



**FONTAINBLEAU LAKES
COMMUNITY DEVELOPMENT
DISTRICT**

**MIAMI-DADE COUNTY
REGULAR BOARD MEETING
APRIL 17, 2023
6:30 P.M.**

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

www.fontainbleaulakescdd.org

786.303.3661 Telephone

877.SDS.4922 Toll Free

561.630.4923 Facsimile

AGENDA
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
Las Ramblas Clubhouse Conference Room
9960 NW 10th Terrace
Miami, Florida 33172
REGULAR BOARD MEETING
April 17, 2023
6:30 p.m.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Additions or Deletions to Agenda
- E. Comments from the Public for Items Not on the Agenda
- F. Approval of Minutes
 - 1. February 20, 2023 Regular Board Meeting Minutes.....Page 2
- G. Old Business
 - 1. Update Greenspace Area in Southwest Quadrant of CDD – Open Soil Testing Holes
 - 2. Update Regarding KaBOOM! Playground Project
 - 3. Discussion Regarding Light Pole Relocation - 9732 NW 9th Street (Las Ramblas).....Page 8
 - 4. Discussion Regarding Perimeter Fence Proposals.....Page 11
- H. New Business
 - 1. Consider Resolution No. 2023-02 – Adopting Fiscal Year 2023/2024 Proposed Budget.....Page 17
 - 2. Consider Resolution No. 2023-03 - Authorizing Electronic Approvals and Check Signers.....Page 26
 - 3. Discussion Regarding Decal Scanner for Las Ramblas Main Entrance.....Page 27
 - 4. Discussion Regarding Modification of Declaration of Restrictions – Shoma Homes.....Page 28
- I. Administrative & Operational Matter
- J. Board Members & Staff Closing Comments
- K. Adjourn

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

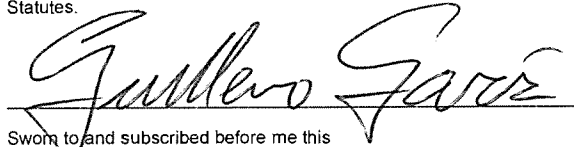
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County,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

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT - FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

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

10/07/2022

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

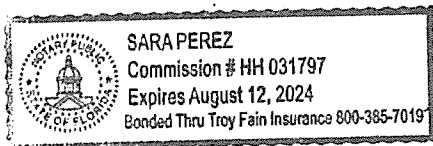


Sworn to and subscribed before me this
7 day of OCTOBER, A.D. 2022



(SEAL)

GUILLERMO GARCIA personally known to me



FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT FISCAL YEAR 2022/2023 REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors (the "Board") of the Fontainebleau Lakes Community Development District (the "District") will hold Regular Meetings in the Las Ramblas Clubhouse Conference Room located at 9960 NW 10th Terrace, Miami, Florida 33172 at 6:30 p.m. on the following dates:

October 17, 2022
November 21, 2022
February 20, 2023
March 20, 2023
April 17, 2023
May 15, 2023
June 19, 2023
September 18, 2023

The purpose of the meetings is to conduct any District business which may lawfully and properly come before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. Copies of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at 786-313-3661 and/or toll free at 1-877-737-4922 five (5) days prior to the date of the particular meeting.

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

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

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at 786-313-3661 and/or toll free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT

www.fontainebleaulakescdd.org

10/7

22-73/0000623301M

**FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
REGULAR BOARD MEETING
FEBRUARY 20, 2023**

A. CALL TO ORDER

District Manager Nancy Nguyen called the February 20, 2023, Regular Board Meeting of the Fontainebleau Lakes Community Development District (the “District”) to order at 6:35 p.m. in the Las Ramblas Clubhouse Conference Room located at 9960 NW 10th Terrace, Miami, Florida 33172.

B. PROOF OF PUBLICATION

Mr. Silva presented proof of publication that notice of the Regular Board Meeting had been published in the *Miami Daily Business Review* on October 7, 2022, as part of the District’s Fiscal Year 2022/2023 Regular Meeting Schedule, as legally required.

C. ESTABLISH A QUORUM

Mr. Silva determined that the attendance of Vice Chairman Timothy Toy and Supervisors Edward Aparicio, and Mayra De Torres constituted a quorum and it was in order to proceed with the meeting.

Staff in attendance were: District Manager Armando Silva of Special District Services, Inc.; and General Counsel Scott Cochran of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.

Others in attendance were: J. Leonardo Bobadilla, Miami, FL; Miguel Garcia, Miami, FL; Lisette Montero-Fernandez (Conference Call), Miami, FL.

D. CONSIDER RESIGNATION OF LUIS GONZALEZ (SEAT NO. 3 – EXP. NOV. 2026)

Mr. Silva stated that he was in possession of resignation letter for Luis Gonzalez (Seat #3) with an effective date of January 25, 2023, and it would be in order for the Board to consider same. A discussion ensued after which;

A motion was made by Ms. De Torres, seconded by Mr. Aparicio and unanimously passed to accept the resignation of Luis Gonzalez (Seat #3) with an effective date of January 25, 2023.

E. CONSIDER APPOINTMENT TO FILL VACANCY – SEAT NO. 3

Mr. Silva stated that there is now a vacancy on the District’s Board of Supervisors (Seat #3) and asked if there were any interested persons that meet the qualifications and who would like to serve on the District Board. A discussion ensued after which;

A **motion** was made by Mr. Aparicio, seconded by Mr. Toy and unanimously passed appointing Miguel Garcia to fill the vacancy of the unexpired 4-year term of office in Seat #3, which term of office shall expire in November 2026.

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

Mr. Silva, Notary Public of the State of Florida, administered the Oath of Office to Miguel Garcia. In addition, Mr. Silva advised Mr. Garcia of his duties and responsibilities as a Board Member with emphasis on the Sunshine Law, Financial Disclosure for Public Officials (2022 Form 1 must be completed and mailed to the Supervisor of Elections' Office in the County of residency within thirty {30} days of appointment; and the Code of Ethics for Public Officials.

G. CONSIDER RESOLUTION NO. 2023-01 – ELECTION OF OFFICERS

Mr. Silva presented Resolution No. 2023-01, entitled:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) ELECTING THE OFFICERS OF THE DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Silva stated that as a result of the recent changes to the District Board it would be in order to re-elect officers. The following slate of names was provided for election:

- Chairperson – Edward Aparicio
- Vice Chairperson – Tim Toy
- Secretary/Treasurer – Armando Silva
- Assistant Secretaries – Mayra De Torres, Humberto Jovanovic, Miguel Garcia Nancy Nguyen and Gloria Perez

A discussion ensued after which:

A **motion** was made by Ms. De Torres, seconded by Mr. Toy and unanimously passed to approve and adopt Resolution No. 2023-01, *electing* the officers as listed and stated above.

H. ADDITIONS OR DELETIONS TO THE AGENDA

Mr. Silva stated that the owner of the home located at 9732 NW 9th Street (Las Ramblas) had reached out to him because she states that the District owned street light post is encroaching into her driveway and is requesting that the District look into relocating the light post out of the driveway. A discussion ensued after which the Board consensus was to invite the homeowner to the next meeting so that the issue can be discussed with the Board.

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

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

J. APPROVAL OF MINUTES

1. November 21, 2022, Regular Board Meeting

Mr. Silva presented the minutes of the November 21, 2022, Regular Board Meeting. There being no changes or corrections, a **motion** was made by Mr. Toy, seconded by Ms. De Torres and passed unanimously approving the minutes of the November 21, 2022 Regular Board Meeting, as presented.

K. OLD BUSINESS

1. Restrictive Covenant – Greenspace Area in Southwest Quadrant of CDD

Mr. Silva stated that he still has not received a response from the Developers (Shoma Homes) attorney. He has reached out to Miami-Dade County Division of Environmental Resources Management (DERM) for assistance with the issue and DERM has stated that they will be sending a letter to Shoma Homes reminding them that they need to fill in the holes in order to close out the remediation permit. More information regarding this topic will be provided at an upcoming meeting.

