE OF FLORIDA, County of Dade, ss.

On this 10th day of June, A. D. 1912, at 3:30 o'clock, in this instrument was filed for record, and being duly acknowledged and proven, I have recorded the same on page 390 of Book 21 in the public records of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court of the Eleventh Judicial Circuit of said State, in and for said County. J. P. Merritt, Clerk.

Vertical text on the left margin: 6317A - NALIC - P. 2 - 10/26/11

Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:

Issuing Agent: Aleida Ors Waldman, P.A.
Issuing Office: 19612 SW 69th Place,
Fort Lauderdale, FL 33332
Issuing Office's ALTA® Registry ID:
Loan ID Number:
Commitment Number: 11110941
Issuing Office File Number: 1623.95-PLAT LEGAL
Property Address: Griffin Road
Southwest Ranches, FL FL FL FL FL
Revision Number: February 2, 2024, Revision 3

SCHEDULE A

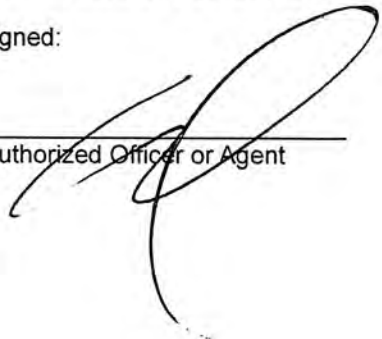
1. Commitment Date: 01/29/2024 at: 11:00 PM
2. Policy to be issued:
 - A. 2021 ALTA Owner's Policy with Florida Modifications
Proposed Insured: Purchaser with contractual rights under a purchase agreement with the vested owner identified at item 4 below
Proposed Amount of Insurance: \$1,000,000.00
The estate or interest to be insured: Fee Simple
3. The estate or interest in the Land at the Commitment Date is: *(Identify each estate or interest covered, i.e., fee, leasehold, etc.)*

Fee Simple
4. The Title is, at the Commitment Date, vested in: *(Identify vesting for each estate or interest identified in Item 3 above)*

Bergeron US 27, LLC, a Florida limited liability company by virtue of Deeds recorded in Official Records Instrument No. 115111956; Official Records Book 35098, Page 1008; Official Records Book 42625, Page 1296 and Bergeron SW Ranches US 27, LLC, a Delaware Limited Liability Company by virtue of Warranty Deed recorded in Official Records Book 34322, Page 518., of the Public Records of Broward County, Florida.
5. The Land is described as follows in Exhibit "A" attached hereto and made part hereof.

Countersigned:

By: _____
Authorized Officer or Agent



SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
 - A. Duly executed Warranty Deed from Bergeron US 27, LLC, a Florida limited liability company, Grantor, to Purchaser with contractual rights under a purchase agreement with the vested owner identified at item 4 below, Grantee, conveying the land described on Exhibit A hereof.

The Company will require the following as to Bergeron US 27, LLC, a Florida limited liability company ("LLC"):

- i. Proof that the LLC was in existence in its state of organization at the time it acquired title and that the LLC is currently in good standing.
- ii. Present for review a true and complete copy of the articles of organization and operating agreement of the LLC and any amendments thereto.
- iii. Record an affidavit from the person executing the proposed deed on behalf of the LLC certifying: (a) the name and state of organization of the LLC; (b) whether the LLC is member-managed or manager-managed; (c) the identity of the member or manager and the person authorized to execute the deed; and (d) neither the LLC nor any member signing the deed have filed bankruptcy since the LLC acquired title.
- iv. If the member or manager of the LLC is also a business entity, present proof of the entity's good standing and the appropriate entity documents to establish signing authority.

If the proposed deed will be executed by anyone other than a member or manager, those portions of the operating agreement or other documentation evidencing the authority of the signatory must be attached as an exhibit to the affidavit.

- B. Duly executed Warranty Deed from Bergeron SW Ranches US 27, LLC, a Delaware limited liability company, Grantor, to Purchaser with contractual rights under a purchase agreement with the vested owner identified at item 4 below, Grantee, conveying the land described on Exhibit A hereof.

The Company will require the following as to Bergeron SW Ranches US 27, LLC, a Delaware Limited Liability Company: ("LLC"):

- i. Proof that the LLC was in existence in its state of organization at the time it acquired title and that the LLC is currently in good standing.
- ii. Present for review a true and complete copy of the articles of organization and operating agreement of the LLC and any amendments thereto.

SCHEDULE B, PART I Requirements

iii. Record an affidavit from the person executing the proposed deed on behalf of the LLC certifying: (a) the name and state of organization of the LLC; (b) whether the LLC is member-managed or manager-managed; (c) the identity of the member or manager and the person authorized to execute the deed; and (d) neither the LLC nor any member signing the deed have filed bankruptcy since the LLC acquired title.

iv. If the member or manager of the LLC is also a business entity, present proof of the entity's good standing and the appropriate entity documents to establish signing authority.

If the proposed deed will be executed by anyone other than a member or manager, those portions of the operating agreement or other documentation evidencing the authority of the signatory must be attached as an exhibit to the affidavit.

C. NOTE: In the event that a Loan Policy is requested, at such time this Commitment will then be subject to such further requirements and/or exceptions as the Company may then deem necessary.

5. Proof of payment of any outstanding assessments in favor of Broward County, Florida, any special taxing district and any municipality. NOTE: If this requirement is not satisfied the following exception will appear on Schedule B:

Any outstanding assessments in favor of Broward County, Florida, any special taxing district and any municipality.

6. Proof of payment of service charges for water, sewer, waste and gas, if any, through the date of closing. NOTE: If this requirement is not met the following exception will appear on Schedule B:

Any lien provided for by Florida Statutes in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer, waste or gas system supplying the insured land or service facilities.

7. Satisfactory survey, in conformity with the minimum technical standards for land surveys, certified to the Company, and/or its agent, dated no more than 90 days prior to the closing of the subject transaction, disclosing the nature and extent of any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title to the Land. Additional requirements and/or exceptions will be made for any such matters disclosed.

8. An Affidavit in form acceptable to Chicago Title Insurance Company ("Company") and executed by or on behalf of the current record owner(s) of the subject property stating that: (A) there are no parties in possession of the subject property other than said current record owner(s); (B) there are no encumbrances upon the subject property other than as may be set forth in this Commitment; (C) there are no unrecorded assessments which are due and payable and; (D) there have been no improvements made to or upon the subject property within the last ninety (90) day period for which there remain any outstanding and unpaid bills for labor, materials or supplies for which a lien or liens may be claimed must be furnished to the Company, or, in lieu thereof, an exception to those matters set forth in said Affidavit which are inconsistent with or deviate from the foregoing requirements will appear in the policy or policies to be issued pursuant to this Commitment.

9. Issuing agent must obtain from the Company or perform themselves a title update three (3) business days prior to closing, to verify that no adverse matters or defects appear in the public records.

10. The search did not disclose any open mortgages of record, therefore the Company reserves the right to require further evidence to confirm that the Land is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence. To

SCHEDULE B, PART I Requirements

delete this requirement, the title agent must confirm with the owner that the Land is free and clear of mortgages and include such a recitation in the title affidavit.

NOTE: The Broward County Tax Collector's website shows that 2023 Real Estate Taxes have been paid in the following gross amounts:

\$634.92 under Tax Folio No. 503927-02-0160
\$1,121.87 under Tax Folio No. 503927-02-0210
\$1,760.41 under Tax Folio No. 503927-02-0220
\$833.63 under Tax Folio No. 503934-01-0340
\$403.47 under Tax Folio No. 503934-01-0570
\$57.68 under Tax Folio No. 503934-01-0420
\$226.22 under Tax Folio No. 503934-01-0430
\$132.84 under Tax Folio No. 503934-01-0431
\$4,257.21 under Tax Folio No. 503934-01-0020
\$1,945.05 under Tax Folio No. 503934-01-0100
\$1,416.08 under Tax Folio No. 503934-01-0170
\$779.22 under Tax Folio No. 503934-01-0280

SCHEDULE B, PART II Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this form.
2. Taxes and assessments for the year 2024 and subsequent years, which are not yet due and payable.
3. Standard Exceptions:
 - A. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
 - B. Rights or claims of parties in possession not shown by the public records.
 - C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
 - D. Taxes or assessments which are not shown as existing liens in the public records.
4. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.
5. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.
6. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Everglades Land Company Subdivision of Section 27, Township 50 South, Range 39 East, recorded in Plat Book 2, Page 1, of the Public Records of Miami-Dade County, Florida, said lands situate and lying in Broward County, Florida.
7. Reservations in favor the Trustees of the Internal Improvement Fund of the State of Florida in Deed No. 16189 recorded in Deed Book 46, Page 252, and Corrected Deed No. 16189 recorded in Deed Book 65, Page 357, of the Public Records of Miami-Dade County, Florida, as affected by Board of Trustees of the Internal Improvement Trust Fund of the State of Florida Partial Transfer of Canal Reservation recorded in Official Records Book 35131, Page 925 and Official Records Book 35131, Page 928; Release of Canal Reservation recorded in Official Records Book 36012, Page 1962, corrected in Official Records Book 49248, Page 314; Transfer of Rights in Reservations for Secondary Construction in Deed No. RR 2002.10 recorded in Official Records Book 36050, Page 1341; Partial Release of Canal Reservation recorded in Official Records Book 36666, Page 556 and in Official Records Book 36666, Page 558; Release of Canal Reservation recorded in Official Records Book 49678, Page 569, as to Tract 103, and as affected by Release

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ALTA Commitment for Title Insurance (7-1-21) w-FL Mod

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SCHEDULE B, PART II Exceptions

of Rights in Reservation recorded in Official Records Instrument No. 116803647, of the Public Records of Broward County, Florida.

8. Reservations contained in Deeds recorded March 8, 1911 in Deed Book 67, Page 12, and Deed recorded June 10, 1912 in Deed Book 71, Page 390, of the Public Records of Dade County, Florida, said land situate in Broward County, Florida.
9. INTENTIONALLY DELETED.
10. Final Resolution of Annexation by Hollywood Reclamation District, recorded in Official Records Book 13056, Page 820.
11. South Broward Drainage District Resolution No. 91-6 recorded in Official Records Book 18324, Page 409.
12. South Broward Drainage District Resolution No. 2003-01 recorded in Official Records Book 35122, Page 497.
13. South Broward Drainage District Resolution No. 2003-02 recorded in Official Records Book 35122, Page 577.
14. South Broward Drainage District Resolution No. 2004-21 recorded in Official Records Book 38172, Page 414.
15. Conservation Easement granted to South Florida Water Management District and Broward County, recorded in Official Records Book 50923, Page 1868 as affected by Joint Deed of Amended Conservative Easement - Standard recorded October 18, 2023, in Instrument No. 119174866.
16. South Broward Drainage District Resolution No. 2003-4 recorded in Official Records Book 35003, Page 1709.
17. Notice of Environmental Resource or Surface Water Management Permit recorded in Official Records Book 46442, Page 1818.
18. Terms and conditions as set forth in Quit Claim Deed recorded in Official Records Instrument No. 115111956.
19. The nature, extent or existence of riparian rights or littoral rights is not insured.

NOTE: Exception 1 above shall be deemed deleted as of the time the settlement funds or proceeds of the loan to be secured by the insured mortgage, as applicable, are disbursed by the Company or its authorized agent. Neither the Company nor its agent shall, however, be under any duty to disburse any sum except upon a determination that no such adverse intervening matters have appeared of record or occurred.

NOTES ON STANDARD EXCEPTIONS:

Item 3A will be deleted from the policy(ies) upon receipt of an accurate survey of the Land acceptable to the Company. Exception will be made for any encroachment, setback line violation, overlap, boundary line dispute or other adverse matter disclosed by the survey.

Items 3B, 3C, and 3D will be deleted from the policy(ies) upon receipt of an affidavit acceptable to the Company, affirming that, except as disclosed therein (i) no parties in possession of the Land exist other than the record owner(s); (ii) no improvements have been made to the Land within 90 days prior to closing which have not have been paid for in full; and (iii) no unpaid taxes or assessments are against the Land which are not shown as existing liens in the public records. Exception will be made for matters disclosed in the affidavit.

NOTE: All recording references in this form shall refer to the public records of Broward County, Florida, unless otherwise noted.

C170B09

ALTA Commitment for Title Insurance (7-1-21) w-FL Mod

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SCHEDULE B, PART II Exceptions

NOTE: In accordance with Florida Statutes section 627.4131, please be advised that the insured hereunder may present inquiries, obtain information about coverage, or receive assistance in resolving complaints, by contacting Chicago Title Insurance Company, 13800 NW 14th Street, Sunrise, FL 33323; Telephone 954-217-1744.

Searched By: Carlos Pacheco

EXHIBIT "A"

A PORTION OF TRACTS 51, 52, 61, AND 62, OF SECTION 27, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 89°46'19" WEST, ALONG THE SOUTH LINE OF SAID SECTION 27 FOR 1317.07 FEET; THENCE NORTH 01°19'41" WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27, FOR 874.72 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE NORTH 89°57'39" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 90.08 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°20'39" EAST, 322.40 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD AND A POINT ON A CIRCULAR CURVE CONCAVE NORTHWESTERLY FROM WHICH A RADIAL LINE BEARS NORTH 24°26'02" WEST; THENCE SOUTHWESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 1849.86 FEET AND A CENTRAL ANGLE OF 24°12'21", AN ARC DISTANCE OF 781.52 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°46'15" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE 97.45 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 86060-2516; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) NORTH 45°14'08" WEST, 69.95 FEET; 2) NORTH 00°50'31" WEST 150.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 3) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET AND A CENTRAL ANGLE OF 11°36'38", AN ARC DISTANCE OF 292.21 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL; THENCE SOUTH 89°57'39" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 933.35 FEET TO THE POINT OF BEGINNING.

AND

TRACTS 71, 90, 103, & 122, AND PORTIONS OF TRACTS 6, 7, 8, 25, 26, 39, 40, 57, 58, 72, 89, 104, & 121, OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, AND THE PLATTED RIGHTS-OF-WAY ADJACENT THERETO, "EVERGLADES LAND COMPANY'S SUBDIVISION", AS RECORDED IN PLAT BOOK 2, PAGE 1, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 34; THENCE NORTH 89°51'57" EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 FOR 328.93 FEET; THENCE NORTH 02°25'14" WEST 10.01 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 86060-2516 THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: 1) CONTINUE NORTH 02°25'14" WEST 45.04 FEET; 2) NORTH 45°29'17" WEST 70.27 FEET; 3) NORTH 00°50'31" WEST 4478.25 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; 4) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1358.00 FEET, A CENTRAL ANGLE OF 11°47'41", FOR AN ARC DISTANCE OF 279.55 FEET TO A POINT OF TANGENCY; 5) NORTH 10°57'10" EAST 200.00 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; 6) NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET, A CENTRAL ANGLE OF 11°47'41", FOR AN ARC DISTANCE OF 296.85 FEET TO A POINT OF TANGENCY; 7) NORTH 00°50'31" WEST 150.00 FEET; 8) NORTH 44°45'52" EAST 71.46 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD; THENCE NORTH 89°46'15" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE 94.04 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTH RIGHT-OF-WAY LINE, HAVING A RADIUS OF 1969.86 FEET, A CENTRAL ANGLE OF 12°22'13", FOR AN ARC DISTANCE OF 425.29 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF "SHARON GARDENS MEMORIAL PARK", AS RECORDED IN PLAT BOOK 84, PAGE 40, OF THE PUBLIC

C170B09

ALTA Commitment for Title Insurance (7-1-21) w-FL Mod

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Exhibit "A"

RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 00°12'20" EAST ALONG SAID WESTERLY BOUNDARY 665.12 FEET TO A POINT ON THE NORTH LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE", AS RECORDED IN PLAT BOOK 110, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°46'19" WEST ALONG SAID NORTH LINE 350.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT; THENCE SOUTH 89°23'54" WEST 27.00 FEET TO A POINT ON A LINE 27.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH 00°11'26" EAST ALONG SAID PARALLEL LINE 712.00 FEET; THENCE NORTH 89°23'54" EAST 27.00 FEET TO A POINT ON SAID WEST LINE OF "SHARON GARDENS MEMORIAL PARK REVISION THREE"; THENCE SOUTH 00°11'26" EAST ALONG THE WEST LINE OF SAID "SHARON GARDENS MEMORIAL PARK REVISION THREE" AND SAID "SHARON GARDENS MEMORIAL PARK" 1579.82 FEET; THENCE NORTH 89°49'12" EAST ALONG SAID WESTERLY BOUNDARY OF "SHARON GARDENS MEMORIAL PARK" 128.21 FEET; THENCE SOUTH 00°11'00" EAST ALONG THE EAST LINES OF SAID TRACTS 71, 90, 103, AND 122 AND THE EXTENSIONS THEREOF 2631.36 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 122; THENCE SOUTH 89°51'57" WEST ALONG THE SOUTH LINE OF SAID TRACTS 121 AND 122 FOR 331.49 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA,

NOTE: The Company reserves the right to amend this legal descriptions and to make further requirements upon review of survey.

