

**BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY**

ORDINANCE 05-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, PERTAINING TO THE HARMONY COMMUNITY DEVELOPMENT DISTRICT; AMENDING ORDINANCES 00-05; 00-16 AND 01-35 TO PROVIDE FOR A REVISED LEGAL DESCRIPTION OF THE BOUNDARIES OF THE DISTRICT AND FOR THE EXPANSION OF THE DISTRICT BY APPROXIMATELY 27.54 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Harmony Community Development District ("District") has been created by law and established on the property pursuant to Osceola County Ordinance 00-05, adopted February 28, 2000, effective on March 6, 2000, and having given consent to the District's exercise of certain special charter powers pursuant to Osceola County Ordinance 00-16, adopted September 11, 2000, effective on September 14, 2000, and expanding the boundaries of the District by approximately 3.5 acres by Osceola County Ordinance 01-35, adopted September 27, 2001 effective October 1, 2001; and

WHEREAS, the District is active and is in good legal standing;

WHEREAS, the District has petitioned the County to amend the boundaries of the District to incorporate an expansion legal description and to expand the District thereby by approximately 27.54 acres by and through the filing with the County of a Petition to Amend Osceola County Ordinance 00-05, 00-16 and 01-35 to Expand the External Boundaries of the Harmony Community Development District ("Petition") on or about September 28, 2004; and

WHEREAS, the Board, after proper published notice, conducted a public hearing as required by law and finds that:

1. The Petition is complete in that it meets the requirements of sections 190.046 and section 190.005(1)(a)1. and 8., Florida Statutes (2000); and, statements contained in the Petition are true and correct;

2. The appropriate staff of Osceola County have reviewed and approved the petition;

3. The increase by approximately 27.54 acres in the land area served by the District does not modify the plan of development for the community development within the District, nor does it alter or amend the County's consideration of the factors set forth in section 190.005(1)(e), Florida Statutes, set forth in Ordinances 00-05 , 00-16 and 01-35 and which considerations are hereby reincorporated wholly herein by reference; and

4. The Petition should be granted.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Osceola County that:

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to section 190.046(1)(b), Florida Statutes.

SECTION TWO: EXPANSION OF THE DISTRICT

The District's existing legal description of its boundaries, incorporated into both Osceola County Ordinance 00-05, 00-16 and 01-35, is hereby amended to expand the District by approximately 27.54 acres pursuant to its corrected legal description which is attached hereto and incorporated herein as Exhibit 'A'.

SECTION THREE: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinances or resolutions of Osceola County or applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion

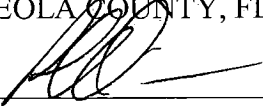
shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FOUR: EFFECTIVE DATE

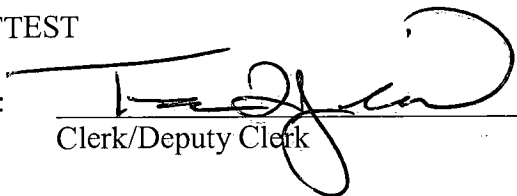
This Ordinance shall become effective upon filing with the office of the Secretary of State for Florida.

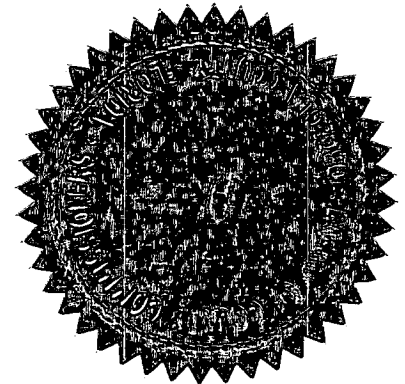
PASSED AND DULY ADOPTED by the Board of County Commissioners of Osceola County, Florida this 3 day of January 2005.

BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA.