2. Update Regarding KaBOOM! Playground Project

Mr. Silva informed the Board that he has been having Microsoft Teams meetings with KaBOOM! to discuss the logistics regarding the project. Build Day is scheduled for May 11, 2023 and there will be more than 100 volunteers that will be attending the event that will be sponsored by Delta Airlines.

L. NEW BUSINESS

1. Discussion Regarding District Projects Master Plan

Mr. Silva provided the Board with the following list outlining projects that have been requested by the District for Las Ramblas and Las Sevillas.

Fontainebleau Lakes CDD - Las Ramblas		
Project Name	Description of Project	Cost Estimate
Canopy Structure	Canopy Structure (with lights) to be installed in the open space tracts adjacent to the tennis courts for the purpose of hosting events.	\$55,000 +/-
Soccer Field	40x30 Yards recreational soccer field to be located in the open space tracts adjacent to the playground near the townhomes. Soccer field will have lights and will have a protective fence.	\$70,000 +/-
Pathway Solar Lighting	Solar lights to be installed within the open space tract pathways.	\$2,600 +/- each solar pedestrian light pole (installed)
Security Cameras throughout Community	Security Cameras to monitor the Las Ramblas right-of-ways and open space tracts (30 cameras).	\$75,000 +/-
Perimeter Fence	6ft high black steel fence to be installed along the perimeter of the community (about 5350 sq ft)	\$265,000 +/-

Resident Entrance Only - NW 99th Court	Transforming the exit from NW 99th Court to FBL Blvd to an Exit and Resident Entrance Only	\$100,000 +/-
Main Entrance Improvements - NW 900 Block	Widening the main entrance of the community.	\$30,000 +/-
Installation of Additional Parking Spots	Adding 14 additional parking spots throughout the community.	\$35,000 +/-
Bike Racks	Installation of additional bike racks throughout the community.	\$350 +/- each bike rack (installed)

Fontainebleau Lakes CDD - Las Villas		
Project Name	Description of Project	Cost Estimate
Entrance Gate Project	Redevelop the main entrance space with a new motorized gate, fencing from water edge to property edge, with unlocked pedestrian gates.	\$35,000 +/-
Bollards near Spring Lakes	Install unlockable bollards that will prevent personal vehicles from driving into the Greenspace. Limiting access to only Miami-Dade County, and Spring Lakes Association maintenance contract vehicles. (18 Bollards)	\$15,000 +/-
No trash Littering/No Dogs off Leash Signs	Install signs in open space tracks outlining specific law prohibiting Dogs off leashes and Littering. In English and Spanish. Install signs together on a single post to minimize number of new sign posts showing up in Greenspace. Possibly Install on the same posts as the "This space is governed and maintained by..." installed posts.	\$150 +/- each sign (installed)
Fill Open Soil Testing Holes	Fill open soil testing holes used for contamination testing by Miami-Dade and remediate each site	\$26,000 +/-
Ruben Dario Gate and Pathway	Install a lit asphalt path and Gate to the Ruben Dario Park.	\$20,000 +/-

KaBoom! Playground Shading Project	Replant, treat, and/or fertilize Bougainvilleas near Fontainebleau Blvd	\$25,000 +/-
Bougainvillea Hedge Row Rehabilitation	Widening the main entrance of the community.	\$5,000 +/-
Resurface Pedestrian Pathway	Resurface Existing roadway, pavement markings and repair cracks/deterioration	\$50,000 +/-
Resurface Roadways	Resurface Existing pedestrian pathway and repair cracks/deterioration. Roads have about 20 years of remaining life.	\$759,000 +/- (Estimate include Las Ramblas)
Large Round-A-Bout North/South Raised Crosswalks	Redistribute on-street parking and catch basin infrastructure to provide raised crosswalks, connecting the existing sidewalks with the public space at the large round-a-bout.	\$7,000 +/- per crosswalk
Lake Edge Reinforcement	Erosion and Beautification project that applies rocks along the lakes edges.	\$1,200 +/- per lineal foot of bulkhead rock. Smallest lake is about 700 lineal ft which would cost about \$840,000

2. Consider Approval of Adjustment to District Counsel Fee

District Counsel, Scott Cochran presented the Board with a District Counsel Fee Adjustment Letter. Billing, Cochran, Lyles, Mauro & Ramsey, P.A.'s current fee structure has been in place since 2016 and they are asking for an adjustment to the hourly rates effective May 1, 2023. A discussion ensued after which;

A motion was made by Mr. Aparicio, seconded by Mr. Toy, and unanimously passed to approve the adjustment to the District Counsel Fee.

3. Budget Workshop – FY 2023/2024

Mr. Silva provided the Board with a copy of the fiscal year 2022/2023 final budget and asked the Board if there are any changes that they would like to make to the budget which will be presented at the next meeting. A discussion ensued after which the Board requested that a "Capital Improvement Fund" be added in the amount of \$100,000; and a "Perimeter Fence – Las Ramblas" line item be added in the amount of \$350,000 which will be assessed one time to the residents of Las Ramblas.

4. Discussion Regarding Holiday Celebrations

Mr. Silva reminded the Board and those in attendance that any events being held on District property must be approved by the District and proof of insurance for the vendors must be provided.

5. Discussion Regarding Spring Lake Village Residential Units Backyard's

Mr. Silva informed the Board that he had received complaints from residents of the District regarding the conditions of some of the backyards in the Spring Lake Village Residential Units. He then stated that the District has no jurisdiction over those units but advised residents to contact Miami-Dade County Code Compliance for assistance with the concerns.

I. ADMINISTRATIVE & OPERATIONAL MATTERS

1. Staff Report, as Required

There was not staff report at this time.

J. BOARD MEMBER & STAFF CLOSING COMMENTS

There was no Board Member or Staff closing comments.

K. ADJOURNMENT

There being no further business to come before the Board, a **motion** was made by Ms. De Torres, seconded by Mr. Toy and passed unanimously to adjourn the Regular Board Meeting at 9:02 p.m.

Secretary/Assistant Secretary

Chairperson/Vice Chairperson









STANDARD OPEN ALUMINUM FENCE

(NO SOLID BACKING ALLOWED)

ADDRESS: _____

FENCE HEIGHT: _____ FT FENCE LENGTH: _____ FT DATE: _____

***** IMPORTANT FOR USE AS A POOL BARRIER *****

Outdoor swimming pools shall be provided with a barrier complying with Florida Building Code Sections 454.2.17.1.1 through 454.2.17.1.14.