This Instrument Prepared By,
And When Recorded, Return To:
Jennifer L. D. Kypros, Esq.
Ruden, McClosky, Smith, Schuster & Russell, P.A.
222 Lakeview Avenue, Suite 800
West Palm Beach, FL 33401

South Parcel

Portion of Tax Folio No.: 5039-34-01-0560 and 5039-34-01-0570 ✓

WARRANTY DEED

THIS WARRANTY DEED, made and executed as of the 17th day of August, 2006, by **HWY 27 STIRLING, INC.**, a Florida corporation, whose address is 6221 W. Atlantic Boulevard, Margate, Florida 33063 (hereinafter called the "**Grantor**"), to **BERGERON US 27, LLC**, a Florida limited liability company, whose address is 19612 SW 69 Place, Ft. Lauderdale, Florida 33332 (hereinafter called the "**Grantee**"):

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, and its successors and assigns, all that certain land situate in Broward County, Florida, to-wit:

See Legal Description marked **Exhibit "A"** attached hereto and made a part hereof.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT to conditions, limitations, restrictions, reservations, easements, and rights-of-way of record, if any, provided, however, that nothing contained herein shall operate to reimpose any of the foregoing; taxes for the year 2006 and subsequent years; and applicable zoning ordinances.

TO HAVE AND TO HOLD, the same in fee simple forever.

And the Grantor hereby covenants with the said Grantee, and its successors and assigns, that Grantor is lawfully seised of the said premises in fee simple; that Grantor has good right and lawful authority to sell and convey the same; and that, subject to the matters excepted herein, Grantor hereby fully warrants the title to the said premises and will defend the same against the lawful claims of all persons whomsoever.

(3)

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, the day and year first above written.

Signed, sealed and delivered
in the presence of:

HWY 27 STIRLING, INC.,
a Florida corporation

Mac DAB
Name:
Craig S. Duke
Name:

By: Denise Qureshi
Name: Denise A. Qureshi
Title: President
6221 W. Atlantic Boulevard
Margate, Florida 33063

(CORPORATE SEAL)

STATE OF FLORIDA)
) ss:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 17 day of August, 2006, by Denise A. Qureshi, as President of Hwy 27 Stirling, Inc., a Florida corporation, on behalf of the company.

Personally known: _____
Or produced ID: X

Type of ID produced: Valid Florida driver's license

Emily Joyce Phillips
NOTARY PUBLIC
State of Florida
Name: Emily Joyce Phillips
Commission Number: _____
My Commission Expires: _____

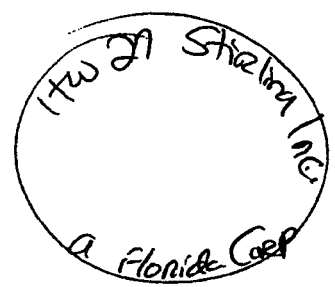
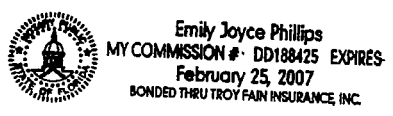


EXHIBIT "A"

LEGAL DESCRIPTION

Tracts 121 and 122 of the Everglades Land Company's Subdivision of Section 34, Township 50 South, Range 39 East, according to the Plat thereof recorded in Plat Book 2, Page 1, of the Public Records of Miami-Dade County, Florida; Said lands situate, lying and being in Broward County, Florida.

LESS AND EXCEPT that parcel known as Parcel No. 109 in Deed filed in Official Records Book 7176 page 753 and described as that part of Tract 121 of the Everglades Land Company Subdivision, according to the Plat thereof recorded in Plat Book 2, Page 1, of the Public Records of Miami-Dade County, Florida now situate, lying and being in Broward County, Florida in Section 34, Township 50 South, Range 39 East, said part which lies within the boundaries more particularly described as follows: Commence at the Southeast corner of said Section 34, thence run Westerly along the South line of said Section 34, a distance of 2640.15 feet to a point of the Baseline of Survey for State Road 25 and the Point of Beginning; Thence South 01 degrees 45 minutes 42 degrees East a distance of 64.39 feet thence North 88 degrees 14 minutes 18 seconds East, a distance of 329.41 feet thence North 02 degrees 24 minutes 27 seconds West a distance of 110.09 feet thence North 45 degrees 28 minutes 52 seconds West a distance of 70.28 feet thence North 00 degrees 49 minutes 44 seconds West a distance of 641.27 feet thence South 89 degrees 10 minutes 16 seconds West a distance of 278 feet; thence South 00 degrees 49 minutes 44 seconds a distance of 742.29 feet tot the Point of Beginning.

This instrument prepared by and return to:
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
ATTN: REAL ESTATE, MS#3710

North Parcel

Tax Folio #s: 503927020210, 503927020220, 503934010020, 503934010100, 503934010170,
503934010280
Tract Nos.: W9201-278, W9201-279

QUITCLAIM DEED

THIS INDENTURE made this 22 day of May, 2018, between **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**, a government entity created by Chapter 373, Florida Statutes, its successors and assigns, hereinafter referred to as the "Grantor", with its principal office at 3301 Gun Club Road, West Palm Beach, Florida 33406-3089 and **BERGERON US 27, LLC**, a Florida limited liability company, its successors and assigns, hereinafter referred to as the "Grantee" whose address is 19612 S.W. 69th Place, Pembroke Pines, Florida 33332.

WITNESSETH:

That said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, by these presents does remise, release and quitclaim unto the said Grantee, its successors and assigns forever, the following described land, situate, lying and being in Broward County, State of Florida, described in Exhibit "A-1" and Exhibit "A-2" attached hereto and made a part hereof (hereinafter collectively referred to as the "Premises").

Pursuant to Section 270.11, Florida Statutes, the Grantor has elected not to reserve any phosphate, minerals, and metals or petroleum interests in the Premises.

The Grantor makes no express or implied warranty or representation with respect to the title to the Premises or the condition, including but not limited to ground elevations, or suitability of the Premises and/or any improvements located thereon for the Grantee's intended use or otherwise (including without limitation, NO WARRANTY OF MERCHANTABILITY, OR FITNESS FOR ANY PARTICULAR PURPOSE OR RELATING TO THE ABSENCE OF LATENT OR OTHER DEFECTS) all of which are expressly disclaimed by the Grantor. The Grantee shall accept the Premises, including improvements, in "AS IS", "WHERE IS" and "WITH ALL FAULTS" condition, subject to all matters including but not limited to title, zoning, restrictions, prohibitions and other regulations and/or requirements imposed by governmental authority, taxes, access, ingress or egress, value, operating history, physical conditions, cultural resources, suitability for use, environmental conditions, and conditions with respect to hazardous waste, hazardous substances, or pollutants (as defined or regulated under applicable law) that may be located on, under or adjacent to the Premises. The Premises shall be subject to all

applicable Chapter 373, Florida Statutes and Chapter 40E, Florida Administrative Code permitting requirements, and the conveyance of the Premises together with the Access Easement by the Grantor to the Grantee shall not constitute a waiver by the Grantor of the obligation of the Grantee to comply with all Chapter 373, Florida Statutes and Chapter 40E, Florida Administrative Code permitting requirements and the Grantee acknowledges that there is no obligation on the part of the Grantor to approve the issuance of any required permits. The Grantor's review process for any required permits will be done separate, independent and unfettered of the fact that the Grantor has conveyed to Grantee the Premises and shall be in accordance with the Grantor's applicable statutes and rules.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said Grantor, either in law or in equity, to the only proper use, benefit and behoof of the said Grantee, its successors and assigns forever.

All the covenants, restrictions, terms, easements, provisions and agreements herein contained shall run with the land, shall burden and encumber the Premises, and shall inure to the benefit of and be binding upon the parties hereto and their respective executors, administrators, personal representatives, heirs, successors, assigns, and successors in title of their respective interests in the Premises.

By its execution of this Indenture below, Grantee agrees, for itself and its heirs, successors, assigns, and all subsequent owners of the Premises, to accept the Premises and agrees to be subject to, abide by and comply with all of the terms, conditions, covenants, restrictions, provisions and agreements contained herein.

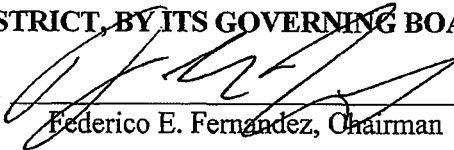


(Seal)

GRANTOR:

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

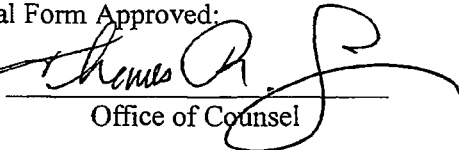
By:


Federico E. Fernandez, Chairman

ATTEST:

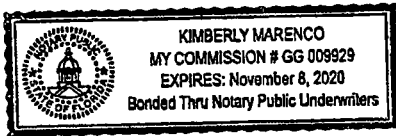

Rosie Byrd, Secretary

Legal Form Approved:

By: 
Office of Counsel

STATE OF FLORIDA
COUNTY OF Miami-Dade

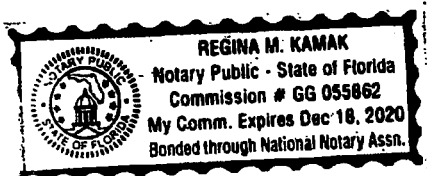
The foregoing instrument was acknowledged before me this 22nd day of May, 2018, by Federico E. Fernandez, as Chairman of the Governing Board of the South Florida Water Management District, a government entity created by Chapter 373, Florida Statutes, on behalf of the South Florida Water Management District, who is personally known to me.



Kimberly Marenco
Notary Public
Print: Kimberly Marenco
My Commission Expires: 11/8/20

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 22 day of May, 2018, by Rosie Byrd, as Secretary, of the Governing Board of the South Florida Water Management District, a government entity created by Chapter 373, Florida Statutes, on behalf of the South Florida Water Management District, who is personally known to me.



Regina M. Kamak
Notary Public
Print: Regina M. Kamak
My Commission Expires: 12/18/20

GRANTEE:

BERGERON US 27, LLC, a Florida limited liability company

Witnesses

[Signature]
Print Name: Frank Sava

[Signature]
Print Name: Leves Pickles

By: [Signature]
Ronald M. Bergeron, Sr., Managing Member

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 29 day of May, 2018, by Ronald M. Bergeron, Sr., Managing Member of Bergeron US 27, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me.

[Signature]
Print Name: Tina M. Oakes
Notary Public, State of Florida
My Commission Expires: _____

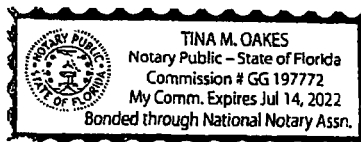


EXHIBIT "A-1"
TRACT NO. W2901-278

This description is taken verbatim from Exhibit "A" Tract No. W9-201-129 Official Records Book 29655, Page 840, Broward County Florida Public Records.

That portion of Tracts 61 and 62 of Section 27, Township 50 South, Range 39 East and that portion of Tracts 6, 7, 8, 25, 26, 39, 40, 57 and 58 of Section 34, Township 50 South, Range 39 East, Broward County, Florida, of EVERGLADES LAND COMPANY SUBDIVISION as recorded in Plat Book 2, Page 1 of the Public Records of Miami-Dade County, Florida, together with that portion of those certain platted road right-of-way lying adjacent to said tracts, more fully described as follows;

Commencing at the Northeast corner of said Section 34;
 Thence South 89°45'38" West along the North line of said Section 34 a distance of 1,754.628 feet to the **POINT OF BEGINNING**;
 Thence South 0°13'01" East, along the Westerly boundary line of SHARON GARDENS MEMORIAL PARK, as recorded in Plat Book 84, Page 40, of the Public Records of Broward County, Florida, a distance of 349.381 feet;
 Thence South 89°45'38" West, along said boundary line, a distance of 350.00 feet;
 Thence South 0°12'07" East, along said boundary line, a distance of 2,291.904 feet to a point on the South line of the North half of said Section 34;
 Thence South 89°48'12" West, along said South line, a distance of 284.082 feet;
 Thence North 0°51'51" West, a distance of 1,941.492 feet to a point of curve;
 Thence Northerly along a curve to the right, with a radius of 1,358.00 feet and a central angle of 11°47'41", an arc distance of 279.553 feet to a point of tangency;
 Thence North 10°55'55" East, a distance of 200.001 feet to a point of curve;
 Thence Northerly along a curve to the left, with a radius of 1,442.00 feet and a central angle of 11°47'41" an arc distance of 296.845 feet to a point of tangency;
 Thence North 0°51'51" West a distance of 150.00 feet;
 Thence North 44°26'54" East, a distance of 71.095 feet to a point on the South right-of-way line of Griffin Road;
 Thence North 89°45'38" East, along said South right-of-way line a distance of 95.033 feet to a point of curve;
 Thence Northeasterly along said South right-of-way line and along a curve to the left, with a radius of 1,969.859 feet and a central angle of 12°22'13" an arc distance of 425.300 feet to a point on said West boundary line of SHARON GARDENS MEMORIAL PARK;
 Thence, South 0°13'01" East, along said boundary line a distance of 315.734 feet to the **POINT OF BEGINNING**.

LESS:

That portion of Tracts 7 and 26 lying in the West half of the East half of Section 34, Township 50 South, Range 39 East, Broward County, Florida, of Plat of EVERGLADES LAND COMPANY SUBDIVISION, according to the plat thereof recorded in Plat Book 2, Page 1 of the Public Records of Miami-Dade County, Florida, described as follows:

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 INFRASTRUCTURE MANAGEMENT BUREAU—SURVEY & MAPPING SECTION
 P.O. BOX 24680, 3301 GUN CLUB ROAD
 WEST PALM BEACH, FLORIDA 33416-4680

EXHIBIT "A-1"
 TRACT NO. W2901-278

DRAWN	CHECKED	DATE	SCALE	DRAWING NUMBER	SHEET
HE	RS	03-01-18	AS SHOWN	W9201-278_LDSK.dwg	1 of 3

Beginning at the Northwest corner of SHARON GARDENS MEMORIAL PARK REVISION THREE as recorded in Plat Book 110, Page 38 of the Public Records of Broward County, Florida;
 Thence South 00°12'07" East along the West line of said SHARON GARDENS MEMORIAL PARK REVISION THREE a distance of 712.00 feet;
 Thence South 89°23'13" West a distance of 27.00 feet;
 Thence North 00°12'07" West along a line 27.00 feet West of and parallel with the West line of said SHARON GARDENS MEMORIAL PARK REVISION THREE a distance of 712.00 feet;
 Thence North 89°23'13" East, a distance of 27.00 feet to the **POINT OF BEGINNING**.

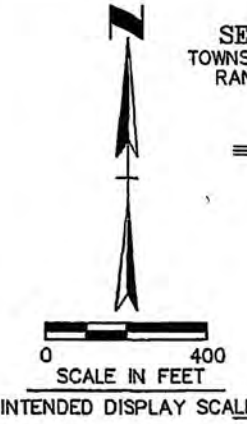
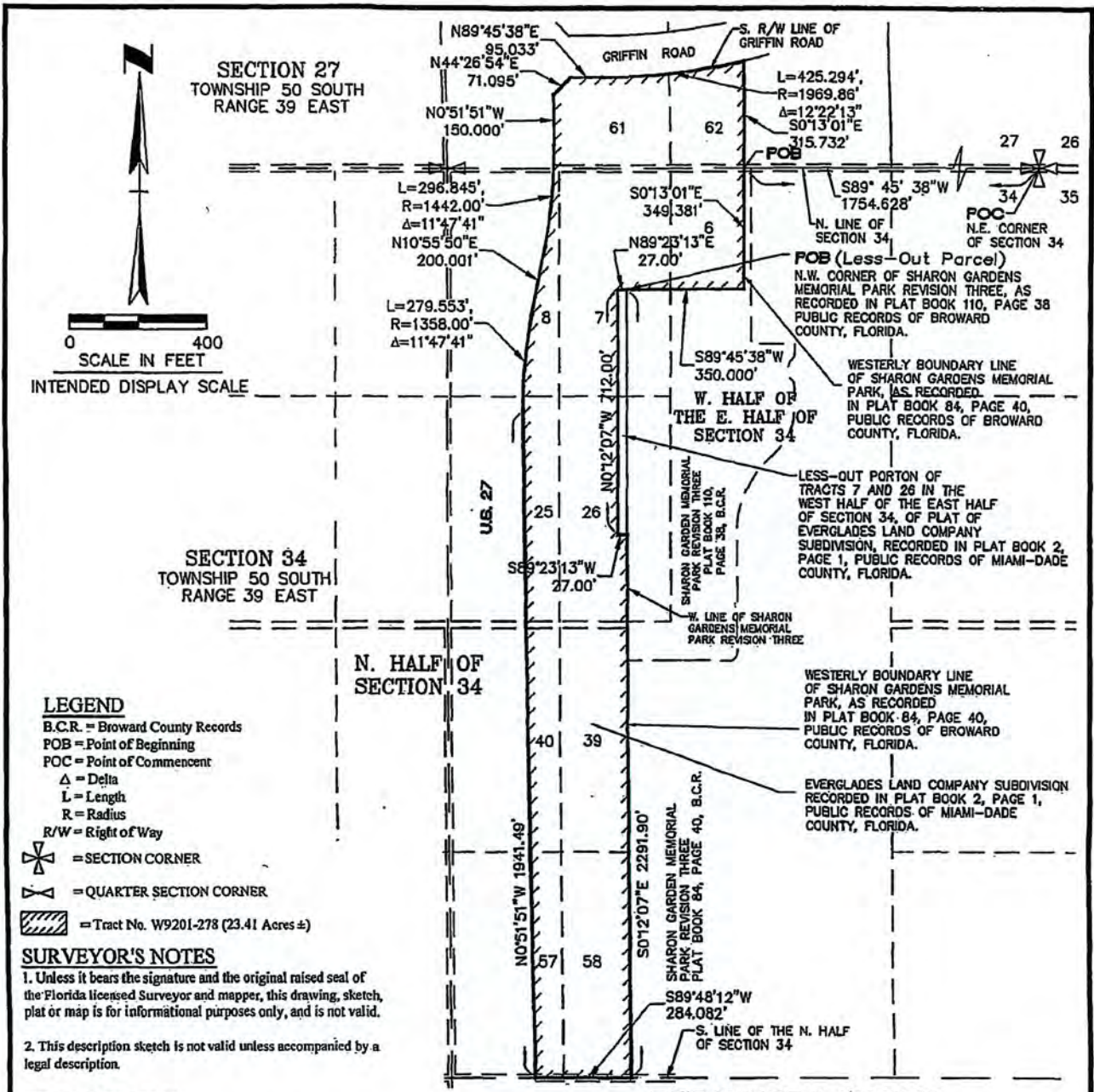
Containing a total of 23.41 acres more or less.

