

# **EVERGREEN**

## **COMMUNITY DEVELOPMENT DISTRICT**

**April 29, 2021**

**BOARD OF SUPERVISORS**

**REGULAR MEETING**

**AGENDA**

**Evergreen Community Development District**  
**OFFICE OF THE DISTRICT MANAGER**  
**2300 Glades Road, Suite 410W•Boca Raton, Florida 33431**  
**Phone: (561) 571-0010•Toll-free: (877) 276-0889•Fax: (561) 571-0013**

April 22, 2021

Board of Supervisors  
Evergreen Community Development District

<b>ATTENDEES:</b> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.
--

Dear Board Members:

The Board of Supervisors of the Evergreen Community Development District will hold a Regular Meeting on April 29, 2021 at 11:00 a.m., at the office of ZNS Engineering, 201 5th Avenue Dr. E., Bradenton, Florida 34208. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments
3. Consideration of Resolution 2021-01, Approving Proposed Budgets for Fiscal Year 2021/2022 and Setting a Public Hearing Thereon Pursuant to Florida Law; Addressing Transmittal, Posting and Publication Requirements; Addressing Severability; and Providing an Effective Date
4. Consideration of Resolution 2021-02, Designating Dates, Times and Locations for Regular Meetings of the Board of Supervisors of the District for Fiscal Year 2021/2022 and Providing for an Effective Date
5. Ratification of Second Amendment to the Declaration of Covenants, Conditions, and Restrictions of Evergreen
6. Consideration of Matters Pertaining to Construction and Acquisition of District Infrastructure
7. Authorization for Chair to Review and Accept Fiscal Year 2020 Audit for Purpose of Timely Filing with the State
8. Acceptance of Unaudited Financial Statements as of March 31, 2021
9. Approval of March 5, 2021 Regular Meeting Minutes
10. Staff Reports
  - A. District Counsel: *Hopping Green & Sams, PA*

B. District Manager: *Wrathell, Hunt and Associates, LLC*

I. 0 Registered Voters in District as of April 15, 2021

II. NEXT MEETING DATE: June 4, 2021 at 10:00 a.m.

• QUORUM CHECK

Ryan Zook	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Anne Mize	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
John Snyder	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Greg Mundell	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
Hal Lutz	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

11. Board Members' Comments/Requests

12. Public Comments

13. Adjournment

Should you have any questions or concerns, please do not hesitate to contact me directly at 561-909-7930.

Sincerely,



Daniel Rom  
District Manager

TO ATTEND BY TELEPHONE

**CALL-IN NUMBER: 1-888-354-0094**

**CONFERENCE ID: 435668**

# **EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**3**

**RESOLUTION 2021-01**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT APPROVING PROPOSED BUDGETS FOR FISCAL YEAR 2021/2022 AND SETTING A PUBLIC HEARING THEREON PURSUANT TO FLORIDA LAW; ADDRESSING TRANSMITTAL, POSTING AND PUBLICATION REQUIREMENTS; ADDRESSING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the District Manager has heretofore prepared and submitted to the Board of Supervisors ("**Board**") of the Evergreen Community Development District ("**District**") prior to June 15, 2021, proposed budgets ("**Proposed Budget**") for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("**Fiscal Year 2021/2022**"); and

**WHEREAS**, the Board has considered the Proposed Budget and desires to set the required public hearing thereon.

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

1. **PROPOSED BUDGET APPROVED.** The Proposed Budget prepared by the District Manager for Fiscal Year 2021/2022 attached hereto as **Exhibit A** is hereby approved as the basis for conducting a public hearing to adopt said Proposed Budget.

2. **SETTING A PUBLIC HEARING.** A public hearing on said approved Proposed Budget is hereby declared and set as follows:

DATE: August 6, 2021

HOUR: 10:00 A.M.

LOCATION: ZNS Engineering  
201 5<sup>th</sup> Avenue Dr. E.  
Bradenton, Florida 34208

3. **TRANSMITTAL OF PROPOSED BUDGET TO LOCAL GENERAL PURPOSE GOVERNMENT.** The District Manager is hereby directed to submit a copy of the Proposed Budget to Manatee County at least 60 days prior to the hearing set above.

4. **POSTING OF PROPOSED BUDGET.** In accordance with Section 189.016, *Florida Statutes*, the District's Secretary is further directed to post the approved Proposed Budget on the District's website at least two days before the budget hearing date as set forth in Section 2 and shall remain on the website for at least 45 days.

5. **PUBLICATION OF NOTICE.** Notice of this public hearing shall be published in the manner prescribed in Florida law.