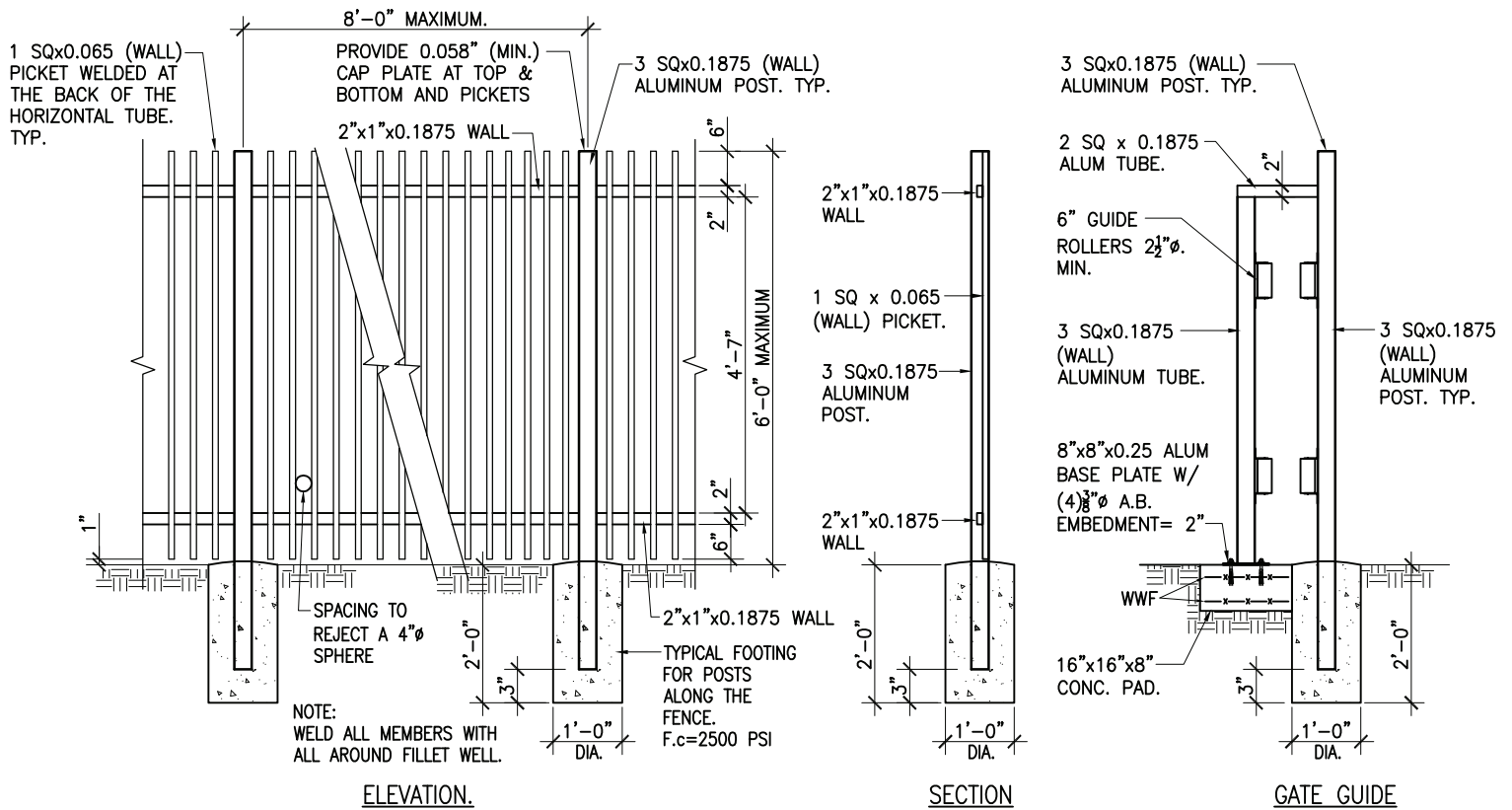
Access gates shall be equipped with a self-closing self-latching locking device located no less than 54 inches from the bottom of the gate. The device release mechanism shall be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap. Gates that provide access to the swimming pool must open outward away from the pool.

The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool.

The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier which faces away from the swimming pool.

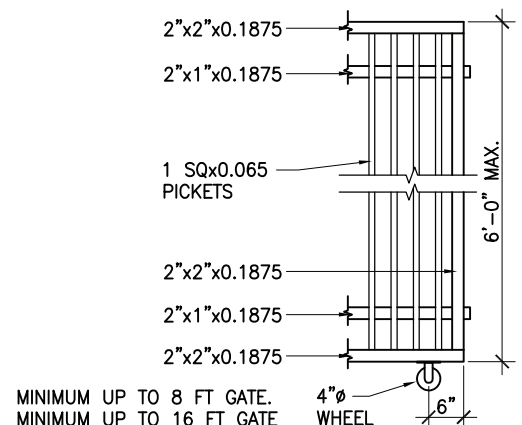
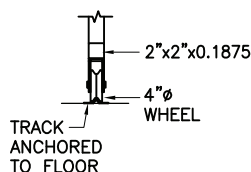
Openings in the barrier shall not allow passage of a 4-inch diameter sphere.

CODE: FBC 2020, 7th EDITION



NOTES:

1. ALUMINUM MEMBERS IN CONTACT WITH CONCRETE OR MASONRY SHALL BE PROTECTED AS PER ADMI-2015. (ALUMINUM DESIGN MANUAL AND SPECIFICATIONS). M-7 THRU M7.3.
2. THIS DETAIL DOES NOT COVER ELECTRICAL AND ZONING REQUIREMENTS.
3. MEMBER SIZES ARE MINIMUM VALUES.





LIC# CGC 1524912
P.O. Box 668260
Miami, FL 33166

PROPOSAL

<i>Owner Name:</i>		<i>Phone:</i>	<i>Fax:</i>	<i>Date:</i>
Las Ramblas Community (Contact: Pablo Jerez)		786-413-7150		03/20/23
<i>Address:</i>	<i>City:</i>	<i>State:</i>	<i>Zip Code:</i>	
Las Ramblas - 9934 NW 10th St, Miami, FL 33172	Miami	FL	33172	
<i>Project Name</i>			<i>Proposal No.</i>	
Perimeter fence Installation			23-0023	
<i>This proposal is based on drawings by:</i>				
N/A		<i>Date of Plans:</i>		
		N/A		
<i>Email</i>				
		<i>Att:</i>		

We hereby submit specifications and estimates for:
Scope of Work:

	Total
Job Scope	
- Installation of Standard Cascade Iron Fence in accordance with Florida Building Code and Miami Dade County Specifications.	
- Excavation of post footings. Installation of 4"x4"x6' posts, brackets, and attachment of 5'W x 6"H panels to posts. Panels to be picket style, unless directed otherwise.	
- Proposal includes all site work, all labor and materials including concrete, anchors, fence posts and panels.	
- Perimeter Fence – \$45.00 per Linear Foot	
- Community Perimeter (as detailed by survey provided) – Approximately 5300 FT	
- 5300 FT x \$45.00	\$238,500.00

*Note: Unless specified this proposal includes all labor and materials	

<i>TOTAL PROPOSAL US\$</i>	<i>\$238,500.00</i>
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GENERAL NOTES

- ALL LABOR IS INCLUDED IN THIS PROPOSAL.
- SOIL STATEMENTS OR ADDITIONAL ENGINEERING OR CONSTRUCTION DOCUMENTS, IF NECESSARY, ARE NOT INCLUDED ON THIS PROPOSAL
- MATERIALS ARE INCLUDED UNLESS SPECIFIED.
- EXCEPT AS MAY BE OTHERWISE SPECIFIED OR AGREED, CONTRACTOR GUARANTEES STABILITY TO WORK AREA UP TO 1 YEAR FROM DATE OF COMPLETION.
- TESTING & INSPECTION FEE BY OWNER IF REQUIRED.
- CITY FEE AND ASSOCIATION FEE ARE THE RESPONSIBILITY OF THE OWNER IF REQUIRED.
- PRICE OF WORK IS SUBJECT TO CHANGE ACCORDING TO PLAN SPECIFICATIONS AND / OR CHANGES IN SCOPE OF WORK.

PAYMENT TERMS:

50% with the acceptance of this proposal.

30% with commencement of installation.

20% with completion of the project.