This land description is not valid unless accompanied by a description sketch.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 INFRASTRUCTURE MANAGEMENT BUREAU—SURVEY & MAPPING SECTION
 P.O. BOX 24680, 3301 GUN CLUB ROAD
 WEST PALM BEACH, FLORIDA 33416-4680

EXHIBIT "A-1"
 TRACT NO. W2901-278

DRAWN	CHECKED	DATE	SCALE	DRAWING NUMBER	SHEET
HE	RS	03-01-18	AS SHOWN	W9201-278_LDSK.dwg	2 of 3



- LEGEND**
- B.C.R. = Broward County Records
 - POB = Point of Beginning
 - POC = Point of Commencement
 - Δ = Delta
 - L = Length
 - R = Radius
 - R/W = Right of Way
 - ⊕ = SECTION CORNER
 - ⊗ = QUARTER SECTION CORNER
 - ▨ = Tract No. W9201-278 (23.41 Acres ±)

SURVEYOR'S NOTES

1. Unless it bears the signature and the original raised seal of the Florida licensed Surveyor and mapper, this drawing, sketch, plat or map is for informational purposes only, and is not valid.
2. This description sketch is not valid unless accompanied by a legal description.

CERTIFICATION

I HEREBY CERTIFY that the description of the property shown hereon was completed under my direction and that said description is true and correct to the best of my knowledge and belief.

I FURTHER CERTIFY that this description and sketch was made under my responsible charge and meets the applicable Standards of Practice for a description sketch as set forth by the Florida Board of Professional Surveyors and Mappers in 6-1-2011, Florida Administrative Code, pursuant to Section 7-2-027, Florida State Statutes.

No search of the public records has been made by this office.

DATE OF SIGNATURE: 03-01-18

[Signature]

Harold J. Ehms II
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 8191

THIS IS NOT A SURVEY

SECTIONS 27 AND 34
TOWNSHIP 50 SOUTH, RANGE 39 EAST
BROWARD COUNTY, FLORIDA

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
INFRASTRUCTURE MANAGEMENT BUREAU—SURVEY & MAPPING SECTION
P.O. BOX 24680, 3301 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33416-4680

EXHIBIT "A-1"
TRACT NO. W2901-278

DRAWN	CHECKED	DATE	SCALE	DRAWING NUMBER	SHEET
HE	RS	03-01-18	AS SHOWN	W9201-278_LDSK.dwg	3 of 3

Exhibit "A-2"
Tract No. W9201-279

This description taken verbatim from Exhibit "A" Tract No. W9-201-105 Official Records Book 29655, Page 840, Broward County Florida Public Records.

Portions of Tracts 51, 52, 61 and 62, EVERGLADES LAND COMPANY SUBDIVISION of Section 27, Township 50 South, Range 39 East, as recorded in Plat Book 2, Page 1 of the Public Records of Miami-Dade County, Florida, more fully described as follows:

Commencing at the Southeast corner of said Section 27;

Thence South 89°45'38" West, along the South line of said Section 27, a distance of 1317.250 feet;
Thence North 1°21'20" West, along the East line of the Southwest one-quarter (SW ¼) of the Southeast one-quarter (SE ¼) of said Section 27, a distance of 874.728 feet to a point on the South right-of-way line of the South New River Canal;

Thence North 89°58'20" West, along the said South right-of-way line, a distance of 90.026 feet to the **POINT OF BEGINNING**;

Thence South 1°21'20" East, a distance of 322.399 feet to a point on the North right-of-way line of Griffin Road and a point on a curve;

Thence Southwesterly along the said North right-of-way line and along a curve to the right, whose tangent bears South 65°33'17" West, with a radius of 1849.859 feet and a central angle of 24°12'21", an arc distance of 781.515 feet to a point of tangency;

Thence South 89°45'38" West, along the said North right-of-way line, a distance of 97.432 feet;

Thence North 45°33'06" West, a distance of 70.324 feet;

Thence North 0°51'51" West, a distance of 150.00 feet to a point of curve;

Thence, Northwesterly along a curve to the left, with a radius of 1442.00 feet and a central angle of 11°36'40", an arc distance of 292.227 feet to a point on the South right-of-way line of the South New River Canal;

Thence, South 89°58'20" East, along the South right-of-way line, a distance of 933.941 feet to the **POINT OF BEGINNING**.

Said land situate, lying and being in Broward County, Florida.

Containing a total of 9.24 acres per Survey.

This land description is not valid unless accompanied by a description sketch.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
INFRASTRUCTURE MANAGEMENT BUREAU
SURVEY & MAPPING SECTION
P.O. BOX 24680, 3301 GUN CLUB ROAD
WEST PALM BEACH, FLORIDA 33416-4680

EXHIBIT "A-2"
TRACT NO. W9201-279

DRAWN	CHECKED	DATE	SCALE	DRAWING NUMBER	SHEET
HE	RS	03-01-18	AS SHOWN	W9201-279_LDSK.dwg	1 of 2

EVERGLADES LAND COMPANY
 SUBDIVISION OF SECTION 27
 TOWNSHIP 50 SOUTH, RANGE 39
 EAST, RECORDED IN PLAT BOOK 2,
 PAGE 1, PUBLIC RECORDS OF
 MIAMI-DADE COUNTY, FLORIDA.

L=292.227'
 R=1442.00'
 Δ=11°36'40"

S0°51'51"E
 150.000'

S45°33'06"E
 70.324'

LEGEND
 Δ = Delta (Central Angle)
 L = Length (Arc Distance)
 POB = Point of Beginning
 POC = Point of Commencement
 R = Radius
 R/W = Right of Way
 PT = Point of Tangency

▨ = Tract No. W9201-279 (9.24 Acres per survey)

SOUTH NEW RIVER CANAL
 POB

N89°58'20"W
 90.026'

S. R/W LINE OF THE
 SOUTH NEW RIVER
 CANAL

N1°21'20"W
 874.728'

EAST LINE OF THE
 S.W. ¼ OF THE
 S.E. ¼ OF SECTION 27

TANGENT BEARING
 = S65°33'17"W

SECTION 27
 TOWNSHIP 50 SOUTH
 RANGE 39 EAST

0 300
 SCALE IN FEET
 INTENDED DISPLAY SCALE

POC
 S.E. CORNER
 OF SECTION 27

S89°45'38"W
 1317.250'
 S. LINE OF
 SECTION 27

51

52

N89°58'20"W
 933.941'
 S.W. ¼ OF THE
 S.E. ¼ OF
 SECTION 27

N. R/W LINE
 GRIFFIN ROAD

PT
 GRIFFIN ROAD

L=781.515'
 R=1849.86'
 Δ=24°12'21"

N89°45'38"E
 97.432'

THIS IS NOT A SURVEY

SECTION 27
 TOWNSHIP 50 SOUTH, RANGE 39 EAST
 BROWARD COUNTY, FLORIDA

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 INFRASTRUCTURE MANAGEMENT BUREAU-SURVEY & MAPPING SECTION
 P.O. BOX 24680
 3301 GUN CLUB ROAD
 WEST PALM BEACH, FLORIDA 33416-4680

EXHIBIT "A-2"
 TRACT NO. W9201-279

SURVEYOR'S NOTES

- Unless it bears the signature and the original raised seal of the Florida licensed Surveyor and mapper, this drawing, sketch, plat or map is for informational purposes only, and is not valid.
- This description sketch is not valid unless accompanied by a legal description.

CERTIFICATION

I HEREBY CERTIFY that the description of the property shown hereon was completed under my direction and that said description is true and correct to the best of my knowledge and belief.
 I FURTHER CERTIFY that this description and sketch was made under my responsible charge and meets the applicable Standards of Practice for a description/sketch as set forth by the Florida Board of Professional Surveyors and Mappers, Chapter 17,051, Florida Administrative Code, pursuant to Sections 17,051 and 17,052, Florida Statutes.
 No segment of this public record has been made by this office.
 DATE OF SURVEY: 03/01/18

David J. ...
 David J. ...
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORES/STATE SURVEYOR NO. 17051

DRAWN	CHECKED	DATE	SCALE	DRAWING NUMBER	SHEET
HE	RS	03-01-18	1"=300'	W9201-279_LDSK.dwg	2 OF 2

DRAWN	CHECKED	DATE	REVISIONS

MEMORANDUM

DATE: April 18, 2024
TO: South Broward Drainage District Commissioners
FROM: Luis Ochoa, P.E.
District Director
Subject: SBDD Annual Financial Statements – Draft Copy

Comments:

A draft report of the SBDD Financial Statement for the Fiscal Year Ending September 30, 2023 has been prepared by the District's auditing firm, Grau and Associates, Certified Public Accountants (Grau). David Caplivski, CPA, a Partner with Grau, will be in attendance at the April Board meeting to present an overview of the draft report and to answer any questions.

A copy of the draft report is attached.

LO
Attachment

SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2023

2nd Revised DRAFT

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA**

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INDEPENDENT AUDITOR'S REPORT

To the Board of Commissioners
South Broward Drainage District
Broward County, Florida

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and the major fund of South Broward Drainage District, Broward County, Florida ("District") as of and for the fiscal year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the District as of September 30, 2023, and the respective changes in financial position thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

The District's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, schedules of proportionate share of net pension liability, schedules of pension contributions, and the schedule of changes in the District's net OPEB liability and related ratios be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information Included in the Financial Report

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the District's basic financial statements. The information for compliance with FL Statute 218.39 (3) (c) is not a required part of the basic financial statements. The information for compliance with FL Statute 218.39 (3) (c) has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated April 3, 2024, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the District's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the District's internal control over financial reporting and compliance.

April 3, 2024

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of South Broward Drainage District, Broward County, Florida ("District") provides a narrative overview of the District's financial activities for the fiscal year ended September 30, 2023. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The assets plus deferred outflows of resources of the District exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year resulting in a net position balance of \$23,922,798.
- The change in the District's total net position in comparison with the prior fiscal year was (\$197,593), a decrease. The key components of the District's net position and change in net position are reflected in the table in the following section.
- At September 30, 2023, the District's governmental fund reported ending fund balance of \$6,970,876, a decrease of (\$370,942) in comparison with the prior fiscal year. A portion of fund balance is non-spendable for prepaid items and inventories, committed for various reserves, assigned to subsequent year's expenditures and encumbrances, and the remainder is unassigned fund balance which is available for spending at the District's discretion.

DISTRICT HIGHLIGHTS

- Completed the following improvements under the District's 5-Year Capital Improvements Plan (CIP) during the 2022/2023 fiscal year:
 - Rebuilt three stormwater pumps: the #1 pump at the S-1 pump station; the #1 pump at the S-3 pump station; and the #1 pump at the S-5 pump station.
 - Purchased 2 new gear drives: one for the S-1 PS and one for the S-5 PS.
 - Completed the re-roofing system at the S-1 pump station, including a complete upgrade to the exhaust systems.
 - Awarded the contract for the re-roofing of the S-4/S-5 pump station.
 - Issued Purchase Orders for the new exhaust system for the S-4/S-5 pump station.
 - Awarded the contract for the installation of triple 96" slip liner pipes at Riviera Blvd and University Drive (Basin S-1); and completed approximately 80% of the work (substantial completion).
 - Completed the permitting for the S-7/S-3 basin inter-connect; this is a joint project with the City of Pembroke Pines.
 - Continued coordination with the City of Pembroke Pines on the seepage management pump station at Hidden Lake.
- Completed the following improvements as part of the District's annual maintenance, repairs, replacement and upgrades work during the 2022/2023 fiscal year:
 - Completed the Dykes Road/SW 54th Place Drainage Improvement project. This is a joint project with the Town of SW Ranches.
 - Completed the design for the Southwest Meadows Sanctuary Drainage Improvement project; and started the permitting process. This is a joint project with the Town of SW Ranches.
 - Installed Fabric-Form revetment protection at the Rolling Oaks flood gate.
 - Upgraded the guardrail protection at the NW 13th Street boat ramp.
 - Installed new aluminum tubes at the S-1 trash rack (pilot project).
 - Performed culvert inspections, culvert cleaning, and culvert repairs for the triple 96" culverts at Riviera Blvd. in advance of the slip liner installations.
 - Performed canal dredging and upland sodding for a lateral canal within Rolling Oaks.
 - Completed miscellaneous repair work on SBDD's grapple trucks.
 - Completed upgrades to nine (9) water level recorders throughout the District.
 - Distributed grass carp at miscellaneous locations during the fiscal year.
 - Replaced the radiator on the generator at the S-4/S-5 pump station.
 - Designed, fabricated, and installed manatee guards at the sluice gates for the S-4/S-5 pump station.

- Upgraded SBDD's computer system to Microsoft 365 (office-wide).
- Modified the control structure at Bass Creek Road & SW 172nd Avenue.
- Purchased new weed booms for SBDD's primary canals; and relocated the weed boom upstream of the S-2 pump station.
- Purchased a spare motor for SBDD's flood gates.
- Designed and began fabrication/installation of new drive shaft covers for the S-4/S-5 pump station.
- Issued a Purchase Order for the new mufflers for the S-4/S-5 pump station.
- Designed and replaced the concrete drive and grapple truck pad at the S-1 pump station (in-house work).
- Re-installed the lightning protection at the S-1 pump station.
- Purchased materials for FabricForm revetment work at the S-7 and S-3 pump stations – mobile pump pads.
- Designed and installed the mobile pump pad at the S-7 pump station.
- Purchased three (3) Green Leaf solar tank gauges for SBDD's pump station fuel tanks.
- Issued a Purchase Order for additional reels of 20" and 24" flat hose for SBDD's mobile pumps.
- Purchased numerous spare parts for SBDD equipment, pump stations, engines, telemetry, and flood gates.
- Performed miscellaneous tree removal and trimming.
- Performed miscellaneous culvert inspections, culvert cleanings, and swale improvements.
- Participated in miscellaneous outreach efforts.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis are intended to serve as the introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all the District's assets, deferred outflows of resources, liabilities, and deferred inflows of resources with the residual amount being reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements include all governmental activities that are principally supported by special assessments. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance functions.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

OVERVIEW OF FINANCIAL STATEMENTS (Continued)

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflow of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains one governmental fund for external reporting. Information is presented in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, which is considered a major fund.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of an entity's financial position. In the case of the District, assets plus deferred outflows of resources exceeded liabilities plus deferred inflows of resources at the close of the most recent fiscal year.

Key components of the District's net position are reflected in the following table:

	NET POSITION SEPTEMBER 30,	
	2023	2022 (Restated)
Current and other assets	\$ 7,756,195	\$ 7,676,059
Capital assets, net of depreciation	18,655,614	18,269,382
Total assets	<u>26,411,809</u>	<u>25,945,441</u>
Deferred outflows of resources	378,295	446,666
Current liabilities	295,196	297,505
Long-term liabilities	2,411,914	1,827,736
Total liabilities	<u>2,707,110</u>	<u>2,125,241</u>
Deferred inflows of resources	160,196	146,475
Net position		
Net investment in capital assets	18,655,614	18,269,382
Unrestricted	5,267,184	5,851,009
Total net position	<u>\$ 23,922,798</u>	<u>\$ 24,120,391</u>

GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)

The District's net position reflects its investment in capital assets (e.g. land, land improvements, and infrastructure); less any related debt used to acquire those assets that is still outstanding. These assets are used to provide services to residents; consequently, these assets are not available for future spending. Although the District's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

The remaining balance of unrestricted net position may be used to meet the District's other obligations.