6. **SEVERABILITY.** The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED THIS 29<sup>th</sup> DAY OF APRIL, 2021.**

ATTEST:

**EVERGREEN COMMUNITY  
DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

By: \_\_\_\_\_

Its: \_\_\_\_\_

**Exhibit A: Fiscal Year 2021/2022 Proposed Budget**

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
PROPOSED BUDGET  
FISCAL YEAR 2022**



**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
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**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND BUDGET  
FISCAL YEAR 2022**

	Fiscal Year 2022				Proposed Budget FY 2022
	Amended Budget FY 2021	Actual through 3/31/2021	Projected through 9/30/2021	Total Actual & Projected	
<b>REVENUES</b>					
Assessment levy: on-roll - gross	\$ 51,775				\$ 51,775
Allowable discounts (4%)	(2,071)				(2,071)
Assessment levy: on-roll - net	49,704	\$ 49,719	\$ -	\$ 49,719	49,704
Assessment levy: off-roll	42,294	10,574	31,720	42,294	42,294
Total revenues	91,998	60,293	31,720	92,013	91,998
<b>EXPENDITURES</b>					
<b>Professional &amp; administrative</b>					
Management/accounting/recording	48,000	24,000	24,000	48,000	48,000
Legal	20,000	2,611	17,389	20,000	15,000
Engineering	1,500	-	1,500	1,500	1,500
Audit	4,900	-	4,900	4,900	5,100
Arbitrage rebate calculation	750	-	750	750	750
Dissemination agent	1,000	500	500	1,000	1,000
Trustee	4,500	-	4,500	4,500	4,500
Telephone	200	100	100	200	200
Postage	500	9	491	500	500
Printing & binding	500	250	250	500	500
Legal advertising	1,500	252	1,248	1,500	1,500
Annual special district fee	175	175	-	175	175
Insurance	5,500	5,251	-	5,251	5,776
Contingencies/bank charges	500	96	404	500	500
Website					
Hosting	705	705	-	705	705
ADA compliance	210	210	-	210	210
Property appraiser & tax collector	1,554	1,492	62	1,554	1,554
Total professional & administrative	91,994	35,651	56,094	91,745	87,470
Total expenditures	91,994	35,651	56,094	91,745	87,470
Excess/(deficiency) of revenues over/(under) expenditures	4	24,642	(24,374)	268	4,528
Fund balance - beginning (unaudited)	6,069	21,099	45,741	21,099	21,367
Fund balance - ending					
Committed:					
Working capital	6,000	-	-	-	10,806
Unassigned	73	45,741	21,367	21,367	15,089
Fund balance - ending (projected)	\$ 6,073	\$ 45,741	\$ 21,367	\$ 21,367	\$ 25,895

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
DEFINITIONS OF GENERAL FUND EXPENDITURES**

**EXPENDITURES**

**Professional & administrative**

Management/accounting/recording	\$ 48,000
<p><b>Wrathell, Hunt and Associates, LLC</b> (WHA), specializes in managing community development districts by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all of the District's governmental requirements. WHA develops financing programs, administers the issuance of tax exempt bond financings, operates and maintains the assets of the community.</p>	
Legal	15,000
<p>General counsel and legal representation, which includes issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts.</p>	
Engineering	1,500
<p>The District's Engineer will provide construction and consulting services, to assist the District in crafting sustainable solutions to address the long term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	5,100
<p>Statutorily required for the District to undertake an independent examination of its books, records and accounting procedures.</p>	
Arbitrage rebate calculation	750
<p>To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent	1,000
<p>The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities Exchange Act of 1934. Wrathell, Hunt &amp; Associates serves as dissemination agent.</p>	
Trustee	4,500
<p>Annual fee for the service provided by trustee, paying agent and registrar.</p>	
Telephone	200
<p>Telephone and fax machine.</p>	
Postage	500
<p>Mailing of agenda packages, overnight deliveries, correspondence, etc.</p>	
Printing & binding	500
<p>Letterhead, envelopes, copies, agenda packages, etc.</p>	
Legal advertising	1,500
<p>The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.</p>	
Annual special district fee	175
<p>Annual fee paid to the Florida Department of Economic Opportunity.</p>	
Insurance	5,776
<p>The District will obtain public officials and general liability insurance.</p>	
Contingencies/bank charges	500
<p>Bank charges, automated AP routing and other miscellaneous expenses incurred during the year.</p>	
Website	
Hosting	705
ADA compliance	210
Property appraiser & tax collector	1,554
Total expenditures	<u><u>\$ 87,470</u></u>

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
DEBT SERVICE FUND BUDGET - SERIES 2019  
FISCAL YEAR 2022**

	Fiscal Year 2021			Total Revenue & Expenditures	Proposed Budget FY 2022
	Adopted Budget FY 2021	Actual Through 3/31/2021	Projected Through 9/30/2021		
<b>REVENUES</b>					
Assessment levy: on-roll	\$ 328,197				\$ 328,197
Allowable discounts (4%)	(13,128)				(13,128)
Net assessment levy - on-roll	315,069	\$ 315,055	\$ 14	\$ 315,069	315,069
Assessment levy: off-roll	271,399	-	271,399	271,399	271,399
Interest	-	21	-	21	-
Total revenues	<u>586,468</u>	<u>315,076</u>	<u>271,413</u>	<u>586,489</u>	<u>586,468</u>
<b>EXPENDITURES</b>					
<b>Debt service</b>					
Principal	140,000	140,000	-	140,000	150,000
Interest	429,550	216,219	213,331	429,550	423,569
Property appraiser & Tax collector	9,846	9,452	394	9,846	9,846
Total expenditures	<u>579,396</u>	<u>365,671</u>	<u>213,725</u>	<u>579,396</u>	<u>583,415</u>
Excess/(deficiency) of revenues over/(under) expenditures	7,072	(50,595)	57,688	7,093	3,053
<b>OTHER FINANCING SOURCES/(USES)</b>					
Transfers out	-	(17)	-	(17)	-
Total other financing sources/(uses)	<u>-</u>	<u>(17)</u>	<u>-</u>	<u>(17)</u>	<u>-</u>
Fund balance:					
Net increase/(decrease) in fund balance	7,072	(50,612)	57,688	7,076	3,053
Beginning fund balance (unaudited)	939,795	939,798	889,186	939,798	946,874
Ending fund balance (projected)	<u>\$946,867</u>	<u>\$889,186</u>	<u>\$ 946,874</u>	<u>\$ 946,874</u>	<u>949,927</u>
Use of fund balance:					
Debt service reserve account balance (required)					(577,100)
Principal expense - November 1, 2022					(155,000)
Interest expense - November 1, 2022					(210,238)
Projected fund balance surplus/(deficit) as of September 30, 2022					<u>\$ 7,589</u>