Acceptance: _____

Printed name: _____ Date: _____

Cero's Fence Contractors Corp.
7950 NW 53 Street, Suite 337
Miami, FL 33166

Estimate

Date	Estimate #
3/21/2023	3418

Name / Address
PABLO JEREZ 9934 NW 10th St, Miami, FL

Description	Cost	Notes	Total
JOB LOCATION: Las Ramblas at 9934 NW 10th St, Miami, FL 33172 CONTACT INFORMATION: PABLO TELEPHONE: 786-413-7150 WE HEREBY PROPOSE TO FURNISH OR FABRICATE AND INSTALL THE FOLLOWING ITEMS LISTED BELOW: >5300' OF ALUMINUM PICKET FENCE 6' H AS PER PICTURE PROVIDE BY CUSTOMER ALL WELDED TOGETHER, POWDER COATED WHITE, BLACK OR BRONZE. >REMOVAL AND DISPOSAL OF EXISTING FENCE NOT INCLUDED MATERIALS: 2X2 POST, 2X1 CHANNEL, 1X1 PICKET PUNCH SPEAR, ALL WELDED TOGETHER **CITY PERMITS / PERMIT RUNNING OR SHOP DRAWING ARE NOT INCLUDED** **PAYMENTS TERMS AND CONDITIONS** CHECK, OR WIRE TRANSFER ONLY 50% DEPOSIT UPON ACCEPTANCE 50% FINAL ON COMPLETION PRICING IS GOOD FOR 15 DAYS FENCE LINE MUST BE CLEAR FOR INSTALLATION, FREE OF TREES, HEDGES AND DEBRIS.	257,000.00		257,000.00
Total			\$257,000.00
Serving South Florida since 1984 - Licensed & Insured T. 305.887.8668 - info@cerofencecontractors.com www.cerofencecontractors.com		Customer Signature _____	

SHEKINAH FENCE SERVICES LLC

LIC # 20BS00378
Shekinahfence@gmail.com
www.shekinahfenceservicesllc.com
(954) 709-9761



Estimate

Estimate No: 6041
Date: 03/16/2023

For: pablo jerez
pjerez@sdsinc.org
fontainbleau Lakes las ramblas
(786)413-7150

Description	Quantity	Rate	Amount
FABRICATION & INSTALLATION OF 53'00 FEET OF ALUMINUM 6' TALL	1	\$250,600.00	\$250,600.00
PERMIT AND DRAWINGS,	1	\$1,500.00	\$1,500.00
Subtotal			\$252,100.00
TAX 0%			\$0.00
Total			\$252,100.00
Total			\$252,100.00

Comments

PAYMENT TERMS :

PERMIT FEE'S AT SIGNING
50% AT START OF JOB
45% AT JOB FINAL
5% AT PERMIT FINAL

Terms and Conditions

ACCEPTANCE OF PROPOSAL
THE ABOVE PRICES, SPECIFICATION AND CONDITION ARE SATISFACTORY AND ARE HEREBY ACCEPETED. YOU ARE AUTHORIZING TO DO THE WORK AS SPECIFIED. PAYMENTS WILL BE MADE AS UNDERLINED ABOVE.
QUOTE IS ONLY VALID FOR 15 DAYS
STAFF MEMBERS ARE NOT RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND PIPE'S, LINE'S AND CABLE'S.

SHEKINAH FENCE
SERVICES LLC

Client's signature

RESOLUTION NO. 2023-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT APPROVING A PROPOSED BUDGET AND NON-AD VALOREM SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors (“Board”) of the Fontainbleau Lakes Community Development District (“District”) is required by Section 190.008(2)(a), *Florida Statutes*, to approve a Proposed Budget for each fiscal year; and,

WHEREAS, the Proposed Budget including the Assessments for Fiscal Year 2023/2024 has been prepared and considered by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT, THAT:

Section 1. The Proposed Budget including the Assessments for Fiscal Year 2023/2024 attached hereto as Exhibit “A” is approved and adopted.

Section 2. A Public Hearing is hereby scheduled for _____, 2023 at 6:30 p.m. in the Las Ramblas Clubhouse Conference Room located at 9960 NW 10th Terrace, Miami, Florida 33172, for the purpose of receiving public comments on the Proposed Fiscal Year 2023/2024 Budget.

PASSED, ADOPTED and EFFECTIVE this 17th day of April, 2023.

ATTEST:

**FONTAINBLEAU LAKES
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice-Chairperson

Fontainebleau Lakes Community Development District

**Proposed Budget For
Fiscal Year 2023/2024
October 1, 2023 - September 30, 2024**

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- III DETAILED PROPOSED BUDGET**
- IV DETAILED PROPOSED MAINTENANCE BUDGET**
- V DETAILED PROPOSED DEBT SERVICE FUND BUDGET**
- VI ASSESSMENT COMPARISON**

PROPOSED BUDGET
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2023/2024 BUDGET
REVENUES	
Administrative Assessments	92,836
Maintenance Assessments	478,723
Perimeter Fence Assessments	287,234
Debt Assessments	463,915
Other Revenues	0
Interest Income	240
TOTAL REVENUES	\$ 1,322,948
EXPENDITURES	
ADMINISTRATIVE EXPENDITURES	
Supervisor Fees	3,000
Payroll Taxes (Employer)	230
Management	31,956
Secretarial & Field Operations	6,300
Legal	13,000
Assessment Roll	10,000
Audit Fees	3,300
Arbitrage Rebate Fee	650
Insurance	9,145
Legal Advertisements	800
Miscellaneous	2,200
Postage	600
Office Supplies	800
Dues & Subscriptions	175
Trustee Fee	3,250
Continuing Disclosure Fee	350
Website Management	1,750
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 87,506
TOTAL MAINTENANCE EXPENDITURES	\$ 450,000
TOTAL PERIMETER FENCE EXPENDITURES	\$ 270,000
TOTAL EXPENDITURES	\$ 807,506
REVENUES LESS EXPENDITURES	\$ 515,442
Bond Payments	(436,080)
BALANCE	\$ 79,362
County Appraiser & Tax Collector Fee	(26,454)
Discounts For Early Payments	(52,908)
EXCESS/ (SHORTFALL)	\$ -
Carryover From Prior Year	0
NET EXCESS/ (SHORTFALL)	\$ -

PROPOSED MAINTENANCE BUDGET
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR
	2023/2024
EXPENDITURES	BUDGET
MAINTENANCE EXPENDITURES	
Engineering/Annual Report/Inspections	4,000
Lake Tract Aquatic Maintenance (Includes Parcel 1)	14,000
Annual Landscape & Irrigation Maintenance	110,000
Landscaping Upkeep	40,000
Irrigation Systems Maintenance (North & South)	10,000
Community Lighting Upkeep (North & South)	15,000
FP&L - Power - Street Lighting (North & South)	18,000
FP&L - Power - Irrigation Pump Stations (N & S)	3,000
FP&L - Power - Lift Stations (North & South)	5,000
Roadways & Street Maintenance (North & South)	35,000
Fountain Maintenance (Tract A)	3,000
Entrance/Exit Gate Maintenance/Repairs (N & S)	10,000
Hurricane Preparedness/Miscellaneous	15,000
Lift Station Maintenance (North & South)	25,000
Miscellaneous Improvements (North & South)	42,000
Dumpster Rental	1,000
Capital Improvements Fund	100,000
TOTAL MAINTENANCE EXPENDITURES	\$ 450,000
EXTRAORDINARY EXPENDITURES	
Steel Perimeter Fence - Las Ramblas	270,000
TOTAL SECURITY EXPENDITURES	\$ 270,000