The District's net position decreased during the most recent fiscal year. The majority of the decrease represents the extent to which the cost of operations and depreciation expense exceeded ongoing program revenues.

Key elements of the change in net position are reflected in the following table:

	<u>2023</u>	<u>2022 (Restated)</u>
Revenues:		
Program revenues		
Charges for services	\$ 3,730,544	\$ 3,735,573
Capital grants and contributions	150,000	-
General revenues		
Investment earnings	138,491	3,131
Miscellaneous income	3,500	3,500
Total revenues	<u>4,022,535</u>	<u>3,742,204</u>
Expenses:		
General government	777,345	735,132
Maintenance and operations	3,442,783	2,979,593
Total expenses	<u>4,220,128</u>	<u>3,714,725</u>
Change in net position	(197,593)	27,479
Net position - beginning, previously stated	21,594,048	21,800,529
Prior period adjustment (see Note 2)	2,526,343	2,292,383
Net position - beginning, as restated	<u>24,120,391</u>	<u>24,092,912</u>
Net position - ending	<u>\$ 23,922,798</u>	<u>\$ 24,120,391</u>

As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2023 was \$4,220,128. The costs of the District's activities were primarily funded by program revenues. Program revenues, comprised primarily of assessments, increased during the fiscal year primarily as a result of an increase in assessment collected and grant revenues. Total expenses in the current fiscal year increased from the prior fiscal year mainly from increased salaries and wages and maintenance and repair costs.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. The general fund budget for the fiscal year ended September 30, 2023 was amended to reallocate appropriations. Actual general fund expenditures for the fiscal year ended September 30, 2023 exceeded appropriations by \$133,149. The over expenditures were funded by available fund balance.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2023, the District had \$25,155,897 invested in capital assets. In the government-wide financial statements depreciation of \$6,500,283 has been taken, which resulted in a net book value of \$18,655,614. More detailed information about the District's capital assets is presented in the notes of the financial statements.

Capital Debt

At September 30, 2023, the District had no capital debt.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND OTHER EVENTS

For the subsequent fiscal year, the District anticipates operation costs to remain fairly consistent.

CONTACTING THE DISTRICT'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact the South Broward Drainage District at 6591 Southwest 160th Avenue, Southwest Ranches, Florida, 33331.

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
STATEMENT OF NET POSITION
SEPTEMBER 30, 2023**

	Governmental Activities
ASSETS	
Cash	\$ 6,314,439
Investments	982,000
Interest receivable	38,439
Assessments receivable	8,365
Prepays	39,384
Inventories	189,032
Restricted assets:	
Cash	184,536
Capital assets:	
Nondepreciable	14,795,868
Depreciable, net	3,859,746
Total assets	26,411,809
 DEFERRED OUTFLOWS OF RESOURCES	
Pension	378,295
Total deferred outflows of resources	378,295
 LIABILITIES	
Accounts payable and accrued expenses	110,660
Contracts and retainage payable	442,939
Deposits payable from restricted assets	184,536
Non-current liabilities:	
Due within one year:	
Compensated absences	47,184
Due in more than one year:	
Compensated absences	92,553
Net OPEB liability	62,395
Net pension liability	1,766,843
Total liabilities	2,707,110
 DEFERRED INFLOWS OF RESOURCES	
Pension	160,196
Total deferred inflows of resources	160,196
 NET POSITION	
Net investment in capital assets	18,655,614
Unrestricted	5,267,184
Total net position	\$ 23,922,798

See notes to the financial statements

SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

Functions/Programs	Program Revenues			Net (Expense) Revenue and Changes in Net Position
	Expenses	Charges for Services	Capital Grants and Contributions	Governmental Activities
Primary government:				
Governmental activities:				
General government	\$ 777,345	\$ 777,345	\$ -	\$ -
Maintenance and operations	3,442,783	2,953,199	150,000	(339,584)
Total governmental activities	4,220,128	3,730,544	150,000	(339,584)
General revenues:				
Investment earnings				138,491
Miscellaneous				3,500
Total general revenues				141,991
Change in net position				(197,593)
Net position - beginning, as previously stated				21,594,048
Capital assets restatement				2,526,343
Net position - beginning, as restated				24,120,391
Net position - ending				\$ 23,922,798

See notes to the financial statements

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2023**

	Major Fund General	Total Governmental Funds
ASSETS		
Cash	\$ 6,314,439	\$ 6,314,439
Investments	982,000	982,000
Interest receivable	38,439	38,439
Assessments receivable	8,365	8,365
Prepays	39,384	39,384
Inventories	189,032	189,032
Cash-restricted	184,536	184,536
Total assets	\$ 7,756,195	\$ 7,756,195
LIABILITIES AND FUND BALANCE		
Liabilities:		
Accounts payable and accrued liabilities	\$ 110,660	\$ 110,660
Compensated absences payable	47,184	47,184
Deposits payable	184,536	184,536
Contracts and retainage payable	442,939	442,939
Total liabilities	785,319	785,319
Fund Balances:		
Non-spendable:		
Prepays and inventories	228,416	228,416
Committed for:		
Reserve for Emergency Fund	3,246,749	3,246,749
Reserve for Capital improvement	1,774,261	1,774,261
Reserve for separation	231,324	231,324
Assigned to:		
Encumbrances	22,915	22,915
Subsequent year's expenditures	565,595	565,595
Unassigned	901,616	901,616
Total fund balances	6,970,876	6,970,876
Total liabilities and fund balances	\$ 7,756,195	\$ 7,756,195

See notes to the financial statements

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2023**

Fund balance - governmental funds \$ 6,970,876

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported as assets in the governmental funds. The statement of net position includes those capital assets, net of any accumulated depreciation, in the net position of the government as a whole.

Cost of capital assets	25,155,897	
Accumulated depreciation	<u>(6,500,283)</u>	18,655,614

Deferred outflows of resources related to pension are reported in the statement of net position. 378,295

Deferred inflows of resources related to pension are reported in the statement of net position. (160,196)

Liabilities not due and payable from current available resources are not reported as liabilities in the governmental fund statements. All liabilities, both current and long-term, are reported in the government-wide financial statements.

Net OPEB liability	(62,395)	
Net pension liability	<u>(1,766,843)</u>	(1,829,238)

Compensated absences due and payable after the next fiscal year are not reported as a liability on the governmental funds balance sheet. (92,553)

Net position of governmental activities		<u>\$ 23,922,798</u>
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See notes to the financial statements

SOUTH BROWARD DRAINAGE DISTRICT
 BROWARD COUNTY, FLORIDA
 STATEMENT OF REVENUES, EXPENDITURES,
 AND CHANGES IN FUND BALANCE
 GOVERNMENTAL FUNDS
 FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023

	Major Fund General	Total Governmental Funds
REVENUES		
Assessments	\$ 3,562,220	\$ 3,562,220
Interest income	138,491	138,491
Permit revenue	157,071	157,071
Miscellaneous income	164,753	164,753
Total revenues	4,022,535	4,022,535
EXPENDITURES		
Current:		
General government	735,776	735,776
Maintenance and operations	2,435,704	2,435,704
Capital outlay	1,221,997	1,221,997
Total expenditures	4,393,477	4,393,477
Excess (deficiency) of revenues over (under) expenditures	(370,942)	(370,942)
Fund balances - beginning	7,341,818	7,341,818
Fund balances - ending	\$ 6,970,876	\$ 6,970,876

See notes to the financial statements

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023**

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balance - total governmental funds	\$ (370,942)
Governmental funds report capital outlays as expenditures, however, in the statement of activities, the cost of those assets is eliminated and capitalized as capital assets.	851,531
The change in compensated absences between the current and prior fiscal year is reported in the statement of activities but is not reported as expenditures in governmental funds.	(2,802)
The changes in the net OPEB liability and related deferred inflows and outflows of resources between the current and prior fiscal year is reported in the statement of activities but is not reported as expenditures in governmental funds.	48,655
The changes in the net pension liability and related deferred inflows and outflows of resources between the current and prior fiscal year is reported in the statement of activities but is not reported as expenditures in governmental funds.	(258,736)
Depreciation of capital assets is not recognized in the governmental fund financial statements, but is reported as an expense in the statement of activities.	(465,299)
Change in net position of governmental activities	<u>\$ (197,593)</u>

See notes to the financial statements

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
NOTES TO FINANCIAL STATEMENTS**

NOTE 1 – NATURE OF ORGANIZATION AND REPORTING ENTITY

South Broward Drainage District ("District") exists pursuant to the provisions of Chapter 98-524 laws of Florida as amended, a Special Act of the Florida Legislature. The District was originally formed in 1927 and includes approximately 46,400 acres in southwest Broward County, Florida. The District was established for the purposes of constructing and maintaining systems of drainage and flood control within the District in Broward County, Florida. The District is governed by the Board of Commissioners ("Board"), which is composed of seven members. The Commissioners are elected by the owners of the property within the District. The Board of Supervisors exercise all powers granted to the District pursuant to Chapter 298, Florida Statutes.

The Board has the responsibility for:

1. Assessing and levying assessments.
2. Approving budgets.
3. Exercising control over facilities and properties.
4. Controlling the use of funds generated by the District.
5. Approving the hiring and firing of key personnel.
6. Financing improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statements. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District is considered to be financially accountable and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements.

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment; operating-type special assessments for maintenance and debt service are treated as charges for services) and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not included among program revenues are reported instead as *general revenues*.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting and Financial Statement Presentation (Continued)

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. For grant revenue, amounts are recognized as revenues as soon as all eligibility requirements have been met. Expenditures are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Assessments

Assessments are non-ad valorem assessments levied on benefited lands within the District to pay for the operations and maintenance of the District. The fiscal year for which annual assessments are levied begins on October 1 with discounts available for payments through February 28 and become delinquent on April 1. The District's annual assessments are mostly billed and collected by the County Tax Assessor/Collector. The amounts remitted to the District are net of applicable discounts or fees. In addition, amounts remitted by the County Tax Assessor/Collector include interest on monies held from the day of collection to the day of distribution.

Assessments and interest associated with the current fiscal period are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. The portion of assessments receivable due within the current fiscal period is considered susceptible to accrual as revenue of the current period.

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

Assets, Liabilities and Net Position or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to contractual restrictions.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits (interest and non-interest bearing).

The District has adopted an investment policy consistent with the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) United States government securities unconditionally guaranteed by the full faith and credit of the United States government;
- c) United States government agencies backed by the full faith and credit of the United States government.
- d) United States government sponsored agencies
- e) Interest bearing time deposits or savings accounts in qualified public depositories;
- f) Commercial paper rated "Prime 1" by Moody's, "A1" by Standard and Poor's or "F-1" by Fitch;
- g) Corporate notes rated at a minimum "AA" by Moody's, "AA" by Standard and Poor's or "AA" by Fitch;
- h) Repurchase agreements that are fully collateralized are permissible investments provided that the following conditions are met:

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Deposits and Investments (Continued)

- o The District has executed a master repurchase agreement similar to the Public Securities Association's "Master Repurchase Agreement" with either a primary dealer as defined by the Federal Reserve or a bank or savings and loan domiciled in Florida and certified as a qualified depository as defined in Florida Statutes Section 280.02;
 - o The agreement has a defined termination date and is secured by obligations described in the District's investment policy.
 - o Requires that the securities being purchased by the District to be pledged to the District, held in the District's name and deposited at the time the investment is made with the District or with a third party selected and approved by the District.
- i) Other security or other interests in any open-end or closed-end management-type investment company or investment trust registered under the Investment Company Act of 1940 provided the portfolio meets the District's policy.

To the extent practicable, funds shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured. Unless matched to a specific cash flow requirement, the policy limits investment to securing five years or less from the date of purchase.

The District records all interest revenue related to investment activities in the respective funds. Investments are measured at amortized cost or reported at fair value as required by generally accepted accounting principles.

Inventories and Prepaid Items

Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant and equipment, and infrastructure assets (e.g., roads, fences, canals and dikes and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$750 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, infrastructure and equipment of the District are depreciated using the straight-line method over the following estimated useful lives:

<u>Asset</u>	<u>Years</u>
Building	40
Water control structures/culverts	15-50
Vehicles	5
Equipment	5

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Compensated Absences

It is the District's policy to permit employees to accumulate, within certain limits, earned but unused vacation and sick leave. Employees with 1-7 years full time service accumulate 2 weeks of vacation per year, employees with 7 to 14 year of service, accumulate 3 weeks per year, and over 14 years accumulate 4 weeks per year. Sick time accrue at a rate of ten days per year. Employees may rollover to the next fiscal year an amount of unused vacation and sick time equal to the amount earned in one year. Employees are paid out for their excess accrued sick and vacation time at fiscal year end. In addition, employees may choose to cash out a portion of unused vacation time at fiscal year end. Compensated absences are reported as accrued in the government-wide financial statements. Governmental funds report only matured compensated absences payable for example, if employees resign or are terminated or excess accrued time to be paid out.

Unearned Revenue

Governmental funds report unearned revenue in connection with resources that have been received, but not yet earned.

Long-Term Obligations

In the government-wide financial statements long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Debt premiums and discounts are deferred and amortized over the life of the debt. Loan payable are reported net of applicable premiums or discounts. Issuance costs are reported as an expense in the year incurred.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Fund Equity/Net Position

In the fund financial statements, governmental funds report non spendable and restricted fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Assignments of fund balance represent tentative management plans that are subject to change.

The District can establish limitations on the use of fund balance as follows:

Committed fund balance – Amounts that can be used only for the specific purposes determined by a formal action (resolution) of the Board of Supervisors. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action (resolution) that imposed the constraint originally. Resources accumulated pursuant to stabilization arrangements sometimes are reported in this category.

Assigned fund balance – Includes spendable fund balance amounts established by the Board of Supervisors that are intended to be used for specific purposes that are neither considered restricted nor committed. The Board may also assign fund balance as it does when appropriating fund balance to cover differences in estimated revenue and appropriations in the subsequent year's appropriated budget.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Position or Equity (Continued)

Fund Equity/Net Position

Assignments are generally temporary and normally the same formal action need not be taken to remove the assignment.

The District first uses committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

Net position is the difference between assets and deferred outflows of resources less liabilities and deferred inflows of resources. Net position in the government-wide financial statements are categorized as net investment in capital assets, restricted or unrestricted. Net investment in capital assets represents net position related to infrastructure and property, plant and equipment. Restricted net position represents the assets restricted by the District's Bond covenants or other contractual restrictions. Unrestricted net position consists of the net position not meeting the definition of either of the other two components.

Prior Period Adjustment

In the current fiscal year, the District recognized certain errors in its capital assets inventory, resulting in a restatement of beginning capital assets and accumulated depreciation. As a result, the beginning net position of the District was restated as follows:

	Governmental Activities
Net position - beginning, as previously stated	\$ 21,594,048
Capital assets restatement	2,526,343
Net position - beginning, as restated	<u>\$ 24,120,391</u>

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 3 – BUDGETARY INFORMATION

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year-end.

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) Public hearings are conducted to obtain public comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriation for annually budgeted funds lapse at the end of the year.

NOTE 4 – DEPOSITS AND INVESTMENTS

Deposits

The District's cash balances were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District's investments were held as follows at September 30, 2023:

	Amortized Cost	Credit Risk	Maturities
Certificate of deposit - Ameris Bank	\$ 245,000	N/A	April 25, 2024
Certificate of deposit - Synovus Bank	245,000	N/A	February 25, 2024
Certificate of deposit - TD Bank	247,000	N/A	April 11, 2024
Certificate of deposit - U.S. Century Bank	245,000	N/A	March 8, 2024
	<u>\$ 982,000</u>		

Credit risk – For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

The District's investment policy limits investments in commercial paper to 270 day promissory notes rated at least A-1/P-1 by nationally recognized statistical rating organizations (NRSRO) of the United States.

Interest rate risk and Concentration of Credit Risk – The District's policy authorizes investment allocation limits on security types, issuers, and maturity limitations. However, the District Director has the option to modify investment percentages from time-to-time based on market conditions, risk and diversification investment strategies after review and discussion with the District's treasurer and members of the investment committee.

NOTE 5 – CAPITAL ASSETS

Capital asset activity for the fiscal year ended September 30, 2023 was as follows:

	Beginning Balance (Restated)	Additions	Reductions	Ending Balance
<u>Governmental activities</u>				
Capital assets, not being depreciated				
Land	\$ 3,672,870	\$ -	\$ -	\$ 3,672,870
Canal Improvements and Lakes	10,700,880	-	-	10,700,880
Infrastructure under construction	-	422,118	-	422,118
Total capital assets, not being depreciated	14,373,750	422,118	-	14,795,868
Capital assets, being depreciated				
Water control structures/culverts	6,702,456	13,000	-	6,715,456
Buildings - district headquarters	1,699,644	-	-	1,699,644
Vehicles	826,321	-	-	826,321
Equipment	702,195	416,413	-	1,118,608
Total capital assets, being depreciated	9,930,616	429,413	-	10,360,029
Less accumulated depreciation for:				
Water control structures/culverts	(3,889,312)	(207,105)	-	(4,096,417)
Buildings - district headquarters	(890,676)	(42,491)	-	(933,167)
Vehicles	(708,606)	(66,183)	-	(774,789)
Equipment	(546,390)	(149,520)	-	(695,910)
Total accumulated depreciation	(6,034,984)	(465,299)	-	(6,500,283)
Total capital assets, being depreciated, net	3,895,632	(35,886)	-	3,859,746
Governmental activities capital assets	\$ 18,269,382	\$ 386,232	\$ -	\$ 18,655,614

Depreciation expense was charged to the maintenance and operations function.