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
SERIES 2019 AMORTIZATION SCHEDULE**

	Principal	Coupon Rate	Interest	Debt Service	Bond Balance
05/09/19					8,815,000.00
11/01/19			206,609.03	206,609.03	8,815,000.00
05/01/20			216,218.75	216,218.75	8,815,000.00
11/01/20	140,000.00	4.125%	216,218.75	356,218.75	8,675,000.00
05/01/21			213,331.25	213,331.25	8,675,000.00
11/01/21	150,000.00	4.125%	213,331.25	363,331.25	8,525,000.00
05/01/22			210,237.50	210,237.50	8,525,000.00
11/01/22	155,000.00	4.125%	210,237.50	365,237.50	8,370,000.00
05/01/23			207,040.63	207,040.63	8,370,000.00
11/01/23	160,000.00	4.125%	207,040.63	367,040.63	8,210,000.00
05/01/24			203,740.63	203,740.63	8,210,000.00
11/01/24	165,000.00	4.125%	203,740.63	368,740.63	8,045,000.00
05/01/25			200,337.50	200,337.50	8,045,000.00
11/01/25	175,000.00	4.250%	200,337.50	375,337.50	7,870,000.00
05/01/26			196,618.75	196,618.75	7,870,000.00
11/01/26	180,000.00	4.250%	196,618.75	376,618.75	7,690,000.00
05/01/27			192,793.75	192,793.75	7,690,000.00
11/01/27	190,000.00	4.250%	192,793.75	382,793.75	7,500,000.00
05/01/28			188,756.25	188,756.25	7,500,000.00
11/01/28	195,000.00	4.250%	188,756.25	383,756.25	7,305,000.00
05/01/29			184,612.50	184,612.50	7,305,000.00
11/01/29	205,000.00	4.250%	184,612.50	389,612.50	7,100,000.00
05/01/30			180,256.25	180,256.25	7,100,000.00
11/01/30	215,000.00	5.000%	180,256.25	395,256.25	6,885,000.00
05/01/31			174,881.25	174,881.25	6,885,000.00
11/01/31	225,000.00	5.000%	174,881.25	399,881.25	6,660,000.00
05/01/32			169,256.25	169,256.25	6,660,000.00
11/01/32	235,000.00	5.000%	169,256.25	404,256.25	6,425,000.00
05/01/33			163,381.25	163,381.25	6,425,000.00
11/01/33	250,000.00	5.000%	163,381.25	413,381.25	6,175,000.00
05/01/34			157,131.25	157,131.25	6,175,000.00
11/01/34	260,000.00	5.000%	157,131.25	417,131.25	5,915,000.00
05/01/35			150,631.25	150,631.25	5,915,000.00
11/01/35	275,000.00	5.000%	150,631.25	425,631.25	5,640,000.00
05/01/36			143,756.25	143,756.25	5,640,000.00
11/01/36	285,000.00	5.000%	143,756.25	428,756.25	5,355,000.00
05/01/37			136,631.25	136,631.25	5,355,000.00
11/01/37	300,000.00	5.000%	136,631.25	436,631.25	5,055,000.00
05/01/38			129,131.25	129,131.25	5,055,000.00
11/01/38	315,000.00	5.000%	129,131.25	444,131.25	4,740,000.00
05/01/39			121,256.25	121,256.25	4,740,000.00
11/01/39	330,000.00	5.000%	121,256.25	451,256.25	4,410,000.00
05/01/40			113,006.25	113,006.25	4,410,000.00
11/01/40	350,000.00	5.125%	113,006.25	463,006.25	4,060,000.00
05/01/41			104,037.50	104,037.50	4,060,000.00
11/01/41	365,000.00	5.125%	104,037.50	469,037.50	3,695,000.00
05/01/42			94,684.38	94,684.38	3,695,000.00
11/01/42	385,000.00	5.125%	94,684.38	479,684.38	3,310,000.00
05/01/43			84,818.75	84,818.75	3,310,000.00

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
SERIES 2019 AMORTIZATION SCHEDULE**