DETAILED PROPOSED BUDGET
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022 ACTUAL	FISCAL YEAR 2022/2023 BUDGET	FISCAL YEAR 2023/2024 BUDGET	COMMENTS
REVENUES				
Administrative Assessments	89,368	90,194	92,836	Expenditures Less Interest/.94
Maintenance Assessments	352,926	350,000	478,723	Expenditures Less Carryover/.94
Perimeter Fence Assessments	0	0	287,234	Expenditures/.94
Debt Assessments	463,916	463,915	463,915	Bond Payments/.94
Other Revenues	2,900	0	0	
Interest Income	56	180	240	Interest Estimated At \$20 Per Month
TOTAL REVENUES	\$ 909,166	\$ 904,289	\$ 1,322,948	
EXPENDITURES				
ADMINISTRATIVE EXPENDITURES				
Supervisor Fees	2,100	3,000	3,000	Supervisor Fees
Payroll Taxes (Employer)	161	230	230	Supervisor Fees * 7.65%
Management	29,148	30,012	31,956	CPI Adjustment
Secretarial & Field Operations	6,300	6,300	6,300	No Change From 2022/2023 Budget
Legal	14,709	12,500	13,000	\$500 Increase From 2022/2023 Budget
Assessment Roll	10,000	10,000	10,000	As Per Contract
Audit Fees	3,100	3,200	3,300	Accepted Amount For 2022/2023 Audit
Arbitrage Rebate Fee	650	650	650	No Change From 2022/2023 Budget
Insurance	7,621	9,145	9,145	Insurance Estimate
Legal Advertisements	361	800	800	No Change From 2022/2023 Budget
Miscellaneous	2,113	2,200	2,200	No Change From 2022/2023 Budget
Postage	452	600	600	No Change From 2022/2023 Budget
Office Supplies	653	800	800	No Change From 2022/2023 Budget
Dues & Subscriptions	175	175	175	No Change From 2022/2023 Budget
Trustee Fee	3,249	3,250	3,250	No Change From 2022/2023 Budget
Continuing Disclosure Fee	350	350	350	No Change From 2022/2023 Budget
Website Management	1,750	1,750	1,750	No Change From 2022/2023 Budget
TOTAL ADMINISTRATIVE EXPENDITURES	\$ 82,892	\$ 84,962	\$ 87,506	
TOTAL MAINTENANCE EXPENDITURES	\$ 461,224	\$ 358,000	\$ 450,000	
TOTAL PERIMETER FENCE EXPENDITURES	\$ -	\$ -	\$ 270,000	Las Ramblas
TOTAL EXPENDITURES	\$ 544,116	\$ 442,962	\$ 807,506	
REVENUES LESS EXPENDITURES	\$ 365,050	\$ 461,327	\$ 515,442	
Bond Payments	(443,545)	(436,080)	(436,080)	2024 Principal & Interest Payments
BALANCE	\$ (78,495)	\$ 25,247	\$ 79,362	
County Appraiser & Tax Collector Fee	(8,752)	(18,082)	(26,454)	Two Percent Of Total Assessment Roll
Discounts For Early Payments	(30,997)	(36,165)	(52,908)	Four Percent Of Total Assessment Roll
EXCESS/ (SHORTFALL)	\$ (118,244)	\$ (29,000)	\$ -	
Carryover From Prior Year	0	29,000	0	Carryover From Prior Year
NET EXCESS/ (SHORTFALL)	\$ (118,244)	\$ -	\$ -	

DETAILED PROPOSED MAINTENANCE BUDGET
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR	FISCAL YEAR	FISCAL YEAR	
	2021/2022	2022/2023	2023/2024	
EXPENDITURES	ACTUAL	BUDGET	BUDGET	COMMENTS
MAINTENANCE EXPENDITURES				
Engineering/Annual Report/Inspections	2,903	8,000	4,000	\$4,000 Decrease From 2022/2023 Budget
Lake Tract Aquatic Maintenance (Includes Parcel 1)	11,674	14,000	14,000	No Change From 2022/2023 Budget
Annual Landscape & Irrigation Maintenance	89,910	110,000	110,000	No Change From 2022/2023 Budget
Landscaping Upkeep	41,283	35,000	40,000	Landscaping Upkeep
Irrigation Systems Maintenance (North & South)	5,896	10,000	10,000	No Change From 2022/2023 Budget
Community Lighting Upkeep (North & South)	129,150	15,000	15,000	No Change From 2022/2023 Budget
FP&L - Power - Street Lighting (North & South)	16,789	27,000	18,000	\$9,000 Decrease From 2022/2023 Budget
FP&L - Power - Irrigation Pump Stations (N & S)	1,107	3,000	3,000	No Change From 2022/2023 Budget
FP&L - Power - Lift Stations (North & South)	3,619	5,000	5,000	No Change From 2022/2023 Budget
Roadways & Street Maintenance (North & South)	35,642	35,000	35,000	No Change From 2022/2023 Budget
Fountain Maintenance (Tract A)	1,352	3,000	3,000	No Change From 2022/2023 Budget
Entrance/Exit Gate Maintenance/Repairs (N & S)	24,155	10,000	10,000	No Change From 2022/2023 Budget
Hurricane Preparedness/Miscellaneous	0	25,000	15,000	\$10,000 Decrease From 2022/2023 Budget
Lift Station Maintenance (North & South)	19,965	25,000	25,000	No Change From 2022/2023 Budget
Miscellaneous Improvements (North & South)	77,779	32,000	42,000	\$10,000 Increase From 2022/2023 Budget
Dumpster Rental	0	1,000	1,000	No Change From 2022/2023 Budget
Capital Improvements Fund	0	0	100,000	Capital Improvements Fund
TOTAL MAINTENANCE EXPENDITURES	\$ 461,224	\$ 358,000	\$ 450,000	
EXTRAORDINARY EXPENDITURES				
Steel Perimeter Fence - Las Ramblas	0	0	270,000	Steel Perimeter Fence - Las Ramblas (Single Family & Townhomes)
TOTAL SECURITY EXPENDITURES	\$ -	\$ -	\$ 270,000	

DETAILED PROPOSED DEBT SERVICE FUND BUDGET
FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT
FISCAL YEAR 2023/2024
OCTOBER 1, 2023 - SEPTEMBER 30, 2024

	FISCAL YEAR 2021/2022	FISCAL YEAR 2022/2023	FISCAL YEAR 2023/2024	
REVENUES	ACTUAL	BUDGET	BUDGET	COMMENTS
Interest Income	2,444	25	250	Projected Interest For 2023/2024
NAV Tax Collection	443,545	436,080	436,080	Maximum Debt Service Collection
Total Revenues	\$ 445,989	\$ 436,105	\$ 436,330	
EXPENDITURES				
Principal Payments	235,000	245,000	245,000	Principal Payment Due In 2024
Interest Payments	200,019	191,080	184,956	Interest Payments Due In 2024
Bond Redemption	0	25	6,374	Estimated Excess Debt Collections
Total Expenditures	\$ 435,019	\$ 436,105	\$ 436,330	
Excess/ (Shortfall)	\$ 10,970	\$ -	\$ -	

Series 2016 Bond Refunding Information

Original Par Amount =	\$6,430,000	Annual Principal Payments Due =	May 1st
Interest Rate =	2.00% - 4.125%	Annual Interest Payments Due =	May 1st & November 1st
Issue Date =	October 2016		
Maturity Date =	May 2038		
Par Amount As Of 1/1/23 =	\$5,100,000		

Fontainebleau Lakes Community Development District Assessment Comparison

	Fiscal Year 2020/2021 Assessment Before Discount*	Fiscal Year 2021/2022 Assessment Before Discount*	Fiscal Year 2022/2023 Assessment Before Discount*	Fiscal Year 2023/2024 Projected Assessment Before Discount*
Administrative Assessment For Single Family	\$ 215.95	\$ 215.94	\$ 222.71	\$ 229.23
Maintenance Assessment For Single Family	\$ 871.43	\$ 871.43	\$ 864.20	\$ 1,182.04
Perimeter Fence Assessment For Single Family				\$ 935.62
<u>Debt Assessment For Single Family</u>	<u>\$ 1,224.05</u>	<u>\$ 1,224.05</u>	<u>\$ 1,224.05</u>	<u>\$ 1,224.05</u>
Total	\$ 2,311.43	\$ 2,311.42	\$ 2,310.96	\$ 3,570.94
Administrative Assessment For Townhomes	\$ 215.95	\$ 215.94	\$ 222.71	\$ 229.23
Maintenance Assessment For Townhomes	\$ 871.43	\$ 871.43	\$ 864.20	\$ 1,182.04
Perimeter Fence Assessment For Townhomes	\$ -	\$ -	\$ -	\$ 935.62
<u>Debt Assessment For Townhomes</u>	<u>\$ 1,064.39</u>	<u>\$ 1,064.39</u>	<u>\$ 1,064.39</u>	<u>\$ 1,064.39</u>
Total	\$ 2,151.77	\$ 2,151.76	\$ 2,151.30	\$ 3,411.28
Administrative Assessment For Courtyards	\$ 215.95	\$ 215.94	\$ 222.71	\$ 229.23
Maintenance Assessment For Courtyards	\$ 871.43	\$ 871.43	\$ 864.20	\$ 1,182.04
Extraordinary Assessment For Courtyards	\$ -	\$ -	\$ -	\$ -
<u>Debt Assessment For Courtyards</u>	<u>\$ 957.95</u>	<u>\$ 957.95</u>	<u>\$ 957.95</u>	<u>\$ 957.95</u>
Total	\$ 2,045.33	\$ 2,045.32	\$ 2,044.86	\$ 2,369.22