NOTE 6 – LONG-TERM LIABILITIES

Long-term Debt activity

Changes in long-term liability activity for the fiscal year ended September 30, 2023 were as follows:

	Beginning Balance (Restated)	Additions	Reductions	Ending Balance	Due Within One Year
<u>Governmental activities</u>					
Net pension liability	\$ 1,590,199	\$ 176,644	\$ -	\$ 1,766,843	\$ -
Total OPEB liability	111,050	-	(48,655)	62,395	-
Compensated absences	126,487	13,250	-	139,737	47,184
Total	<u>\$ 1,827,736</u>	<u>\$ 189,894</u>	<u>\$ (48,655)</u>	<u>\$ 1,968,975</u>	<u>\$ 47,184</u>

NOTE 7 – RETIREMENT PLAN

General Information about the FRS

The FRS was created in Chapter 121, Florida Statutes, to provide a defined benefit pension plan for participating public employees. The FRS was amended in 1998 to add the Deferred Retirement Option Program under the defined benefit plan and amended in 2000 to provide a defined contribution plan alternative to the defined benefit plan for FRS members effective July 1, 2002. This integrated defined contribution pension plan is the FRS Investment Plan. Chapter 112, Florida Statutes, established the Retiree Health Insurance Subsidy (HIS) Program, a cost-sharing multiple-employer defined benefit pension plan, to assist retired members of any state-administered retirement system in paying the costs of health insurance.

All regular employees of the District are eligible to enroll as members of the FRS. Provisions relating to the FRS are established by Chapters 121 and 122, Florida Statutes; Chapter 112, Part IV, Florida Statutes; Chapter 238, Florida Statutes; and FRS Rules, Chapter 60S, Florida Administrative Code; wherein eligibility, contributions, and benefits are defined and described in detail. Such provisions may be amended at any time by further action from the Florida Legislature. The FRS is a single retirement system administered by the Florida Department of Management Services, Division of Retirement, and consists of the two cost-sharing, multiple-employer defined benefit plans and other nonintegrated programs. A comprehensive annual financial report of the FRS, which includes its financial statements, required supplementary information, actuarial report, and other relevant information, is available from the Florida Department of Management Services' website (www.dms.myflorida.com).

The District's pension expense totaled \$436,968 for the fiscal year ended September 30, 2023.

FRS Pension Plan

Plan Description – The FRS Pension Plan (Plan) is a cost-sharing, multiple-employer defined benefit pension plan, with a Deferred Retirement Option Program (DROP) for eligible employees. The classes of membership within the District are as follows:

- Regular Class – Member of the FRS who do not qualify for membership in another class.
- Senior Management Service Class – Members in senior management level positions.
- Elected Local Officers Class – Members who hold specified elective offices in local government.

Employees enrolled in the Plan prior to July 1, 2011, vest at six years of creditable service and employees enrolled in the Plan on or after July 1, 2011, vest at eight years of creditable service. All vested members, enrolled prior to July 1, 2011, are eligible for normal retirement benefits at age 62 or at any age after 30 years of service. All members enrolled in the Plan on or after July 1, 2011, once vested, are eligible for normal retirement benefits at age 65 or any time after 33 years of service. Members of the Plan may include up to four years of credit for military service toward creditable service. The Plan also includes an early retirement provision; however, there is a benefit reduction for each year a member retires before his or her normal retirement date. The Plan provides retirement, disability, death benefits, and annual cost-of-living adjustments to eligible participants.

NOTE 7 – RETIREMENT PLAN (Continued)

FRS Pension Plan (Continued)

DROP, subject to provisions of Section 121.091, Florida Statutes, permits employees eligible for normal retirement under the Plan to defer receipt of monthly benefit payments while continuing employment with an FRS employer. An employee may participate in DROP for a period not to exceed 60 months after electing to participate. During the period of DROP participation, deferred monthly benefits are held in the FRS Trust Fund and accrue interest. The net pension liability does not include amounts for DROP participants, as these members are considered retired and are not accruing additional pension benefits.

Benefits Provided – Benefits under the Plan are computed on the basis of age and/or years of service, average final compensation, and service credit. Credit for each year of service is expressed as a percentage of the average final compensation (AFC). For members initially enrolled before July 1, 2011, the AFC is the average of the five highest fiscal years' earnings; for members initially enrolled on or after July 1, 2011, the AFC is the average of the eight highest fiscal years' earnings. The total percentage value of the benefit received is determined by calculating the total value of all service, which is based on the retirement class to which the member belonged when the service credit was earned. Members are eligible for in-line-of-duty or regular disability and survivors' benefits.

Benefits Provided (Continued) – The following chart shows the percentage value for each year of service credit earned:

<u>Class, Initial Enrollment, and Retirement Age/Years of Service</u>	<u>% Value</u>
Regular Class members initially enrolled before July 1, 2011	
Retirement up to age 62 or up to 30 years of service	1.60
Retirement at age 63 or with 31 years of service	1.63
Retirement at age 64 or with 32 years of service	1.65
Retirement at age 65 or with 33 years of service	1.68
Regular Class members initially enrolled on or after July 1, 2011	
Retirement up to age 65 or up to 33 years of service	1.60
Retirement at age 66 or with 34 years of service	1.63
Retirement at age 67 or with 35 years of service	1.65
Retirement at age 68 or with 36 years of service	1.68
Senior Management Service Class	2.00
Elected Local Officers	3.00

Per Section 121.101, Florida Statutes, if the member is initially enrolled in the FRS before July 1, 2011, and all service credit was accrued before July 1, 2011, the annual cost-of-living adjustment is 3% per year. If the member is initially enrolled before July 1, 2011, and has service credit on or after July 1, 2011, there is an individually calculated cost-of-living adjustment. The annual cost-of-living adjustment is a proportion of 3% determined by dividing the sum of the pre-July 2011 service credit by the total service credit at retirement multiplied by 3%. Plan members initially enrolled on or after July 1, 2011, will not have a cost-of-living adjustment after retirement.

NOTE 7 – RETIREMENT PLAN (Continued)

FRS Pension Plan (Continued)

Contributions – The Florida Legislature establishes contribution rates for participating employers and employees. Contribution rates during the 2023 fiscal year were as follows:

Class	Percent of Gross Salary October 1, 2022 to June 30, 2023		Percent of Gross Salary July 1, 2023 to September 30, 2023	
	Employee	Employer (1)	Employee	Employer (1)
FRS, Regular	3.00	11.91	3.00	13.57
FRS, Senior Management Service Class	3.00	31.57	3.00	34.52

(1) Employer rates include a postemployment HIS contribution rate of 1.66% for October 1, 2022 to June 30, 2023 and 2.0% fro July 1, 2023 to September 30, 2023, and administrative costs of .06% for the Investment plan through September 30, 2023.

The District’s contributions to the Plan totaled \$147,638 for the fiscal year ended September 30, 2023. This excludes the HIS defined benefit pension plan contributions.

Payables to the Plan – At September 30, 2023, the District reported a liability of \$14,205 to the plan.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – At September 30, 2023, the District reported a liability of \$1,272,776 for its proportionate share of the Plan’s net pension liability. The net pension liability was measured as of June 30, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2023. The District’s proportionate share of the net pension liability was based on the District’s contributions for the year ended June 30, 2023 relative to the contributions made during the year ended June 30, 2023 of all participating members. At June 30, 2023, the District’s proportionate share was .00319%, which was a decrease of .0002% from its proportionate share measured as of June 30, 2022.

For the fiscal year ended September 30, 2023 the District recognized pension expense of \$259,801 related to the Pension Plan. In addition, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 119,503	\$ -
Change of assumptions	82,970	-
Net difference between projected and actual earnings on FRS pension plan investments	53,155	-
Changes in proportion and differences between District FRS contributions and proportionate share of FRS contributions	48,394	(87,139)
District FRS contributions subsequent to the measurement date	44,394	-
Total	<u>\$ 348,416</u>	<u>\$ (87,139)</u>

The deferred outflows of resources related to pensions, totaling \$44,394, resulting from District contributions to the Plan subsequent to the measurement date, will be recognized as a reduction of the net pension liability in the fiscal year ended September 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

NOTE 7 – RETIREMENT PLAN (Continued)

FRS Pension Plan (Continued)

Year ending September 30,	Amount
2023	\$ 32,120
2024	(17,568)
2025	195,797
2026	3,719
2027	2,815
Total	<u>\$ 216,883</u>

Actuarial Assumptions – The total pension liability in the July 1, 2023 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40 percent
Salary increases	3.25 percent, average, including inflation
Discount rate	6.70 percent

Mortality rates were based on the PUB-2010 base table which varies by member category and sex, projected generationally with Scale MP-2018. The actuarial assumptions used in the July 1, 2023, valuation were based on the results of an actuarial experience study for the period July 1, 2013, through June 30, 2018.

The long-term expected rate of return on pension plan investments was not based on historical returns, but instead is based on a forward-looking capital market economic model. The allocation policy's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. The target allocation and best estimates of arithmetic and geometric real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation (1)	Arithmetic Return	Geometric Return	Standard Deviation
Cash	1.0%	2.6%	2.9%	1.1%
Fixed income	19.8%	4.4%	4.4%	3.4%
Global equity	54.0%	8.7%	7.1%	18.1%
Real estate (property)	10.3%	7.6%	6.6%	14.8%
Private equity	11.1%	11.9%	8.8%	26.3%
Strategic investments	3.8%	6.3%	6.1%	7.7%
Total	<u>100.0%</u>			
Assumed inflation - mean			2.4%	1.4%

(1) As outlined in the Plan's investment policy

Discount Rate – The discount rate used to measure the total pension liability was 6.70 percent. The Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the long-term expected rate of return.

Sensitivity of the District's Proportionate Share of the Net Position Liability to Changes in the Discount Rate – The following presents the District's proportionate share of the net pension liability calculated using the discount rate of 6.7%, as well as what the District's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.7%) or 1-percentage-point higher (7.7%) than the current rate:

	1% Decrease	Current Discount Rate	1% Increase
	5.70%	6.70%	7.70%
Net Pension Liability	\$ 2,174,161	\$ 1,272,776	\$ 518,660

NOTE 7 – RETIREMENT PLAN (Continued)

FRS Pension Plan (Continued)

Pension Plan Fiduciary Net Position – Detailed information about the Plan's fiduciary net position is available in the FRS Pension Plan and Other State Administered Systems Comprehensive Annual Financial Report.

HIS Pension Plan

Plan Description – The HIS Pension Plan (HIS Plan) is a cost-sharing multiple-employer defined benefit pension plan established under section 112.363, Florida Statutes, and may be amended by the Florida Legislature at any time. The benefit is a monthly payment to assist retirees of State-administered retirement systems in paying their health insurance costs and is administered by the Division of Retirement within the Florida Department of Management Services.

Benefits Provided – For the fiscal year ended September 30, 2023, eligible retirees and beneficiaries received a monthly HIS payment of \$5 for each year of creditable service completed at the time of retirement, with a minimum HIS payment of \$30 and a maximum HIS payment of \$150 per month, pursuant to Section 112.363, Florida Statutes. To be eligible to receive a HIS Plan benefit, a retiree under a State-administered retirement system must provide proof of health insurance coverage, which may include Medicare.

Contributions – The HIS Plan is funded by required contributions from FRS participating employers as set by the Florida Legislature. Employer contributions are a percentage of gross compensation for all active FRS members. For the fiscal year ended September 30, 2023, was 1.66% from October 1, 2022 to June 30, 2023 and 2% from July 1, 2023 to September 30, 2023, pursuant to section 112.363, Florida Statutes. The District contributed 100 percent of its statutorily required contributions for the current and preceding three years. HIS Plan contributions are deposited in a separate trust fund from which payments are authorized. HIS Plan benefits are not guaranteed and are subject to annual legislative appropriation. In the event the legislative appropriation or available funds fail to provide full subsidy benefits to all participants, benefits may be reduced or canceled.

The District's contributions to the HIS Plan totaled \$18,893 for the fiscal year ended September 30, 2023. This does not include contributions to the Investment Plan.

Payables to the Plan – At September 30, 2023, the District reported a liability of \$1,500 to the plan.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – At September 30, 2023, the District reported a net pension liability of \$494,067 for its proportionate share of the HIS Plan's net pension liability. The net pension liability was measured as of June 30, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2022. The District's proportionate share of the net pension liability was based on the year ended June 30, 2023 contributions relative to the year ended June 30, 2023 contributions of all participating members. At June 30, 2023, the District's proportionate share was .00311%, which was a decrease of .00005% from its proportionate share measured as of June 30, 2022.

For the fiscal year ended September 30, 2023, the District recognized pension expense of \$177,167 related to the HIS Plan. In addition, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

NOTE 7 – RETIREMENT PLAN (Continued)

HIS Pension Plan (Continued)

Description	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 7,233	\$ (1,160)
Change of assumptions	12,989	(42,813)
Net difference between projected and actual earnings on FRS pension plan investments	255	-
Changes in proportion and differences between District's FRS contributions and proportionate share of FRS contributions	2,814	(29,084)
District FRS contributions subsequent to measurement date	6,588	-
Total	\$ 29,879	\$ (73,057)

The deferred outflows of resources related to pensions, totaling \$6,588, resulting from District contributions to the HIS Plan subsequent to the measurement date will be recognized as a reduction of the net pension liability in the fiscal year ended September 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ending September 30,	Amount
2023	\$ (11,278)
2024	(7,605)
2025	(9,861)
2026	(13,491)
2027	(6,902)
Thereafter	(629)
Total	\$ (49,766)

Actuarial Assumptions – The total pension liability in the July 1, 2022, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40 percent
Salary increases	3.25% average, including inflation
Discount rate	3.65 percent

Mortality rates were based on the PUB-2010 base table which varies by member category and sex, projected generationally with Scale MP-2018. The actuarial assumptions used in the July 1, 2022, valuation were based on the results of an actuarial experience study for the period July 1, 2013, through June 30, 2018.

Discount Rate – The discount rate used to measure the total pension liability was 3.65%. In general, the discount rate for calculating the total pension liability is equal to the single rate equivalent to discounting at the long-term expected rate of return for benefit payments prior to the projected depletion date. Because the HIS benefit is essentially funded on a pay-as-you-go basis, the depletion date is considered to be immediate, and the single equivalent discount rate is equal to the municipal bond rate selected by the HIS Plan sponsor. The Bond Buyer General Obligation 20-Bond Municipal Bond Index was adopted as the applicable municipal bond index.

Sensitivity of the District's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate – The following presents the District's proportionate share of the net pension liability calculated using the discount rate of 3.54%, as well as what the District's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.54%) or 1-percentage-point higher (4.54%) than the current rate:

	1% Decrease	Current Discount Rate	1% Increase
	2.65%	3.65%	4.65%
Net Pension Liability	\$ 563,653	\$ 494,067	\$ 436,385

NOTE 7 – RETIREMENT PLAN (Continued)

HIS Pension Plan (Continued)

Pension Plan Fiduciary Net Position – Detailed information about the HIS Plan's fiduciary net position is available in the FRS Pension Plan and Other State Administered Systems Comprehensive Annual Financial Report.

FRS – Defined Contribution Pension Plan

The District contributes to the FRS Investment Plan (Investment Plan), a defined contribution pension plan, for its eligible employees electing to participate in the Investment Plan. The Investment Plan is administered by the SBA and is reported in the SBA's annual financial statements and in the State of Florida Comprehensive Annual Financial Report. Service retirement benefits are based upon the value of the member's account upon retirement. The report can be found at <http://www.myfloridacfo.com/Division/AA/Reports>.

As provided in Section 121.4501, Florida Statutes, eligible FRS members may elect to participate in the Investment Plan in lieu of the FRS defined-benefit plan. District employees participating in DROP are not eligible to participate in the Investment Plan. Employer and employee contributions, including amounts contributed to individual member's accounts, are defined by law, but the ultimate benefit depends in part on the performance of investment funds. Benefit terms, including contribution requirements, for the Investment Plan are established and may be amended by the Florida Legislature. The Investment Plan is funded with the same employer and employee contribution rates that are based on salary and membership class (Regular Class, Elected Local Officers, etc.), as the FRS defined benefit plan. Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices.

Allocations to the investment member's accounts during the 2023 fiscal year were as follows:

Class	Percent of Gross Salary October 1, 2022 to 6/30/2023	Percent of Gross Salary July 1, 2023 to 9/30/2023
FRS, Regular	6.30%	8.30%
FRS, Senior Management Service Class	7.67%	9.67%

For all membership classes, employees are immediately vested in their own contributions and are vested after one year of service for employer contributions and investment earnings. If an accumulated benefit obligation for service credit originally earned under the FRS Pension Plan is transferred to the Investment Plan, the member must have the years of service required for FRS Pension Plan vesting (including the service credit represented by the transferred funds) to be vested for these funds and the earnings on the funds. Nonvested employer contributions are placed in a suspense account for up to five years. If the employee returns to FRS covered employment within the five year period, the employee will regain control over their account. If the employee does not return within the five year period, the employee will forfeit the accumulated account balance. Costs of administering the Investment Plan, including the FRS Financial Guidance Program, are funded through an employer contribution of 0.06% from October 1, 2022 – September 30, 2023 and by forfeited benefits of Investment Plan members.