	Principal	Coupon Rate	Interest	Debt Service	Bond Balance
11/01/43	405,000.00	5.125%	84,818.75	489,818.75	2,905,000.00
05/01/44			74,440.63	74,440.63	2,905,000.00
11/01/44	425,000.00	5.125%	74,440.63	499,440.63	2,480,000.00
05/01/45			63,550.00	63,550.00	2,480,000.00
11/01/45	450,000.00	5.125%	63,550.00	513,550.00	2,030,000.00
05/01/46			52,018.75	52,018.75	2,030,000.00
11/01/46	470,000.00	5.125%	52,018.75	522,018.75	1,560,000.00
05/01/47			39,975.00	39,975.00	1,560,000.00
11/01/47	495,000.00	5.125%	39,975.00	534,975.00	1,065,000.00
05/01/48			27,290.63	27,290.63	1,065,000.00
11/01/48	520,000.00	5.125%	27,290.63	547,290.63	545,000.00
05/01/49			13,965.63	13,965.63	545,000.00
11/01/49	545,000.00	5.125%	13,965.63	558,965.63	-
<b>Total</b>	<b>8,815,000.00</b>		<b>8,199,356.31</b>	<b>17,014,356.31</b>	

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
ASSESSMENT COMPARISON  
PROJECTED FISCAL YEAR 2022 ASSESSMENTS**

On-Roll Assessments					
	Units	FY 2022 O&M Assessment per Unit	FY 2022 DS Assessment per Unit	FY 2022 Total Assessment per Unit	FY 2021 Total Assessment per Unit
SF 40	152	\$ 233.22	\$ 1,370.34	\$ 1,603.56	\$ 1,603.56
SF 50	70	233.22	1,712.93	1,946.15	1,946.15
<b>Total</b>	<b>222</b>				

Off-Roll Assessments					
	Units	FY 2022 O&M Assessment per Unit	FY 2022 DS Assessment per Unit	FY 2022 Total Assessment per Unit	FY 2021 Total Assessment per Unit
SF 40	124	\$ 216.89	\$ 1,275.67	\$ 1,492.56	\$ 1,492.56
SF 50	71	216.89	1,594.59	1,811.48	1,811.48
<b>Total</b>	<b>195</b>				

**Note:** O&M Assessment amounts for off-roll collection differ from those for on-roll collection by the Manatee County collection costs and early payment discount allowance

# **EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**4**



**RESOLUTION 2021-02**

**A RESOLUTION OF THE EVERGREEN COMMUNITY DEVELOPMENT DISTRICT DESIGNATING DATES, TIMES AND LOCATIONS FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS OF THE DISTRICT FOR FISCAL YEAR 2021/2022 AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Evergreen Community Development District (“District”) is a local unit of special-purpose government created by, and existing pursuant to Chapter 190, *Florida Statutes*, being situated entirely within Manatee County, Florida; and

**WHEREAS**, the Board of Supervisors of the District (“Board”) is statutorily authorized to exercise the powers granted to the District; and

**WHEREAS**, all meetings of the Board shall be open to the public and governed by the provisions of Chapter 286, *Florida Statutes*; and

**WHEREAS**, the Board is statutorily required to file annually, with the local governing authority and the Florida Department of Economic Opportunity, a schedule of its regular meetings.

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

**SECTION 1. ADOPTING REGULAR MEETING SCHEDULE.** Regular meetings of the District’s Board shall be held during Fiscal Year 2021/2022 as provided on the schedule attached hereto as **Exhibit A**.

**SECTION 2. FILING REQUIREMENT.** In accordance with Section 189.015(1), *Florida Statutes*, the District’s Secretary is hereby directed to file a schedule of the District’s regular meetings annually with Manatee County and the Florida Department of Economic Opportunity.

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** this 29<sup>th</sup> day of April, 2021.

Attest:

**EVERGREEN COMMUNITY DEVELOPMENT DISTRICT**

\_\_\_\_\_  
Secretary/Assistant Secretary

\_\_\_\_\_  
Chair/Vice Chair, Board of Supervisors

**Exhibit A**

<b>EVERGREEN COMMUNITY DEVELOPMENT DISTRICT</b>		
<b>BOARD OF SUPERVISORS FISCAL YEAR 2021/2022 MEETING SCHEDULE</b>		
<b>LOCATION</b>		
<i>offices of ZNS Engineering, 201 5<sup>th</sup> Ave. Dr. E., Bradenton, Florida 34208</i>		
<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 1, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>November 5, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>December 3, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>January 7, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>February 4, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>March 4, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>April 1, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>May 6, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>June 3, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>July 1, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>August 5, 2022</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>10:00 AM</b>
<b>September 2, 2022</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>

# **EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**5**

**This instrument prepared by:**  
HAND ARENDALL HARRISON SALE LLC  
c/o Leslie D. Sheekley, Esq.  
35008 Emerald Coast Parkway, Fifth Floor  
Destin, FL 32541

**SECOND AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS OF EVERGREEN**

This Second Amendment to the Declaration of Covenants, Conditions, and Restrictions of Evergreen ("**Second Amendment**") is made this 22nd day of February, 2021, by SFTEN, LLC, a Delaware limited liability company, by D.R. Horton, Inc. a Delaware corporation, its sole member ("**Declarant**"), whose mailing address is 12602 Telecom Drive, Tampa, Florida 33637, and joined by Evergreen of Manatee County Community Association, Inc. a Florida not-for-profit corporation (the "**Association**").