* Assessments Include the Following :

4% Discount for Early Payments
1% County Tax Collector Fee
1% County Property Appraiser Fee

Community Information:

Single Family Units (Las Ramblas)	271
Townhomes (Las Ramblas)	36
<u>Courtyards (Las Sevilas)</u>	<u>98</u>
Total Units	405

RESOLUTION NO. 2023-03

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

WHEREAS, The Fontainbleau Lakes Community Development District ("District") has established a District checking/operating account in order for the District to expend public funds of the District as authorized and required; and

WHEREAS, the Board of Supervisors (the "Board") of the District shall designate authorized staff and/or District officials to approve expenditures, via electronic or non-electronic approval processes, from the checking/operating account;

WHEREAS, the Board of the District has selected Todd Wodraska, Jason Pierman, Patricia LasCasas, Nancy Nguyen, Armando Silva and _____ to serve as the signatories, as required, on the District checking/operating account; and

WHEREAS, all resolutions or parts thereof of the District in conflict with the provisions contained herein are to the extent of any such conflict, hereby superseded and repealed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE FONTAINBLEAU LAKES COMMUNITY DEVELOPMENT DISTRICT, AS FOLLOWS:

Section 1. The above recitals are hereby adopted.

Section 2. Each expenditure from the checking/operating account will require a minimum of two (2) approvals and a designated member of the Board, by an electronic approval procedure, will have an opportunity to review the District's expenditure(s) prior to release of payment(s).

Section 3. When necessary to write checks, the signatures of two (2) of the designated signatories named herein will be required on all District checks tendered from the District checking/operating account, as approved.

PASSED, ADOPTED and becomes EFFECTIVE this 17th day of April, 2023.

ATTEST:

**FONTAINBLEAU LAKES
COMMUNITY DEVELOPMENT DISTRICT**

By: _____
Secretary/Assistant Secretary

By: _____
Chairperson/Vice Chairperson



Attention:	Pablo Jerez	Project: Security System
Title:	Special District Services	Project: CCTV
	Community Development District	P.O. Number:
Address:	2501 A Burns Rd	Invoice Number: W39529
	Palm Beach Gardens, FL 33410	Term: 30 days
Date:	Apr 4, 2023 1:00 AM	<----- pending

LAS RAMBLAS DECAL READER SYSTEM

***** MATERIALS *****	QUANTITY	UNIT PRICE	COST
U2000 RFID access control machines which integrate functions of UHF readers and controllers.	1	750.00	750.00
UHF Stick Label Tags	100	5.00	500.00
	0	0.00	0.00
Hardware	1	160.00	160.00
	0	0.00	0.00
	0	0.00	0.00
Labor Company rate 85 x H (min 3 hour) \$ 255.00	8	85.00	680.00
		Subtotal	\$2,090.00
ADJUSTMENT EXEMPTION TAX FOR CDD		0.00%	\$0.00
		TOTAL	\$2,090.00

*** DEPOSIT MUST BE 50 % OF THE TOTAL AMOUNT *** THE OTHER 50% WILL BE DUE WHEN JOB IS DONE.

NOTE: Contractor agrees to perform the work and use the materials in accordance with the descriptions within this contract. Any alteration(s) from the above specifications and/or materials will be executed only upon written change and will be added to contract; total charges will be the revised total of the contract, for Internet or Smart Phone Monitoring. One Years Warranty, ONLY covers equipments malfunction from factory Damage under fire, heavy impact, vandalism or extreme weather conditions avoid warranty

Alex Reutlinger

Las Ramblas

This instrument was prepared by or
under the supervision of:

Name: William W. Riley, Esq.
Address: The Riley Law Firm
16343 SW 256 Street
Homestead, Florida
33031

(Space reserved for Clerk of

**MODIFICATION OF DECLARATION OF RESTRICTIONS RECORDED AT
OFFICIAL RECORDS BOOK 23413, PAGE 1136 AND OFFICIAL RECORDS
BOOK 26955, PAGE 0908 AND OFFICIAL RECORDS BOOK 29816, PAGE 3447
(COLLECTIVELY THE "RECORDED DECLARATIONS")**

WHEREAS, the undersigned Fontainebleau Lakes, LLC, a Florida limited liability company, Fontainebleau Lakes CDD, a community development district, 901 NW 97 Miami Owner, LLC, a Delaware limited liability company, and 1062 NW 87 Miami Owner, LLC, a Delaware limited liability company (hereinafter collectively referred to as the "Owner") hold the fee simple title to the lands in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property", which is supported by the Opinion of Title; and

WHEREAS, Fontainebleau Lakes, LLC, filed an application designated as "Application No. 3" of the April 2004 Miami-Dade County Comprehensive Development Master Plan ("CDMP") Amendment Cycle to amend the CDMP Future Land Use Plan Map ("LUP") for the properties described therein, inclusive of the Property (the "First Application"); and

WHEREAS, a Declaration of Restrictions was recorded in the Public Records of Miami-Dade County in Official Records Book 23413, at Page 1136, in connection with the First Application, which placed certain restrictions on the lands made subject thereto (the "2004 Declaration"); and

WHEREAS, Fontainebleau Lakes, LLC, filed an application designated as "Application No. 8" of the April 2008 CDMP Amendment Cycle to, among other things, delete from the 2004 Declaration certain properties described therein (the "Second Application"); and

WHEREAS, a First Modification of the Declaration was recorded in the Public Records of Miami-Dade County in Official Records Book 26955, at Page 0908, in connection with the Second Application; and

WHEREAS, Keep Bleau Green Committee, Inc. filed an application designated as "Application No. 7" of the November 2014 CDMP Amendment Cycle to, among other

things, amend the CDMP LUP map for portions of properties described in the Declaration (the "Third Application"); and

WHEREAS, a Second Modification of the Declaration was recorded in the Public Records of Miami-Dade County in Official Records Book 29816, at Page 3447, connection with the Third Application; and

WHEREAS, the Owner has applied for an amendment to the CDMP LUP in the October 2022 Cycle and said amendment is identified as Application No. CDMP20220016 (the "Application"); and

WHEREAS the Application seeks to re-designate that portion of the Property legally described in Exhibit "B" from "Parks and Recreation" to "Medium Density Residential" on the CDMP LUP map.

NOW, THEREFORE, in order to assure the Miami-Dade County that the representations made by the owner during consideration of the Application will be abided by, the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions covering and running with the Property:

- A. Paragraph 1 of the 2004 Declaration, as modified, shall be deleted in its entirety.
- B. Paragraphs 2 and 7 of the 2004 Declaration, as modified, shall now read:
 - (2) **Number of Units.** Notwithstanding the density and number of residential units that may be permitted by the land use designation sought by the Owner, development of the Property as described in the Declaration, as amended, shall not exceed a total of one thousand one hundred ninety-nine (1,199) residential dwelling units and a maximum of three hundred seventy-five (375) residential dwelling units on Tract C of Fontainebleau East as recorded in Plat Book 168, Page 26, of the Public Records of Miami-Dade County, Florida.
 - (7) **Modification, Amendment, Release.** This Declaration of Restrictions may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the then owner(s) of the property, including joinders of all mortgagees, provided that the same is also approved by the Board of County

Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

- C. **Roadway Improvement Program:** Fontainebleau Lakes, LLC shall use commercially reasonable efforts to obtain all necessary construction permits from Miami-Dade County for the following roadway improvements.