After termination and applying to receive benefits, the member may rollover vested funds to another qualified plan, structure a periodic payment under the Investment Plan, receive a lump-sum distribution, leave the funds invested for future distribution, or any combination of these options. Disability coverage is provided; the member may either transfer the account balance to the FRS Pension Plan when approved for disability retirement to receive guaranteed lifetime monthly benefits under the FRS Pension Plan or remain in the Investment Plan and rely upon that account balance for retirement income.

The District's Investment Plan pension expense totaled \$28,154 for the fiscal year ended September 30, 2023.

Payables to the Plan – At September 30, 2023, the District reported a liability of \$3,017 to the plan.

2nd Revised DRAFT

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS

Plan Description

The District administers an employee group medical insurance plan that provides medical insurance benefits to its employees. In accordance with Section 112.081 of the Florida Statutes, because the District provides a medical plan to active employees, the District must also provide retirees and their eligible dependents to participate in the District’s health insurance program at a cost to the retiree that is no greater than the cost at which coverage is available for active employees. Retirees must contribute an amount determined periodically by the insurance carrier equal to 100% of the applicable health insurance premium. There are no minimum required employer contributions. Benefit provisions are established and may be amended by the Board of Supervisors. The plan has no assets accumulated in a GASB-compliant trust. The plan does not issue separate financial statements.

At September 30, 2023, the following employees were covered by benefit terms:

Current retirees:	
Total current retirees	0
Active employees:	
Active participants	19
Total active employees	19
Total number of participants	19

Changes in Net OPEB Liability

Sources of changes in the net OPEB liability were as follows:

	Increase (Decrease) in		
	Total OPEB Liability	Fiduciary Net Position	Net OPEB Liability
Balance at September 30, 2022	\$ 111,050	\$ -	\$ 111,050
Changes due to:			
Service cost	3,157	-	3,157
Interest	5,210	-	5,210
Differences between expected and actual experience	(46,860)		(46,860)
Changes in assumptions	(49)	-	(49)
Benefit payments and refunds	(10,113)	-	(10,113)
Balance at September 30, 2023	\$ 62,395	\$ -	\$ 62,395

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Actuarial Assumptions

Significant actuarial assumptions used to calculate the net OPEB liability were as follows:

Actuarial valuation date	9/30/2023
Measurement date	9/30/2023
Actuarial cost method	Entry Age Cost Method (Level % of Pay)
Actuarial assumptions:	
Discount rate	4.87% per annum (The high-quality municipal bond rate was based on the measurement date of the S&P Municipal Bond 20 Year High Grade Rate Index as published by S&P Dow Jones Indices. The S&P Municipal 20 Year High Grade Rate Index consists of bonds in the S&P Municipal Bond Index with a maturity of 20 years. Eligible bonds must be rated at least AA by Standard and Poor's Ratings Services, Aa2 by Moody's or AA by Fitch. If there are multiple ratings, the lowest rating is used)
Projected salary increases	2.50%
Inflation rate	2.50%
Healthcare cost trend rate(s):	Initial rate of 7% in fiscal year 2024, grading down to the ultimate trend rate of 4.00% in fiscal year 2075.
Marital status	100% assumed married, with male spouses 3 years older than female spouses
Healthcare participation	20% participation assumed, with 50% electing spouse coverage
Mortality rate	For all lives, mortality rates were PubG-2010 Mortality Tables projected to the valuation date using Projection Scale MP-2019
Changes in assumptions	Change in the discount rate from 4.77% for the fiscal year ending September 30, 2022 to 4.87% for the fiscal year ending September 30, 2023. Updated health care cost premiums.

Sensitivity of the Net OPEB Liability to Changes in the Discount Rate

The following presents the net OPEB liability of the District, as well as what the District's net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (3.87%) or 1-percentage-point higher (5.87%) than the current discount rate:

	1% Decrease (3.87%)	Current Discount Rate (4.87%)	1% Increase (5.87%)
Net OPEB liability	\$ 68,875	\$ 62,395	\$ 56,942

NOTE 8 – OTHER POST EMPLOYMENT BENEFITS OTHER THAN PENSIONS (Continued)

Sensitivity of the Total OPEB Liability Using Alternative Healthcare Cost Trend Rates

The following presents the net OPEB liability of the District, as well as what the District’s net OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower (6.0% decreasing to 3.00%) or 1-percentage-point higher (8.0% decreasing to 5.00%) than the current healthcare cost trend rates:

	1% Decrease (6% grading down to 3%)	Healthcare Cost Trend (7% grading down to 4%)	1% Increase (8% grading down to 5%)
Net OPEB liability	\$ 56,882	\$ 62,395	\$ 69,003
OPEB Expense			

For the year ended September 30, 2023, the District recognized OPEB expense of (\$35,142).

NOTE 9 – ENCUMBRANCES

Purchase orders are issued throughout the year to encumber the general fund budget. Encumbrances as of September 30, 2023 were as follows:

Building & Grounds	\$ 5,920
Basin maintenance	<u>16,995</u>
	<u>\$ 22,915</u>

NOTE 10 – RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. There were no settled claims during the past three years that exceeded insurance coverage.

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL – GENERAL FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget - Positive (Negative)
	Original	Final		
REVENUES				
Assessments	\$ 3,633,304	\$ 3,633,304	\$ 3,562,220	\$ (71,084)
Interest income	5,000	5,000	138,491	133,491
Permit revenue	108,500	108,500	157,071	48,571
Miscellaneous income	15,000	15,000	164,753	149,753
Total revenues	<u>3,761,804</u>	<u>3,761,804</u>	<u>4,022,535</u>	<u>260,731</u>
EXPENDITURES				
Current:				
General government	953,681	957,882	735,776	222,106
Maintenance and operations	2,729,008	2,715,753	2,435,704	280,049
Capital outlay	577,639	586,693	1,221,997	(635,304)
Total expenditures	<u>4,260,328</u>	<u>4,260,328</u>	<u>4,393,477</u>	<u>(133,149)</u>
Excess (deficiency) of revenues over (under) expenditures	(498,524)	(498,524)	(370,942)	127,582
OTHER FINANCING SOURCES				
Use of fund balance	498,524	498,524	-	(498,524)
Total other financing sources	<u>498,524</u>	<u>498,524</u>	-	<u>(498,524)</u>
Net change in fund balance	<u>\$ -</u>	<u>\$ -</u>	(370,942)	<u>\$ (370,942)</u>
Fund balances - beginning, as restated			<u>7,341,818</u>	
Fund balance - ending			<u>\$ 6,970,876</u>	

See notes to required supplementary information

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. The general fund budget for the fiscal year ended September 30, 2023 was amended to reallocate appropriations. Actual general fund expenditures for the fiscal year ended September 30, 2023 exceeded appropriations by \$133,149. The over expenditures were funded by available fund balance.

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGES IN DISTRICT'S NET OPEB LIABILITY
AND RELATED RATIOS**

	2023	2022	2021
Total OPEB Liability			
Service cost	\$ 3,157	\$ 4,723	\$ 4,858
Interest	5,210	3,392	3,104
Difference between expected and actual experience	(46,860)	-	-
Assumption changes	(49)	(27,200)	(4,212)
Benefit payments and refunds	(10,113)	(9,407)	(8,751)
Net change in Total OPEB Liability	(48,655)	(28,492)	(5,001)
Total OPEB Liability - Beginning of Year	111,050	139,542	144,543
Total OPEB Liability - End of Year	<u>\$ 62,395</u>	<u>\$ 111,050</u>	<u>\$ 139,542</u>
Net OPEB Liability	\$ 62,395	\$ 111,050	\$ 139,542
Fiduciary net position as a % of Total OPEB Liability	0.00%	0.00%	0.00%
Covered payroll	\$ 1,253,503	\$ 1,153,938	\$ 1,125,793
Total OPEB liability as a percentage of covered payroll	4.98%	9.62%	12.39%

(1) GASB 75 requires information for 10 years. However, until a full ten-year trend is compiled, information will be presented for only those years which information is available.

Notes to Schedule:

Changes of assumptions: The discount rate was changed as follows:

Fiscal year ending:	
9/30/2020	2.14%
9/30/2021	2.43%
9/30/2022	4.77%
9/30/2023	4.87%

Updated health care costs and premiums are also reflected as assumption changes.

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
FLORIDA RETIREMENT SYSTEM PENSION LIABILITY
SEPTEMBER 30, 2023**

Schedule of District's Proportionate Share of Net Pension Liability
Florida Retirement System Pension Plan
Last 10 Years (Measurement Date) (1) (2)

	2023	2022	2021	2020	2019	2018	2017
District's proportion of the FRS net pension liability	0.00319%	0.00337%	0.00364%	0.00339%	0.00326%	0.00323%	0.00323%
District's proportionate share of the FRS net pension liability	1,272,776	1,254,929	274,665	1,469,127	1,121,936	973,914	955,966
District's covered payroll	1,235,181	1,153,580	1,178,902	1,257,006	1,165,282	1,099,834	1,116,252
Liability as a percentage of covered payroll	103.04%	108.79%	23.30%	116.88%	96.28%	88.55%	85.64%
FRS plan fiduciary net position as a percentage of the total pension liability	82.38%	82.89%	96.40%	78.85%	82.61%	84.26%	83.89%

Schedule of District's Proportionate Share of Net Pension Liability
Health Insurance Subsidy Pension Plan
Last 10 Years (Measurement Date)*

	2023	2022	2021	2020	2019	2018	2017
District's proportion of the FRS net pension liability	0.00311%	0.00317%	0.00339%	0.00344%	0.00345%	0.00336%	0.00351%
District's proportionate share of the FRS net pension liability	494,067	335,270	416,205	419,542	385,963	355,704	375,279
District's covered payroll	1,235,181	1,153,580	1,178,902	1,257,006	1,165,282	1,099,834	1,116,252
Liability as a percentage of covered payroll	40.00%	29.06%	35.30%	33.38%	33.12%	32.34%	33.62%
FRS plan fiduciary net position as a percentage of the total pension liability	4.12%	4.81%	3.56%	3.56%	2.63%	2.15%	1.64%

(1) The amounts presented for each year were determined as of the measurement date, June 30.

(2) Information is not available for periods prior to 2014.

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
FLORIDA RETIREMENT SYSTEM
CONTRIBUTION SCHEDULES
SEPTEMBER 30, 2023**

Schedule of District Contributions
Florida Retirement System Pension Plan
Last 10 Fiscal Years*

	2023	2022	2021	2020	2019	2018	2017
Contractually required FRS contribution	\$ 147,638	\$ 133,784	\$ 168,114	\$ 120,246	\$ 127,646	\$ 117,384	\$ 109,872
FRS contributions in relation to the contractually required contribution	(147,638)	(133,784)	(168,114)	(120,246)	(127,646)	(117,384)	(109,872)
FRS contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District's covered payroll	\$ 1,232,785	\$ 1,182,356	\$ 1,178,902	\$ 1,257,006	\$ 1,165,282	\$ 1,099,834	\$ 1,116,252
FRS contributions as a percentage of covered payroll	11.98%	11.32%	14.26%	9.57%	10.95%	10.67%	9.84%

Schedule of District Contributions
Health Insurance Subsidy Pension Plan
Last 10 Fiscal Years*

	2023	2022	2021	2020	2019	2018	2017
Contractually required FRS contribution	\$ 23,215	\$ 19,627	\$ 19,570	\$ 20,866	\$ 19,344	\$ 18,257	\$ 18,530
HIS contributions in relation to the contractually required contribution	(23,215)	(19,627)	(19,570)	(20,866)	(19,344)	(18,257)	(18,530)
HIS contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District's covered payroll	\$ 1,232,785	\$ 1,182,356	\$ 1,178,902	\$ 1,257,006	\$ 2,661,254	\$ 1,099,834	\$ 1,116,252
HIS contributions as a percentage of covered payroll	1.88%	1.66%	1.66%	1.66%	0.73%	1.66%	1.66%

*Information is not available for periods prior to 2014.

**SOUTH BROWARD DRAINAGE DISTRICT
BROWARD COUNTY, FLORIDA
OTHER INFORMATION – DATA ELEMENTS
REQUIRED BY FL STATUTE 218.39(3)(C)
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023
UNAUDITED**

<u>Element</u>	<u>Comments</u>
Number of District employees compensated in the last pay period of the District's fiscal year being reported.	26
Number of independent contractors compensated to whom nonemployee compensation was paid in the last month of the District's fiscal year being reported.	3
Employee compensation	\$1,343,581
Independent contractor compensation	\$58,284
Construction projects to begin on or after October 1; (>\$65K)	
Re-Roof Project at S-4/5 Pump Station	\$85,411
96" CIPP at Riviera Boulevard Project	\$469,020
Rebuilding of Three Stormwater Pumps	\$113,335
Budget variance report	See page 31 of annual financial report
Ad Valorem taxes;	Not applicable
Non ad valorem special assessments;	
Special assessment rate	Operations and maintenance - see below
Special assessments collected	\$3,562,220
Outstanding Bonds:	None

Non-advalorem Assessment rates		
Category	Rate	
Single family home	\$	35.00
Vacant land	\$	27.10
Multi-family home	\$	24.30
Residential condo	\$	24.30
Commercial / Industrial	\$	72.30
Mobile home	\$	24.30

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

To the Board of Supervisors
South Broward Drainage District
Broward County, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and the major fund of South Broward Drainage District, Broward County, Florida ("District") as of and for the fiscal year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, and have issued our opinion thereon dated April 3, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the District's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control. Accordingly, we do not express an opinion on the effectiveness of the District's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses and significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

April 3, 2024

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH THE
REQUIREMENTS OF SECTION 218.415, FLORIDA STATUTES, REQUIRED BY
RULE 10.556(10) OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA**

To the Board of Supervisors
South Broward Drainage District
Broward County, Florida

We have examined South Broward Drainage District, Broward County, Florida's ("District") compliance with the requirements of Section 218.415, Florida Statutes, in accordance with Rule 10.556(10) of the Auditor General of the State of Florida during the fiscal year ended September 30, 2023. Management is responsible for the District's compliance with those requirements. Our responsibility is to express an opinion on the District's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the District complied, in all material respects, with the specified requirements referenced in Section 218.415, Florida Statutes. An examination involves performing procedures to obtain evidence about whether the District complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the District's compliance with specified requirements.

We are required to be independent and to meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the examination engagement.

In our opinion, the District complied, in all material respects, with the aforementioned requirements for the fiscal year ended September 30, 2023.

This report is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, management, and the Board of Supervisors of South Broward Drainage District, Broward County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

April 3, 2024

**MANAGEMENT LETTER PURSUANT TO THE RULES OF
THE AUDITOR GENERAL FOR THE STATE OF FLORIDA**

To the Board of Supervisors
South Broward Drainage District
Broward County, Florida

Report on the Financial Statements

We have audited the accompanying basic financial statements of South Broward Drainage District, Broward County, Florida ("District"), as of and for the fiscal year ended September 30, 2023, and have issued our report thereon dated April 3, 2024.

Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General.

Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an audit of the financial statements performed in accordance with *Government Auditing Standards*; and Independent Auditor's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated April 3, 2024, should be considered in conjunction with this management letter.

Purpose of this Letter

The purpose of this letter is to comment on those matters required by Chapter 10.550 of the Rules of the Auditor General for the State of Florida. Accordingly, in connection with our audit of the financial statements of the District, as described in the first paragraph, we report the following:

- I. **Current year findings and recommendations.**
- II. **Status of prior year findings and recommendations.**
- III. **Compliance with the Provisions of the Auditor General of the State of Florida.**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, as applicable, management, and the Board of Supervisors of South Broward Drainage District, Broward County, Florida and is not intended to be and should not be used by anyone other than these specified parties.

We wish to thank South Broward Drainage District, Broward County, Florida and the personnel associated with it, for the opportunity to be of service to them in this endeavor as well as future engagements, and the courtesies extended to us.

April 3, 2024

REPORT TO MANAGEMENT

I. CURRENT YEAR FINDINGS AND RECOMMENDATIONS

None

II. PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None

III. COMPLIANCE WITH THE PROVISIONS OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

Unless otherwise required to be reported in the auditor's report on compliance and internal controls, the management letter shall include, but not be limited to the following:

1. A statement as to whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

There were no significant findings and recommendations made in the preceding annual financial audit report for the fiscal year ended September 30, 2022.

2. Any recommendations to improve the local governmental entity's financial management.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported for the fiscal year ended September 30, 2023.

3. Noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported, for the fiscal year ended September 30, 2023.

4. The name or official title and legal authority of the District are disclosed in the notes to the financial statements.