WITNESSETH:

WHEREAS, Declarant caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions of Evergreen, recorded as Instrument No. 202041028444, in the Public Records of Manatee County, Florida, and the First Amendment to the Declaration of Covenants, Conditions and Restrictions of Evergreen, recorded as Instrument No. 202141005749 in the Public Records of Manatee County, Florida (as may be further amended from time to time, collectively referred to herein as "**the Declaration**"); and

WHEREAS, pursuant to Article XVIII, Section 5 of the Declaration, so long as there is a Class B Membership, Declarant reserved the right to amend the Declaration without the consent of the Lot Owners or the consent of the Institutional First Mortgage Lenders; and

WHEREAS, Declarant is the Class B member under the Declaration; and

WHEREAS, THE Declarant wishes to hereby amend certain portions of the Declaration.

NOW, THEREFORE, the recitals set forth above are true and correct and are incorporated herein by reference. Except as provided herein, capitalized terms shall have the meaning ascribed to them in the Declaration. Words in the text which are lined through (-) indicate deletions from the present text; words in the text which are double underlined indicate additions to the present text.

1. Article IX, Section 4 of the Declaration is hereby amended as follows:

Section 4. Animals. No animals of any kind, including but not limited to livestock, swine, poultry, reptiles or insects, shall be kept, maintained, or bred on any Lot or elsewhere within the Property, except for fish in an aquarium and birds in cages maintained in the interior of the Home and not more than a total of four (4) domestic

dogs (other than dogs which in the reasonable determination of the Board of Directors or under applicable codes or regulations are determined to be a threat to the safety of the occupants of the Property which shall not be allowed under any circumstances in the Property) or four (4) domestic cats (hereinafter "Pets"), shall be permitted to be kept in a Home or Lot, provided such Pets are not kept, bred or raised for commercial purposes. Notwithstanding the foregoing, Pets permitted by this Section 4 may be kept on a Lot only so long as such Pets do not constitute a nuisance. The Board of Directors shall specifically have the power to require the removal and relocation of any unauthorized animal and any Pet that is a nuisance, or which has harmed, or which presents a threat of harm, to residents and others in the Community. Each person bringing or keeping an animal within the Property shall be absolutely liable to the Association, other Owners and their invitees for any damage to persons or property caused by any animal brought upon or kept upon the Property and it shall be the duty and responsibility of each such Owner to clean up after Pets which have deposited droppings or otherwise used any portion of the Property or public street abutting or visible from the Property. Pets belonging to Owners or invitees of any Owner must be kept within an enclosure or, on a leash held by a person capable of controlling the Pet when outside the Home. No Pets shall be "tied out" in a yard or on a porch or patio and left unattended for any extended period of time. Outdoor kennels, cages and dog runs are not permitted on any Lot. The Association shall have the right to promulgate Rules and Regulations relating to Pets and animals and the right to restrict or require removal of any animals determined by the Board or applicable codes or regulations to constitute a nuisance or danger to the Community. In addition, all Pet owners shall be required to maintain at all times adequate homeowners' insurance coverage for any and all liabilities related to the Pets owned and kept on the Lot, which insurance shall name the Association as an additional insured to the extent such endorsement is available. Proof of such insurance coverage shall be provided by the Owner to the Association upon reasonable request, not more than one time per calendar year. If such coverage is not provided as required herein, the Board of Directors shall have the right to require the animal to be removed from the Lot until the appropriate insurance is obtained. Notwithstanding anything to the contrary contained herein, all restrictions in this Section 4 are subject to the Americans with Disabilities Act and the Fair Housing Act.

2. Article IX, Section 5 is hereby amended as follows:

Section 5. Signs. During the Development Period, except as otherwise required by applicable law, no sign of any kind shall be displayed to the public view on any Lot, except one sign, subject to prior approval by the Board as to materials and aesthetic features, which sign is not larger than 24' x ~~28~~24" placed in the ground on the front of the Lot, advertising the property for sale or for rent. Once the Declarant, or successor Declarant, has conveyed all Lots it owns within the Property, then the size of the signs can be increased as authorized by the Board, with any restrictions regarding the location of signs, as well as the color, materials, and other aesthetic features of such sign set forth in the ARCACC guidelines or Rules by the Board or ARCACC. Signs used by the Declarant or Builders to advertise the Property during the Development Period are specifically excluded from the terms of this Section.

3. Full Force and Effect of Declaration. Except as hereby amended, the Declaration shall remain in full force and effect in strict accordance with its terms. In the event of any conflict between this Amendment and the Declaration, this Amendment shall control.

4. Severability. Invalidation of any of these covenants or restrictions or any part, clause, or word hereof, or the application thereof in specific circumstances, by judgment or court order, shall not affect any other provisions or applications in other circumstances, all of which shall remain in full force and effect.


5. Conflicts. In the event there is a conflict between this Second Amendment and the Declaration, this Second Amendment shall control. Whenever possible, this Second Amendment and the Declaration shall be construed as a single document.

6. Effective Date. This Amendment shall become effective upon being recorded in the Public Records of Manatee County, Florida.

[SIGNATURES ON THE FOLLOWING PAGES]


IN WITNESS WHEREOF, Declarant has caused this Supplemental Declaration to be executed in its name by its officers thereunto duly authorized this 22nd day of February, 2021.