- i. An improvement to the existing eastbound left-turn extension at the intersection of Fontainebleau Boulevard and NW 97th Avenue to include a 50± foot taper and 300± feet of storage; and
- ii. The creation of a four-leg intersection at Fontainebleau Boulevard, lying west of the community center for Keep Bleau Green Committee, Inc. located at 8905 Fontainebleau Boulevard, that provides east-west and north-south vehicular connectivity.

The applications to permit the foregoing roadway improvements shall be in substantial conformity with the conceptual plan entitled "Fontainebleau East Roadway Improvements," prepared by Pascual Perez Kiliddjian & Associates, signed and sealed the ____ day of _____, 2023 as attached hereto as Exhibit "C" (hereinafter referred to as the "Planned Roadway Improvements"). Provided that the Planned Roadway Improvements are approved by Miami-Dade County, the same shall be fully funded and constructed on behalf of Fontainebleau Lakes, LLC, which shall post a performance bond or other instrument approved by Miami-Dade County guaranteeing the Planned Roadway Improvements prior to the issuance of a certificate of occupancy for the increased density described herein.

- D. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.
- E. **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.
- F. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to

recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

- G. **County Inspections.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
- H. **Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.
- I. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
- J. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.
- K. **Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.
- L. **Recordation and Effective Date.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this

Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

- M. **Acceptance of Declaration.** The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.
- N. **Owner.** The term Owner shall include all heirs, assigns, and successors in interest.

EXECUTION PAGES FOLLOW

IN WITNESS WHEREOF, we have hereunto set our hands and seal this ____ day of _____, 2023.

WITNESSES:

Sign: _____ **FONTAINBLEAU LAKES, LLC.**

Print: _____ a Florida limited liability company.

BY: _____

Sign: _____

Sign: _____

Print: _____

Address: _____

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before this ____ day of _____, 2023, by _____, as _____ of Fontainbleau Lakes, LLC, a Florida limited liability company, on behalf of the corporation. He is personally known to or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign: _____

Print: _____

State of Florida at Large (Seal)
My Commission Expires

IN WITNESS WHEREOF, we have hereunto set our hands and seal this ____ day of _____, 2023.

WITNESSES:

Sign: _____ **Fontainebleau Lakes CDD**
Print: _____ a community development district.

BY: _____

Sign: _____ Sign: _____
Print: _____

Address: _____

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before this ____ day of _____, 2023, by _____, as _____ of Fontainebleau Lakes CDD, a community development district, on behalf of the corporation. He is personally known to or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign: _____

Print: _____

State of Florida at Large (Seal)
My Commission Expires

IN WITNESS WHEREOF, we have hereunto set our hands and seal this ____ day of _____, 2023.

WITNESSES:

Sign: _____ **901 NW 97 MIAMI OWNER, LLC**
Print: _____ a Delaware limited liability company.

BY: _____

Sign: _____ Sign: _____
Print: _____

Address: _____

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before this ____ day of _____, 2023, by _____, as _____ of 901 NW 97 Miami Owner, LLC, a Delaware limited liability company, on behalf of the corporation. He is personally known to or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign: _____

Print: _____

State of Florida at Large (Seal)
My Commission Expires

IN WITNESS WHEREOF, we have hereunto set our hands and seal this ____ day of _____, 2023.

WITNESSES:

Sign: _____ **1062 NW 87 MIAMI OWNER, LLC**
Print: _____ a Delaware limited liability company.

BY: _____

Sign: _____ Sign: _____
Print: _____

Address: _____

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before this ____ day of _____, 2023, by _____, as _____ of 1062 NW 87 Miami Owner, LLC, a Delaware limited liability company, on behalf of the corporation. He is personally known to or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

Sign: _____

Print: _____

State of Florida at Large (Seal)
My Commission Expires

EXHIBIT "A"

LEGAL DESCRIPTION AND SKETCH OF COVENANT AREA

ALL OF FONTAINEBLEAU EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 168, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE FOLLOWING:

TRACTS "A" AND "B" OF "FONTAINEBLEAU CIVIC, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 173, PAGE 69, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND:

TRACT "A" OF FONTAINEBLEAU PARK PLAZA, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 170, PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 4,774,806.9± SQUARE FEET (109.6144± ACRES) MORE OR LESS.

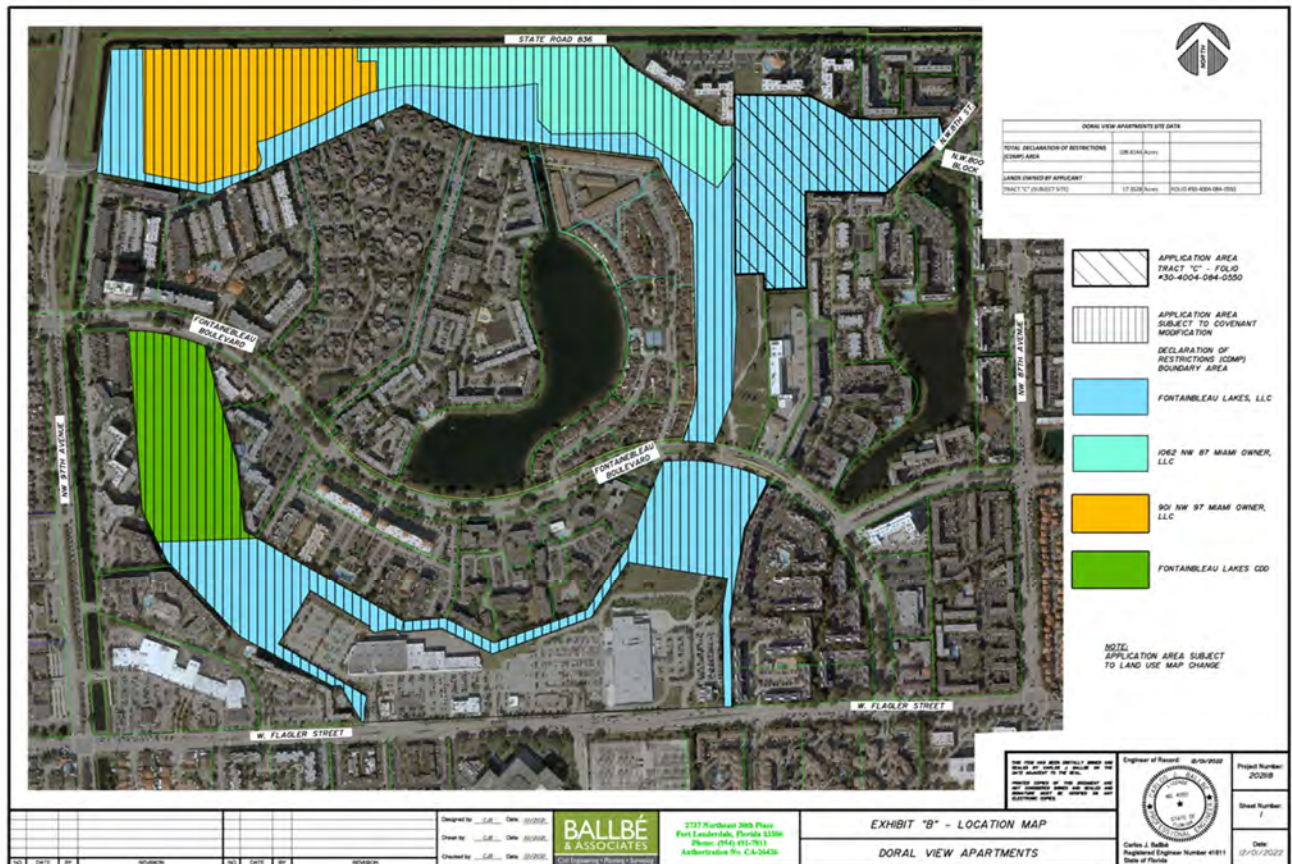


EXHIBIT "B"