5. The District has not met one or more of the financial emergency conditions described in Section 218.503(1), Florida Statutes.

6. We applied financial condition assessment procedures and no deteriorating financial conditions were noted as of September 30, 2023. It is management's responsibility to monitor financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

7. Management has provided the specific information required by Section 218.39(3)(c) in the Other Information section of the financial statements on page 36.

MEMORANDUM

DATE: April 18, 2024

TO: South Broward Drainage District Commissioners

FROM: Luis Ochoa, P.E.
District Director

Subject: Contract Award for Tree Removal & Trimming at Various Locations in Pembroke Pines, Miramar, and Southwest Ranches

Comments:

SBDD advertised for bids for Tree Removal & Trimming at seven (7) locations within Pembroke Pines, Miramar, and Southwest Ranches. We received a total of eight (8) bids. The bid amounts ranged in price from \$33,280.00 to \$89,610.00 for all seven locations. A copy of the Bid Summary is attached.

The bid documents allow the District the option of awarding the contract on a split basis.

SBDD staff has reviewed the pricing and has determined that splitting the contract between the three (3) lowest lump sum bids received would be in SBDD's best interest. SBDD has consulted with each bidder to determine their interest and agreement to contract for the work on a split basis. Two of the three contractors agreed with the split bid award and staff recommends that the bid be awarded on a split basis as follows:

1. A Perfect Edge, Inc. (Perfect Edge) in the amount of \$18,975.00 as the lowest responsive, responsible bidder for Site Nos. 1, 2, 5, and 6.
2. Green Dreams in the amount of \$8,000.00 as the lowest responsive, responsible bidder for Site Nos. 3, 4, and 7.

SBDD has reviewed the bids submitted by Perfect Edge and Green Dreams and has determined that both Contractors are qualified to perform the work and each bid meets all requirements. In addition, SBDD staff checked references for both Contractors and received positive feedback.

The total amount of the two split contracts will be \$26,975.00. SBDD savings by splitting the contract will be \$6,305.00.

Financial impacts to this Agenda Item: The work covered under this project is included as part of the District's 2023-2024 budget (Line Item 1755 - \$ 45,000 Budget); and funding for the project will come from the SBDD General Operating account.

This is to request approval to award the contract for Tree Removal & Trimming in Pembroke Pines, Miramar, and Southwest Ranches on a split basis as noted above. The total of the two contracts will be \$ 26,975.00 and funding for this project will come from the SBDD General Operating Account as part of the 2023-2024 Budget.

LO
Attachments

BID TABULATION
SOUTH BROWARD DRAINAGE DISTRICT
TREE REMOVAL & TRIMMING PROJECT AT VARIOUS LOCATIONS IN PEMBROKE PINES, MIRAMAR, & SWR
(BIDS HAVE NOT BEEN FULLY EVALUATED YET)
Friday, April 12, 2024

	Cayo	Distinctive Property Maintenance	Sherlock Tree	EDJ Tree Service
BASE BID	BASE BID	BASE BID	BASE BID	BASE BID
SITE #1	\$3,000.00	\$7500.00	\$9,187.50	\$5,960.00
SITE #2	\$3,500.00	\$1,875.00	\$5,650.00	\$2,325.00
SITE #3	\$2,000.00	\$2,650.00	\$5,650.00	\$1,690.00
SITE #4	\$7,000.00	\$12,500.00	\$13,150.00	\$10,005.00
SITE #5	\$6,500.00	\$14,250.00	\$19,687.50	\$4,785.00
SITE #6	\$12,500.00	\$21,375.00	\$22,985.00	\$14,026.00
SITE #7	\$5,000.00	\$4,825.00	\$13,300.00	\$5,110.00
LUMP SUM BASE BID FOR SITES #1-7:	\$39,500.00	\$64,975.00	\$89,610.00	\$43,901.00

Contract Awarded to:
Total for all sites listed: \$

BID TABULATION
SOUTH BROWARD DRAINAGE DISTRICT
TREE REMOVAL & TRIMMING PROJECT AT VARIOUS LOCATIONS IN PEMBROKE PINES, MIRAMAR, & SWR
(BIDS HAVE NOT BEEN FULLY EVALUATED YET)

Friday, April 12, 2024

	Creative North, Inc.	A Perfect Edge, Inc.	Mainquy Landscape Service	Green Dreams
BASE BID	BASE BID	BASE BID	BASE BID	BASE BID
SITE #1	\$7,020.00	\$3,375.00	\$6,240.00	\$4,000.00
SITE #2	\$4,420.00	\$2,000.00	\$3,120.00	\$3,100.00
SITE #3	\$4,800.00	\$2,275.00	\$3,120.00	\$1,500.00
SITE #4	\$10,700.00	\$9,165.00	\$6,240.00	\$3,000.00
SITE #5	\$10,300.00	\$3,800.00	\$4,160.00	\$4,000.00
SITE #6	\$25,600.00	\$9,800.00	\$6,240.00	\$20,000.00
SITE #7	\$5,700.00	\$6,000.00	\$4,160.00	\$3,500.00
LUMP SUM BASE BID FOR SITES #1-7:	\$68,540.00	\$36,415.00	\$33,280.00	\$39,100.00
Contract Awarded to:				
Total for all sites listed: \$				

MEMORANDUM

DATE: April 18, 2024

TO: South Broward Drainage District Commissioners

FROM: Luis Ochoa, P.E.
District Director

Subject: Request to Release and Vacate SBDD's Interests in a 20-Foot Strip of Land Adjacent to Property Owned by Pablo Ahmed Ismael and Catalina Rajlai, Southwest Ranches, FL through a Quit Claim Deed

Comments:

The owners of the property located at 17501 SW 58th Street, Southwest Ranches, FL 33331 are requesting that SBDD release and vacate its interest in a 20-foot strip of land adjacent to their property that is shown to be owned by South Broward Drainage District on the Broward County Property Appraiser's webpage. This 20-foot strip of land is described in Exhibit "A" of the attached Limited Quit Claim Deed and is hereinafter referred to as the "Subject Property". The Subject Property was part of the rights-of-way and easement areas that were transferred to SBDD from the Bailey Drainage District in 1992.

Effective October 1, 1992, the Bailey Drainage District was abolished and except as provided by Sections 67 and 68 and the SBDD Charter, the easements, rights-of-way, dikes, facilities, equipment, files, papers, plans, and all other assets, real or personal, of whatever description and wheresoever situate of said Bailey Drainage District were surrendered to SBDD. Sections 67 and 68 of the SBDD Charter note that the Bailey Drainage District road rights-of-way and responsibility for roadways were transferred to Broward County at this same time; and subsequently to the Town of Southwest Ranches. Furthermore, Bailey Drainage District's right, title and interest in regards to road rights-of-way were transferred and dedicated to Broward County.

It was the intent of these actions that Broward County would own all the road rights-of-way and SBDD would retain easements over the canals, swales, ditches, etc. for drainage and maintenance purposes. By all accounts, it was never intended for SBDD to retain a right-of-way over the Subject Property, but rather a 20-Foot Canal Maintenance Easement. The Subject Property extends along the south limits of SBDD's lateral Canal No. 3 in Rolling Oaks, from SW 178th Avenue to SW172nd Avenue. This is the only lateral canal in Rolling Oaks that BCPA is showing as SBDD-owned property.

In March 2005, Southwest Ranches dedicated a 45-foot Canal and Canal Maintenance Easement along the north side of the Tract Line, which covers the 20-foot wide canal plus an additional 25 feet for maintenance along the north side. If approved by the Board, SBDD would retain a 20-foot-wide Canal Maintenance Easement along the south side of the canal as well.

SBDD staff and SBDD's Attorney has reviewed the request and has no objections, subject to the dedication of a Canal Maintenance Easement over the Subject Property; the Restrictive Covenants

and Restrictions noted in Exhibit B to the Limited Quit Claim Deed; and payment of all associated fees and costs.

Financial impacts to this Agenda Item: none, other than SBDD administrative costs; all other costs will be incurred by the property owner.

The request is for SBDD to vacate and release its interest in a portion of Tract 53 and Tract 60 lying in Section 31, Township 50S, Range 40E, Southwest Ranches FL, which is adjacent to the property located at 17501 SW 58th Street, Southwest Ranches, FL 33331, and is further described in Exhibit "A" of the attached "Limited Quit Claim" document. This request is subject to the dedication of a Canal Maintenance Easement over the Subject Property; the Restrictive Covenants and Restrictions noted in Exhibit B to the Limited Quit Claim Deed; and payment of all associated fees.

LO

Attachments



Parcel Information

Parcel Id: 504031010600

Owner: ISMAEL, PABLO AHMED
RAJLAI, CATALINA

Situs Address: 17501 SW 58 ST SOUTHWEST
RANCHES FL 33331

Legal: FLA FRUIT LANDS CO SUB NO 1
2-17 D 31-50-40 TRACT 53 W1/5
OF W1/2 & TRACT 60 E2/5 OF
E1/2, LESS N 20 & LESS RW

Millage Code: 3413

Use Code: 01

Land Value: \$ 447,800

Building Value: \$ 1,310,700

Other Value: 0

Total Value: \$ 1,758,500

SOH Capped Value: \$ 1,758,500

Homestead Exempt Amt: \$ 25,000

WVD Exempt Amt: \$ 0

LOCATION MAP

NTS

PROJECT LOCATION

NORTH

SW 172nd Avenue

SW 56th Street

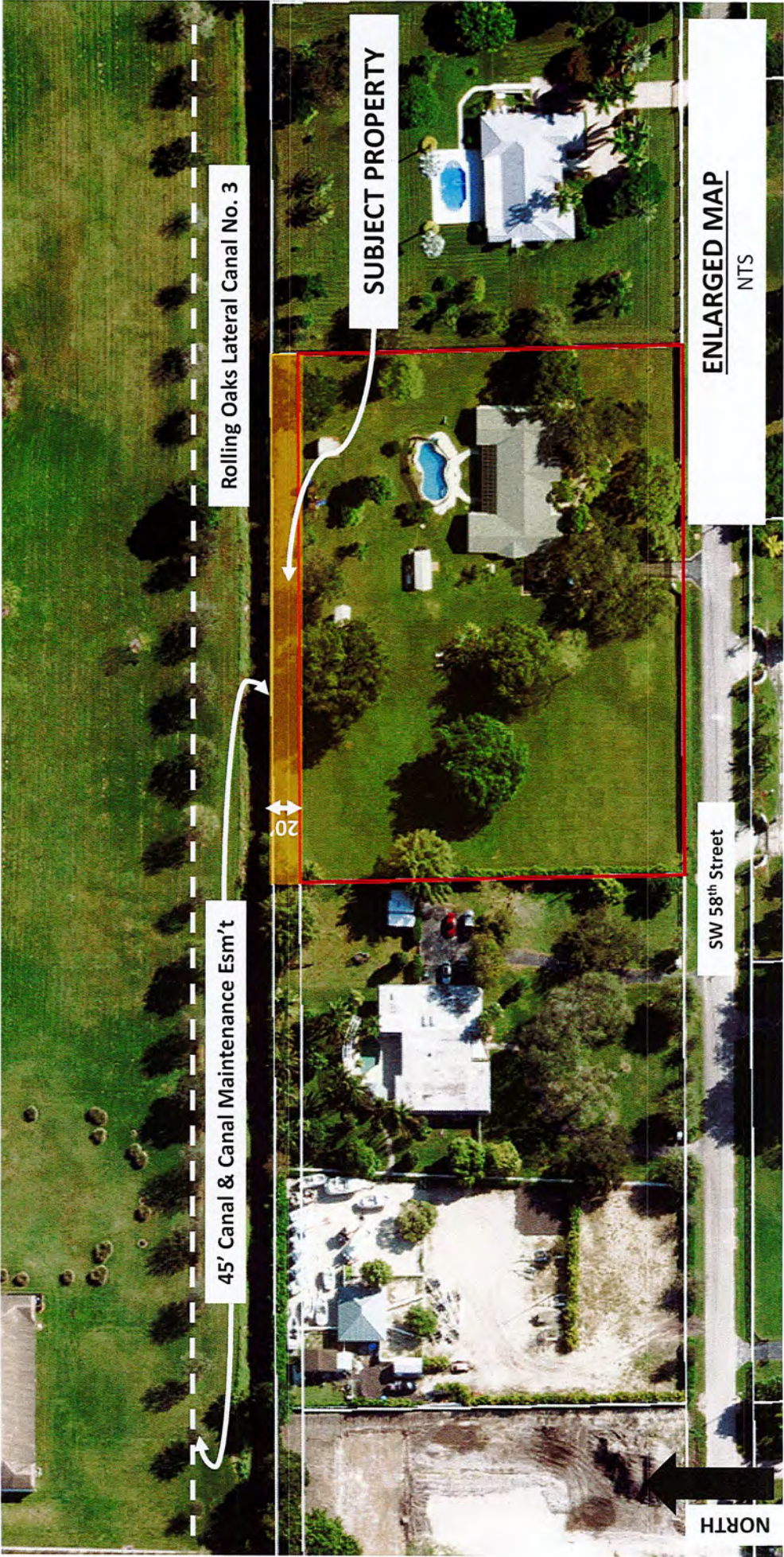
SW 58th Street

SW 59th Court

SW 178th Avenue

SW 57th Street

MATHER BLVD



Rolling Oaks Lateral Canal No. 3

45' Canal & Canal Maintenance Esm't

SUBJECT PROPERTY

20'

SW 58th Street

ENLARGED MAP
NTS

NORTH

Prepared by: South Broward Drainage
District 6591 Southwest
160 Avenue Southwest
Ranches, Florida 33331

Property Appraiser's Identification (Folio) No.: 504031010600

**LIMITED QUIT CLAIM DEED AND PARTIAL RELEASE AND VACATION OF
A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31,
TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL**

THIS LIMITED QUIT CLAIM DEED AND PARTIAL RELEASE AND VACATION OF A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL executed this ____ day of _____, 2024, between SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida, having its principal place of business at 6591 Southwest 160 Avenue, Southwest Ranches, Florida, 33331, first party, and PABLO AHMED ISMAEL and CATALINA RAJLAI whose post office address is 17501 SW 58TH STREET, SOUTHWEST RANCHES, FLORIDA 33331 second party:

(Wherever used herein, the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, assigns of individuals, the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that subject to a Canal Maintenance Easement and Restrictive Covenants and Conditions described below in Exhibit "B", the said first party, for and in consideration of the sum of \$10.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release, vacate and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL located on the following described lot, piece or parcel of land situate, lying and being in the County of Broward, State of Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

That subject to said Canal Maintenance Easement and Restrictive Covenants and Conditions, the purpose of this LIMITED QUIT CLAIM DEED AND PARTIAL RELEASE AND VACATION OF A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL is to quit claim, release and vacate the first party's interest in and to that portion of Tracts 60 and 53 described on Exhibit "A" attached hereto, said TRACTS 60 AND 53 being further described in PLAT BOOK 2, PAGE 17, of the Miami-Dade County Public Records. No other interest of the first party is being released by this Limited Quit Claim Deed and Partial Release and Vacation of A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL.

TO HAVE AND TO HOLD, the same together with all singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

THIS LIMITED QUIT CLAIM DEED AND PARTIAL VACATION OF A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL IS SUBJECT TO AND THE DISTRICT RETAINS AN EXCLUSIVE CANAL MAINTENANCE EASEMENT OVER THAT PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL, DESCRIBED ON EXHIBIT "A" ATTACHED HERETO.

THIS LIMITED QUIT CLAIM DEED AND PARTIAL VACATION OF A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31, TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL IS SUBJECT TO THE FOLLOWING RESTRICTIVE COVENANTS AND CONDITIONS IN EXHIBIT "B" WHICH RUN WITH THE LAND:

SEE EXHIBIT "B" ATTACHED HERETO

IN WITNESS WHEREOF, the said first party has caused these presents to be executed in its name, and its seal to be hereunto affixed, by its proper officers thereunto duly authorized the day and year first above written.

Signed, sealed and delivered
In the presence of:

"DISTRICT" (South Broward Drainage District)

Witness Signature

By: _____
SCOTT HODGES, CHAIRPERSON

Print Witness Name

Witness Address

Witness Signature

Print Witness Name

Witness Address

Attest:

Witness Signature

By: _____
ROBERT E. GOGGIN, IV SECRETARY

Print Witness Name

Witness Address

Witness Signature

Print Witness Name

Witness Address

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Agreement was acknowledged before me by means of [] physical presence or [] online notarization, this ____ day of April, 2024 by SCOTT HODGES and ROBERT E. GOGGIN, IV, as Chairperson and Secretary, respectively of the SOUTH BROWARD DRAINAGE DISTRICT, a political subdivision of the State of Florida.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

Typed, Printed, or Stamped Name of Notary

They are __ Personally known OR __ Produced Identification

Type of Identification Produced: _____

IN WITNESS WHEREOF. The Grantees by signing this limited Quit Claim Deed and Partial Vacation of a Portion of Tract 53 acknowledges and agree to the restrictive covenants, conditions, and provisions stated herein in Exhibit "B".