Witnesses:

  
Print Name: Ryan Zook

Zamir Ode  
Print Name: Zamir Ode

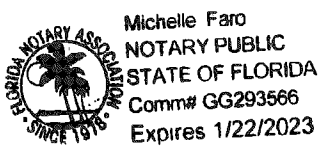
**SFTEN, LLC, a Delaware Limited Liability Company, by D.R. Horton, Inc. a Delaware Corporation, its sole member,**


By:   
Name: **John E. Snyder**  
Title: **Vice President**

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 22<sup>nd</sup> day of February, 2021, by John E. Snyder, as Vice President of D.R. Horton, Inc., a Delaware corporation, as the sole member of SFTEN, LLC, a Delaware limited liability company, on behalf of the company, who is  personally known to me or  produced the following identification \_\_\_\_\_.



  
Notary Signature

Michelle Faro  
Notary Name [Printed/Typed/Handwritten]  
Notary Public, State of Florida at Large  
My Commission Expires: 01.22.23

**JOINDER OF ASSOCIATION**

Evergreen of Manatee County Community Association, Inc., a not-for-profit Florida corporation, whose mailing address is 12602 Telecom Drive, Tampa, Florida 33637, hereby approves and joins in the Second Amendment to the Declaration of Covenants, Conditions, and Restrictions of Evergreen, and agrees to be bound by the terms thereof and will comply with and perform the terms and conditions thereof.

**In Witness Whereof**, Evergreen of Manatee County Community Association, Inc. has executed this Joinder on this 22nd day of February, 2021.

Witnesses:

Zamir Odi  
Print Name: Zamir Odi

Baron Corvel  
Print Name: Baron Corvel

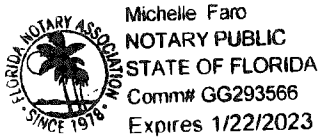
**EVERGREEN OF MANATEE  
COUNTY COMMUNITY  
ASSOCIATION, INC., a Florida not-  
for-profit corporation**

[Signature]  
By: Ryan Zook  
Its: President

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 22<sup>nd</sup> day of February, 2021, by Ryan Zook, as President and on behalf of EVERGREEN OF MANATEE COUNTY COMMUNITY ASSOCIATION, INC., a Florida not-for-profit corporation, who is  personally known to me or  produced the following identification \_\_\_\_\_.



Michelle Faro  
Notary Signature

Michelle Faro  
Notary Name [Printed/Typed/Handwritten]  
Notary Public, State of Florida at Large  
My Commission Expires: 01-22-23



# **EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**8**

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
FINANCIAL STATEMENTS  
UNAUDITED  
MARCH 31, 2021**

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
BALANCE SHEET  
GOVERNMENTAL FUNDS  
MARCH 31, 2021**

	General Fund	Debt Service Fund	Capital Projects Fund	Total Governmental Funds
<b>ASSETS</b>				
Cash	\$ 52,973	\$ -	\$ -	\$ 52,973
Investments				
Revenue	-	312,085	-	312,085
Reserve	-	577,101	-	577,101
Construction	-	-	329,325	329,325
Due from DR Horton	-	100,402	-	100,402
Total assets	<u>\$ 52,973</u>	<u>\$ 989,588</u>	<u>\$ 329,325</u>	<u>\$ 1,371,886</u>
<b>LIABILITIES AND FUND BALANCES</b>				
Liabilities:				
Due to Landowner	\$ 1,732	\$ -	\$ -	\$ 1,732
Landowner advance	5,500	-	-	5,500
Total liabilities	<u>7,232</u>	<u>-</u>	<u>-</u>	<u>7,232</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred receipts	-	100,402	-	100,402
Total deferred inflows of resources	<u>-</u>	<u>100,402</u>	<u>-</u>	<u>100,402</u>
Fund balances:				
Restricted for				
Debt service	-	889,186	-	889,186
Capital projects	-	-	329,325	329,325
Unassigned	45,741	-	-	45,741
Total fund balances	<u>45,741</u>	<u>889,186</u>	<u>329,325</u>	<u>1,264,252</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 52,973</u>	<u>\$ 989,588</u>	<u>\$ 329,325</u>	<u>\$ 1,371,886</u>

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
GENERAL FUND  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
FOR THE PERIOD ENDED MARCH 31, 2021**

	Current Month	Year to Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ -	\$ 49,719	\$ 49,704	100%
Assessment levy: off-roll	-	10,574	42,294	25%
Total revenues	<u>-</u>	<u>60,293</u>	<u>91,998</u>	66%
<b>EXPENDITURES</b>				
<b>Professional &amp; administrative</b>				
Management/accounting/recording	4,000	24,000	48,000	50%
Legal	85	2,611	20,000	13%
Engineering	-	-	1,500	0%
Audit	-	-	4,900	0%
Arbitrage rebate calculation	-	-	750	0%
Dissemination agent	83	500	1,000	50%
Trustee	-	-	4,500	0%
Telephone	17	100	200	50%
Postage	9	9	500	2%
Printing & binding	42	250	500	50%
Legal advertising	-	252	1,500	17%
Annual special district fee	-	175	175	100%
Insurance	-	5,251	5,500	95%
Contingencies/bank charges	20	96	500	19%
Website				
Hosting	705	705	705	100%
ADA compliance	-	210	210	100%
Total professional & administrative	<u>4,961</u>	<u>34,159</u>	<u>90,440</u>	38%
<b>Other fees &amp; charges</b>				
Property appraiser and tax collector	-	1,492	1,554	96%
Total other fees & charges	<u>-</u>	<u>1,492</u>	<u>1,554</u>	96%
Total expenditures	<u>4,961</u>	<u>35,651</u>	<u>91,994</u>	39%
Excess/(deficiency) of revenues over/(under) expenditures	(4,961)	24,642	4	
Fund balances - beginning	50,702	21,099	6,069	
Fund balances - ending	<u>\$ 45,741</u>	<u>\$ 45,741</u>	<u>\$ 6,073</u>	