LEGAL DESCRIPTION OF THE AREA SUBJECT TO THE LAND USE CHANGE

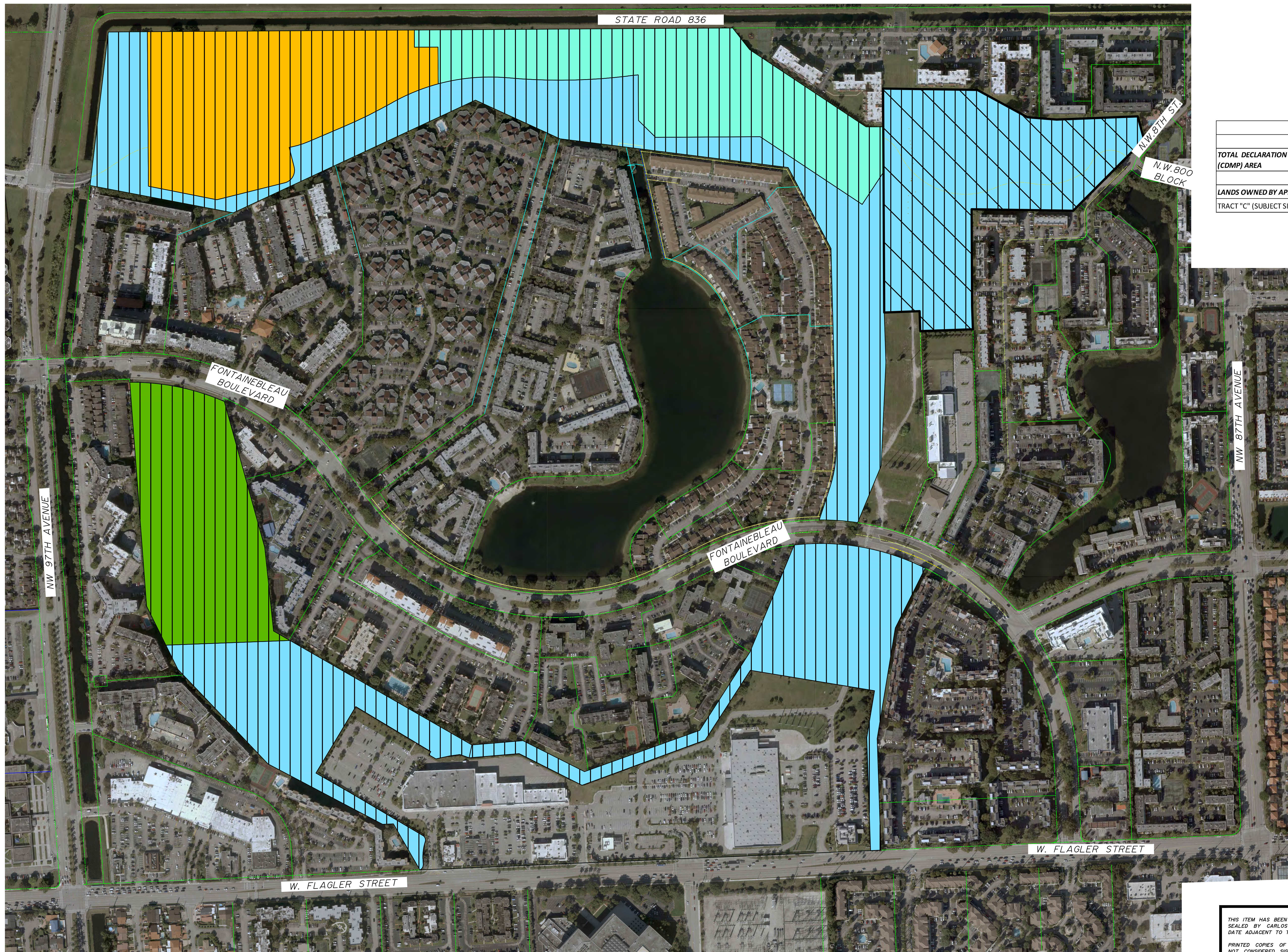
TRACT "C" OF "FONTAINEBLEAU EAST", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS THE FOLLOWING:

A PORTION OF TRACT "C", "FONTAINEBLEAU EAST", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 168, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID TRACT "C", BEING A POINT ON A CURVE FROM WHICH A RADIAL LINE BEARS SOUTH 28°42'20" WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, BEING ALONG THE SOUTH LINE OF SAID TRACT "C", ALSO BEING THE NORTH RIGHT-OF-WAY LINE PF FONTAINEBLEAU BOULEVARD, HAVING A RADIUS OF 1200.92 FEET, A CENTRAL ANGLE OF 07°46'23", FOR AN ARC DISTANCE OF 162.92 FEET TO THE SOUTHWESTERLY CORNER OF SAID TRACT "C"; THENCE NORTH 24°37'46" EAST ON A NON-RADIAL LINE, THIS AND THE FOLLOWING FIVE (5) COURSES BEING ALONG A WESTERLY LINE OF SAID TRACT "C", 269.61 FEET; THENCE NORTH 71°15'43" EAST 45.00 FEET; THENCE NORTH 11°35'53" EAST 20.00 FEET; THENCE NORTH 48°03'56" WEST 45.00 FEET; THENCE NORTH 01°26'00" WEST 490.74 FEET; THENCE NORTH 00°14'00" EAST 140.84 FEET; THENCE SOUTH 89°46'00" EAST 245.50 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT "C"; THENCE SOUTH 00°14'00" WEST, THIS AND THE FOLLOWING COURSE BEING ALONG SAID EASTERLY LINE, 626.30 FEET; THENCE SOUTH 28°42'20" WEST 435.15 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 755,888 SQUARE FEET (17.3528 ACRES) MORE OR LESS.

EXHIBIT “C”

PLANNED ROADWAY IMPROVEMENTS



APPLICATION AREA
TRACT "C" - FOLIO
#30-4004-084-0550

APPLICATION AREA
SUBJECT TO COVENANT
MODIFICATION

DECLARATION OF
RESTRICTIONS (CDMP)
BOUNDARY AREA

FONTAINBLEAU LAKES, LLC

1062 NW 87 MIAMI OWNER,
LLC

901 NW 97 MIAMI OWNER,
LLC

FONTAINBLEAU LAKES CDD

THIS ITEM HAS BEEN DIGITALLY SIGNED AND
SEALED BY CARLOS J. BALLBE ON THE
DATE ADJACENT TO THE SEAL.

PRINTED COPIES OF THIS DOCUMENT ARE
NOT CONSIDERED SIGNED AND SEALED AND
SIGNATURE MUST BE VERIFIED ON ANY
ELECTRONIC COPIES.

A circular professional engineer seal for Carlos J. Ballbe. The outer ring contains the text "CARLOS J. BALLBE" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. Inside the ring, the word "LICENSE" is at the top, "NO. 41811" is in the center, and "STATE OF FLORIDA" is at the bottom, also separated by two stars. The seal is surrounded by a decorative border of small vertical lines.

Date: 12/01/2022

Designed by: CJB Date: 10/2021
 Drawn by: CJB Date: 10/2021
 Checked by: CJB Date: 10/2021

**2737 Northeast 30th Place
Fort Lauderdale, Florida 33306
Phone: (954) 491-7811
Authorization No. CA-26426**

DORAL VIEW APARTMENTS