"Property Owner(s)" or Authorized Representative

Witness Signature

By: _____

Print Witness Name

PABLO AHMED ISMAEL
Print Name

Witness Address

Witness Signature

Print Witness Name

Witness Address

Witness Signature

By: _____

Print Witness Name

CATALINA RAJLAI
Print Name

Witness Address

Witness Signature

Print Witness Name

Witness Address

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Agreement was acknowledged before me by means of [] physical presence or [] online notarization, this ____ day of April, 2024 by PABLO AHMED ISMAEL, as Property Owner.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

Typed, Printed, or Stamped Name of Notary

He is Personally known OR Produced Identification

Type of Identification Produced: _____

STATE OF FLORIDA)
)§
COUNTY OF BROWARD)

The foregoing Agreement was acknowledged before me by means of physical presence or online notarization, this ____ day of April, 2024 by CATALINA RAJLAI, as Property Owner.

(NOTARY SEAL OR STAMP)

Notary Public - State of Florida at Large

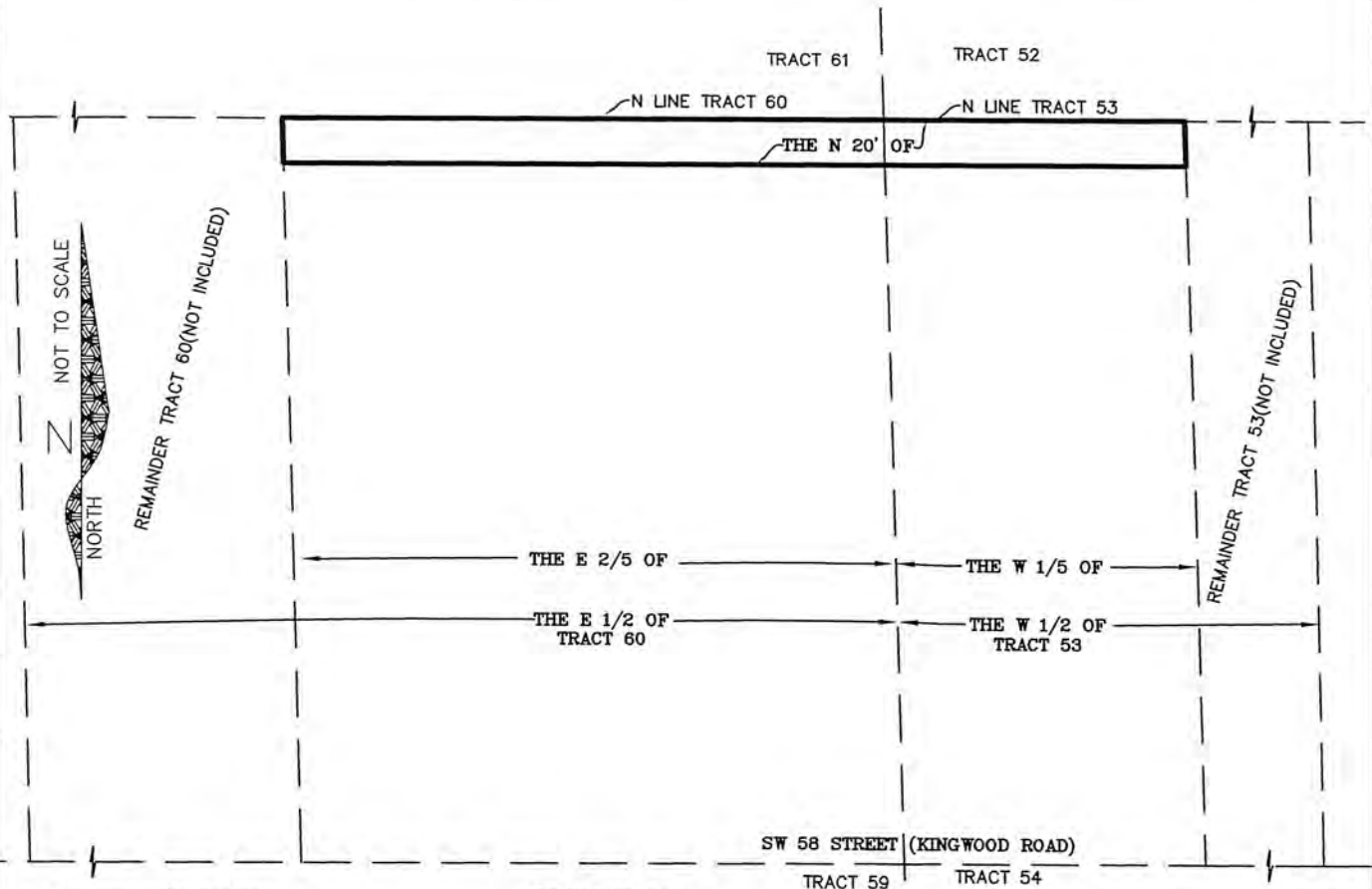
Typed, Printed, or Stamped Name of Notary

She is Personally known OR Produced Identification

Type of Identification Produced: _____

EXHIBIT "A"

PROFESSIONAL SKETCH AND DESCRIPTION FOR A PROPOSED DRAINAGE DISTRICT PROPERTY ACQUISITION (THIS IS NOT A FIELD SURVEY)



SURVEYOR'S NOTES:

1. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL (UNLESS DIGITALLY SIGNED) OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

2. THIS DOES NOT AND IS NOT INTENDED TO REPRESENT A SURVEY OR FIELD SURVEY PREPARED UNDER THE DIRECTION OF THE UNDERSIGNED.

3. THE PURPOSE OF THIS DOCUMENT IS TO PROVIDE A LEGAL DESCRIPTION AND GRAPHICAL DEPICTION THEREOF FOR A PROPOSED PROPERTY ACQUISITION.

4. ADDITIONS, OR DELETIONS TO THIS DOCUMENT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

THIS SKETCH OF DESCRIPTION IS COMPLIANT TO MINIMUM TECHNICAL STANDARDS PURSUANT TO CHAPTER 5J17.052, FLORIDA ADMINISTRATIVE CODE.

DESCRIPTION:

A PARCEL OF LAND BEING THE NORTH 20 FEET OF TRACT 53 LYING WITHIN THE WEST ONE-FIFTH (1/5) OF THE WEST ONE-HALF (W 1/2) OF SAID TRACT 53, TOGETHER WITH THE NORTH 20 FEET OF TRACT 60 LYING WITHIN THE EAST TWO-FIFTHS (E 2/5) OF THE EAST ONE-HALF (E 1/2) OF SAID TRACT 60 IN SECTION 31, TOWNSHIP 50S, RANGE 40E, ACCORDING TO THE PLAT OF "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", AS RECORDED IN PLAT BOOK 2, AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED AND DIGITALLY SIGNED AND SEALED BY HENRY JOHNSTON FL PLS#6843 2024.04.10 09:55:19 -04'00'



Henry Johnston

4/5/24

HENRY A. JOHNSTON P.L.S.#6843

JOHNSTON & JOHNSTON LAND SURVEYING SERVICES LB#7689
7777 DAVIE ROAD EXT. #302A-7
DAVIE, FL 33024
PHONE: 954-296-9516

Johnston & Johnston
Land Surveying Services Inc.
JOB#24-03-013

**EXHIBIT "B" TO
LIMITED QUIT CLAIM DEED AND PARTIAL RELEASE AND VACATION
OF A PORTION OF TRACTS 60 AND 53 LYING WITHIN SECTION 31,
TOWNSHIP 50S, RANGE 40E, SOUTHWEST RANCHES, FL TO PABLO
AHMED ISMAEL AND CATALINA RAJLAI (GRANTEES)**

- (1) Except as stated herein, no other fee simple or easement conveyances of the Exhibit "A" property ("Subject Property") shall be permitted or allowed without the express approval of the South Broward Drainage District ("District") by a recorded document. If the Subject Property is reconveyed to District, the District shall not be responsible for nor shall District assume any obligations or liabilities associated with acts of either the Grantees or the owner/operator/contractor of any utilities or other appurtenances which may have been constructed within the limits of the Subject Property.
 - (2) All improvements to or construction associated with the Subject Property shall be subject to review and permitting by District.
 - (3) No portion of the Subject Property may be filled in or constructed in violation of District's canal construction and canal bank slope design criteria.
 - (4) Grantees by accepting this Limited Quit Claim Deed and Partial Vacation of Tract 53 acknowledge that drainage of Tracts 60 and 53 and drainage of property located outside of the limits of Tracts 60 and 53 flow through the canal adjacent to the Subject Property. Grantees and Grantees' successors and assigns shall not perform any work or modification to said Subject Property which obstructs or restricts the flow and drainage through the adjacent canal.
 - (5) Grantees and Grantees' successors and assigns shall allow for continuous access by the District across the Subject Property for the maintenance of the adjacent canal.
 - (6) Any use of the Subject Property other than for access and maintenance purposes by the District must be approved by District.
 - (7) District reserves the right to deny or rescind permits issued by District for the Subject Property in the event any portion of the Subject Property is not being constructed and maintained in compliance with the District's criteria.
 - (8) The Grantees acknowledge that the District may at some date in the future utilize the Subject Property for maintaining the adjacent canal and that the Subject Property may temporarily be obstructed and rendered inaccessible.
 - (9) The District requires Grantees to indemnify and, hold harmless the District from any and all liability as a result of the Grantees and Grantees' agents and assigns construction of improvements, hereinafter referred to as the "Improvements" within the Subject Property, to maintain the Improvements in accordance with the reasonable requirements of the District and to reimburse the District for any reasonable expenses incurred by the District to either maintain or remove the Improvements according to the reasonable requirements of the District.
 - (10) The Grantees agree to indemnify and hold harmless the District from and against any and all actions or causes of actions, claims, demands, liabilities, loss, damage or expense, which District may sustain or incur by reason of or as a consequence of the construction of any Improvements and negligence of the Grantees or its employees, agents, contractors and subcontractors and the Grantees' successors and assigns in the performance of the work required by Grantees as stated herein.
-

Grantees agree to indemnify District from and against any and all liability, loss or damage District may suffer as a result of such claims, demands, costs or judgments and further agrees to take over and defend any such claims brought or actions filed against District in respect to the indemnity herein. Nothing contained herein shall be deemed, however, to constitute a waiver by District of any limitations of District's liability that may be accorded District by virtue of §768.28, Florida Statutes, or any subsequent similar law.

- (11) The Grantees agree to maintain the Improvements and any other improvements constructed by Grantees or with its permission, in or on the Subject Property and Grantees agree to fully and completely indemnify and hold harmless the District its successors or assigns, for damages because of bodily injury or death as a result of Grantees and Grantees' agents and assigns construction of the Improvements or any other improvements sustained by any person or persons, or because of any damage to real property or personal property of the District or to any person or entity due to any act or omission of the Grantees or its employees, contractors and subcontractors, and its successors or assigns in or on the Subject Property described above.
 - (12) The Grantees acknowledge that the District has no obligation or responsibility regarding construction of any Improvements and that any damage which may be caused to the Improvements shall be repaired by the Grantees and the District shall have no obligation to repair or be responsible for any damage which may be caused to the Improvements as a result of either activities of the District or any other individuals or entities, except damage caused by the negligence of District's employees.
 - (13) In the event District is required to restore the Subject Property as a result of the construction of Improvements, Grantees agree to reimburse District for any and all reasonable and necessary expenses incurred by District in restoring the Subject Property. In addition, District will be entitled to receive its reasonable attorney's fees and costs expended in connection with such event.
 - (14) Grantees agree that during maintenance of the Improvements that flow in the adjacent canal shall be maintained at all times and that Grantees shall take all reasonable and necessary steps to prevent pollution within the Subject Property either upstream or downstream of the adjacent canal and within the adjacent canal.
 - (15) Grantees agree to take full responsibility for any damage which may be caused to adjacent property owners as a result of construction of the Improvements.
 - (16) The Grantees agree to erect and maintain permanent markers at agreed upon locations within the Subject Property where buried underground portion of any Improvements are located or changes direction to assist the District in locating these facilities whenever work has to be done in their vicinity.
 - (17) Any expenses or costs Incurred by the District as the result of the indemnifications contained herein or as the result of any work performed by the District as provided for herein and damages incurred by the District shall be paid to District by Grantees, its successors and assigns within thirty (30) days after receiving a bill. In addition, in the event payment is not received within thirty (30) days of billing, the District shall in addition be entitled to interest thereon at eighteen percent (18%) per annum or the highest non-usurious rate allowable by law, whichever is less and all costs of collection, including reasonable attorneys fees at all trial and appellate levels.
 - (18) All notices of request, demand and other communications hereunder shall be addressed to the parties as follows:
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As to District:

South Broward Drainage District Attn: District Director
6591 SW 160th Avenue
Davie, FL 33331
Email: luis@sbdd.org

With copy to:

Douglas R. Bell, Esquire
800 East Broward Boulevard, Suite 505
Ft. Lauderdale, FL 33301
Email: bell8526@bellsouth.net

As to Grantees:

Pablo Ahmed Ismael & Catalina Rajlai
17501 SW 58th Street
Southwest Ranches, FL 33331
Email: Catalina.rajlai@gmail.com

unless the address is changed by the party by notice given to the other parties. Notice shall be in writing, mailed certified mail, return receipt requested, postage prepaid and shall be deemed delivered when mailed or upon hand delivery to the address indicated. Notwithstanding the foregoing, notice, request or demands or other communications referred to herein may be sent by facsimile, e-mail, telegraph or private courier, but shall be deemed to have been given when received.

- (19) Any attorney's fees or costs incurred by the District in connection with the enforcement of the covenants and conditions herein or the collection of any funds thereunder, whether suit be brought or not, shall be reimbursed to the District by Grantees, its successors or assigns and the Indemnifications stated herein are also an indemnification as to all attorney's fees and court costs which may be incurred by the District, including those incurred at trial and at all appellate levels.
- (20) The indemnifications and hold harmless set forth herein shall survive the execution of this document and the completion of all activities and construction to be completed by Grantees, its contractors, subcontractors, designees or agents and its successors and assigns in or on the Subject Property.
- (21) In addition to the provisions herein, the Grantees are subject to all rules and regulations of the District regarding construction of any improvements and also any conditions which may be imposed by the permit issued for their construction.
- (22) No waiver of any provision herein shall be effective unless it is in writing, signed by the party against whom it is asserted and any such written waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.
- (23) This provisions herein shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, personal representatives, successors, assigns and grantees.
- (24) This document shall be construed and interpreted according to the laws of the State of Florida and the venue with respect to any litigation with respect to this document shall be Broward County, Florida.
- (25) All terms and words used herein, regardless of the number and gender in which used, shall be deemed to include any other gender or number as the context or the use thereof may require.

- (26) This document shall not be modified (and no purported modification thereof shall be effective) unless In writing and signed by the party to be charged.
- (27) The provisions of this document shall be severable and if any part or portion of this document shall be found to be invalid or unenforceable, such findings shall not affect the remainder of this document.
- (28) Grantees shall reimburse District and pay for any and all costs incurred by District incidental to preparation of this document.
- (29) Notwithstanding any other provision herein, the Grantees shall have the primary responsibility for all Indemnifications and agreements stated herein.
- (30) In the event the Subject Property is sold for taxes or the Grantees' ownership of Subject Property is divested for any reason whatsoever, the Grantees shall continue to be liable for Grantees' obligations stated herein.

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PROCLAMATION



Water Conservation Month

WHEREAS, Florida's natural beauty, crystal blue waters and white sand beaches attract residents and visitors from around the world; and

WHEREAS, clean and sustainable water resources are vital to Florida's environment, economy and quality of life; and

WHEREAS, more than 90 percent of Florida's drinking water is supplied by underlying aquifers, and our quality of life and the economy depend upon a clean and healthy environment; and

WHEREAS, Broward County residents utilize 235 million gallons per day (MGD) of fresh water, and Floridians overall utilize more than 6,400 MGD of fresh water, and the future of Florida depends greatly upon the availability of water; and

WHEREAS, Broward County's residential consumption of water has decreased from 161 gallons per person, per day in 2000 to 119 gallons per person, per day in 2022, due in large part to water conservation measures; and

WHEREAS, the State of Florida, together with local partners, are investing billions of dollars to develop alternative water supplies, clean up stormwater pollution, restore rivers, lakes and springs, upgrade drinking water facilities and improve wastewater treatment; and

WHEREAS, water conservation can cost as little as 6 cents to 72 cents per 1,000 gallons of water saved, while the cost of constructing alternative water supply facilities may exceed \$9 per 1,000 gallons of water created; and

WHEREAS, all water users including commercial, industrial, agricultural, institutional, hospitality, private citizens and others can make positive contributions to reduce water use and protect Florida's water resources; and

WHEREAS, the South Florida Water Management District, and Broward County have implemented Comprehensive Water Conservation Programs to instill a lasting culture of conservation in our communities; and

WHEREAS, the Governor and Cabinet of the State of Florida are designating April as Florida's Water Conservation Month to encourage Floridians to conserve the state's precious water resources;

NOW, THEREFORE, be it resolved that by virtue of the authority vested in me as Chairperson, the South Broward Drainage District Board of Commissioners:

Do hereby proclaim the month of April as "**WATER CONSERVATION MONTH**".



Date

Chair