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
DEBT SERVICE FUND SERIES 2019  
FOR THE PERIOD ENDED MARCH 31, 2021**

	Current Month	Year To Date	Budget	% of Budget
<b>REVENUES</b>				
Assessment levy: on-roll - net	\$ -	\$ 315,055	\$ 315,069	100%
Assessment levy: off-roll	-	-	271,399	0%
Interest	4	21	-	N/A
Total revenues	<u>4</u>	<u>315,076</u>	<u>586,468</u>	54%
<b>EXPENDITURES</b>				
<b>Debt service</b>				
Principal	-	140,000	140,000	100%
Interest	-	216,219	429,550	50%
Total debt service	<u>-</u>	<u>356,219</u>	<u>569,550</u>	63%
<b>Other fees &amp; charges</b>				
Tax collector	-	9,452	4,923	192%
Property appraiser	-	-	4,923	0%
Total other fees and charges	<u>-</u>	<u>9,452</u>	<u>9,846</u>	96%
Total expenditures	<u>-</u>	<u>365,671</u>	<u>579,396</u>	63%
Excess/(deficiency) of revenues over/(under) expenditures	4	(50,595)	7,072	-715%
<b>OTHER FINANCING SOURCES/(USES)</b>				
Transfer out	<u>(3)</u>	<u>(17)</u>	<u>-</u>	N/A
Total other financing sources	<u>(3)</u>	<u>(17)</u>	<u>-</u>	N/A
Net change in fund balances	1	(50,612)	7,072	
Fund balances - beginning	889,185	939,798	934,872	
Fund balances - ending	<u>\$ 889,186</u>	<u>\$ 889,186</u>	<u>\$ 941,944</u>	

**EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCES  
CAPITAL PROJECTS FUND SERIES 2019  
FOR THE PERIOD ENDED MARCH 31, 2021**

	<u>Current Month</u>	<u>Year To Date</u>
<b>REVENUES</b>		
Interest	\$ 2	\$ 10
Total revenues	<u>2</u>	<u>10</u>
<b>EXPENDITURES</b>		
Capital outlay	-	74
Total expenditures	<u>-</u>	<u>74</u>
Excess/(deficiency) of revenues over/(under) expenditures	2	(64)
<b>OTHER FINANCING SOURCES/(USES)</b>		
Transfer in	3	17
Total other financing sources/(uses)	<u>3</u>	<u>17</u>
Net change in fund balances	5	(47)
Fund balances - beginning	329,320	329,372
Fund balances - ending	<u><u>\$ 329,325</u></u>	<u><u>\$ 329,325</u></u>

# **EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**9**

**DRAFT**

**MINUTES OF MEETING  
EVERGREEN  
COMMUNITY DEVELOPMENT DISTRICT**

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The Board of Supervisors of the Evergreen Community Development District held a Regular Meeting on March 5, 2021 at 10:00 a.m., at the office of ZNS Engineering, 201 5<sup>th</sup> Avenue Dr. E., Bradenton, Florida 34208.

**Present were:**

Ryan Zook	Chair
Hal Lutz	Assistant Secretary
Greg Mundell	Assistant Secretary

**Also present were:**

Cindy Cerbone	District Manager
Daniel Rom (via telephone)	Wrathell, Hunt and Associates, LLC (WHA)
Tucker Mackie (via telephone)	District Counsel
Deborah Sier (via telephone)	Hopping Green & Sams (HGS)

**FIRST ORDER OF BUSINESS**

**Call to Order/Roll Call**

Ms. Cerbone called the meeting to order at 10:18 a.m. Supervisors, Zook, Lutz and Mundell were present, in person. Supervisors Snyder and Mize were not present.

**SECOND ORDER OF BUSINESS**

**Public Comments**

There were no public comments.

**THIRD ORDER OF BUSINESS**

**Ratification of ZNS Engineering Work  
Authorization No. 3 – Construction  
Requisition Review**

Ms. Cerbone presented the ZNS Engineering Work Authorization No. 3 Construction Requisition, in a not-to-exceed amount of \$8,000, for ratification.



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**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, the ZNS Engineering Work Authorization No. 3 – Construction Requisition, in a not-to-exceed amount of \$8,000, was ratified.**

**FOURTH ORDER OF BUSINESS** **Consideration of Special Warranty Deed from SFTEN, LLC**

Ms. Cerbone presented the Special Warranty Deed from SFTEN, LLC to the Evergreen CDD. Ms. Mackie stated the purpose of the deed is to accept conveyance of the title to various “open space” tracts within the District for which conveyance was remaining.

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, the Special Warranty Deed from SFTEN, LLC, to the Evergreen CDD, was approved.**

**FIFTH ORDER OF BUSINESS** **Discussion: Memorandum of Understanding Section 448.095, Florida Statutes/E-Verify Requirements**

Ms. Cerbone stated this item was presented at the Brookstone CDD meeting. The District Manager’s office was in the process of setting up e-verify accounts for all of its Districts, including the Districts with no direct employees.

**On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, authorizing registration of the Evergreen CDD with the United States Department of Homeland Security’s E-Verify system, was approved.**

**SIXTH ORDER OF BUSINESS** **Acceptance of Unaudited Financial Statements as of January 31, 2021**

Ms. Cerbone presented the Unaudited Financial Statements as of January 31, 2021.

**On MOTION by Mr. Zook and seconded by Mr. Lutz, with all in favor, the Unaudited Financial Statements as of January 31, 2021, were accepted.**

**SEVENTH ORDER OF BUSINESS** **Approval of Minutes**

79 **A. November 6, 2020 Regular Meeting**

80 Ms. Cerbone presented the November 6, 2020 Regular Meeting Minutes.

81

82 **On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the**  
83 **November 6, 2020 Regular Meeting Minutes, as presented, were approved.**

84

85

86 **EIGHTH ORDER OF BUSINESS****Staff Reports**

87

88 **A. District Counsel: *Hopping Green & Sams, P.A.***

89 There being nothing further to report, the next item followed.

90 **B. District Manager: *Wrathell, Hunt and Associates, LLC***

- 91
- **NEXT MEETING: April 2, 2021 at 10:00 a.m.**

- 92
- **QUORUM CHECK**

93 The next meeting would be cancelled unless there is an urgent business matter to  
94 discuss. The proposed Fiscal Year 2022 budget would be presented at the May meeting.95 Ms. Cerbone asked if there would be any Board turnovers in Fiscal Year 2022, which  
96 starts October 1, 2021 and runs through September 30, 2022, and if there is anything else was  
97 going on in Evergreen CDD besides regular and professional administrative fees. Mr. Zook  
98 replied no to both questions.

99

100 **NINTH ORDER OF BUSINESS****Board Members' Comments/Requests**

101

102 There being no Board Members' comments or requests, the next item followed.

103

104 **TENTH ORDER OF BUSINESS****Public Comments**

105

106 There being no public comments, the next item followed.

107

108 **ELEVENTH ORDER OF BUSINESS****Adjournment**

109

110 There being nothing further to discuss, the meeting adjourned.

111

112 **On MOTION by Mr. Lutz and seconded by Mr. Zook, with all in favor, the**  
113 **meeting adjourned at 10:23 a.m.**

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Secretary/Assistant Secretary

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Chair/Vice Chair

**EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**10BI**

**MICHAEL BENNETT • SUPERVISOR OF ELECTIONS • MANATEE COUNTY**

600 301 Boulevard West, Suite 108, Bradenton, Florida 34205-7946  
P O Box 1000, Bradenton, Florida 34206-1000



Phone: 941-741-3823 • Fax: 941-741-3820 • [VoteManatee.com](http://VoteManatee.com) • [Info@VoteManatee.com](mailto:Info@VoteManatee.com)

April 15, 2021

Evergreen Community Development District  
Wrathell, Hunt and Associates, LLC  
Attn: Daphne Gillyard  
2300 Glades Rd., Suite 410W  
Boca Raton FL 33431

Dear Ms. Gillyard:

We are in receipt of your request for the number of registered voters in the Evergreen Community Development District of April 15, 2021. According to our records, there were 0 persons registered in the Evergreen Community Development District as of that date.

I hope this information is helpful to you. If I can be of any further assistance to you, please do not hesitate to contact my office at your earliest convenience.

Sincerely,

Michael Bennett  
Supervisor of Elections

MB/sas

**EVERGREEN**

**COMMUNITY DEVELOPMENT DISTRICT**

**10B11**

**EVERGREEN COMMUNITY DEVELOPMENT DISTRICT****BOARD OF SUPERVISORS FISCAL YEAR 2020/2021 MEETING SCHEDULE****LOCATION***offices of ZNS Engineering, 201 5<sup>th</sup> Ave. Dr. E., Bradenton, Florida 34208*

<b>DATE</b>	<b>POTENTIAL DISCUSSION/FOCUS</b>	<b>TIME</b>
<b>October 2, 2020 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>November 6, 2020</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>December 4, 2020 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>January 8, 2021* <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>February 5, 2021 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>March 5, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>April 2, 2021 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>April 29, 2021</b>	<b>Regular Meeting</b>	<b>11:00 AM</b>
<b>May 7, 2021 <b>CANCELED</b></b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>June 4, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>July 2, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>
<b>August 6, 2021</b>	<b>Public Hearing &amp; Regular Meeting</b>	<b>10:00 AM</b>
<b>September 3, 2021</b>	<b>Regular Meeting</b>	<b>10:00 AM</b>

**Exception***\* January meeting is one week later to accommodate New Year's Day Holiday*