By: 
Chair

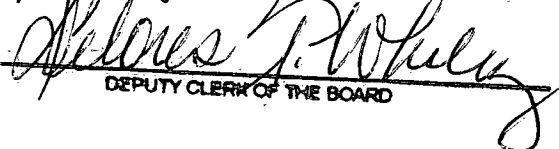
ATTEST

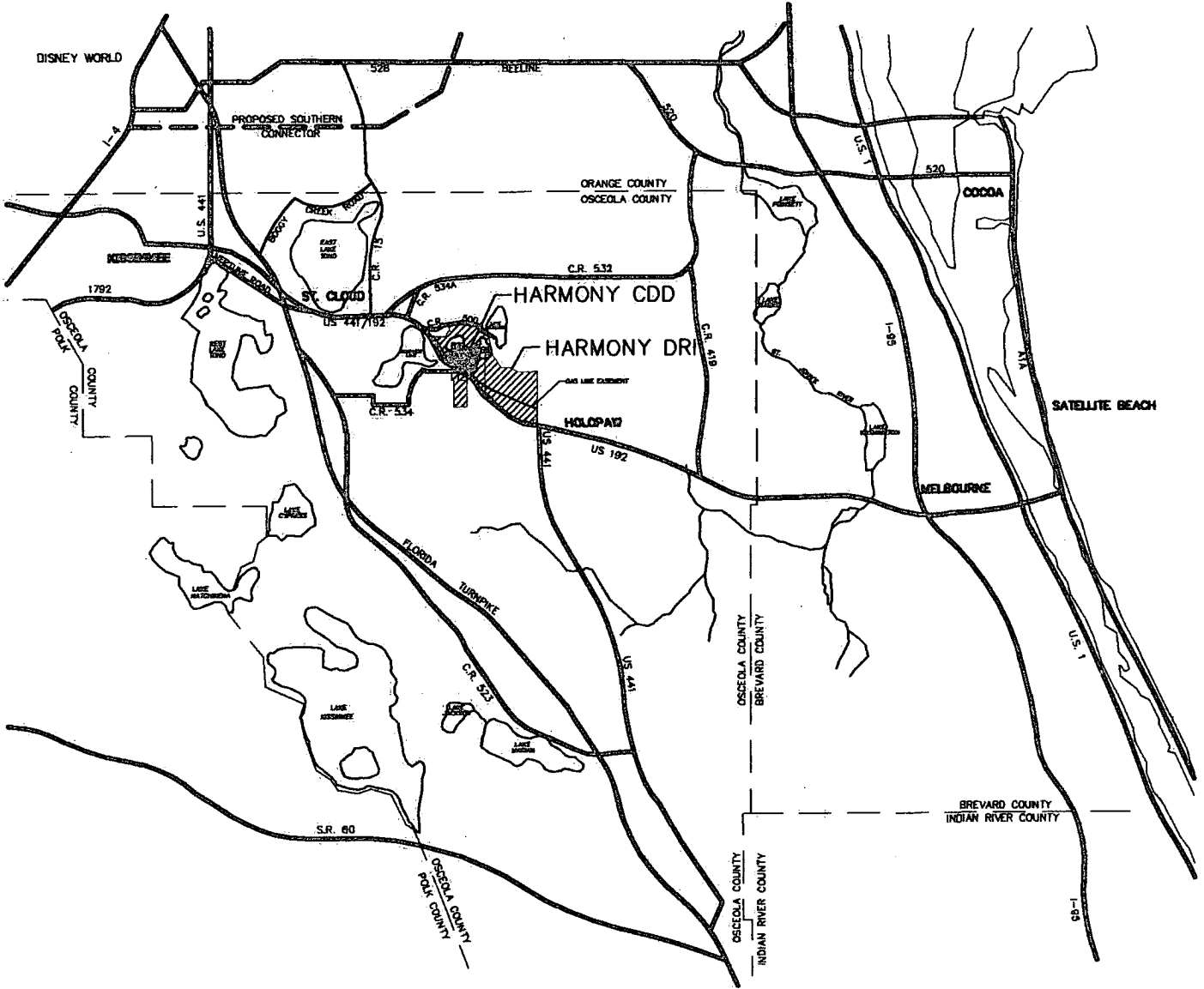
By: 
Clerk/Deputy Clerk



NOTICE THAT THIS ORDINANCE HAS BEEN FILED WITH THE FLORIDA STATE BUREAU OF ADMINISTRATIVE CODE.

ON January 10, 2005

BY 
DEPUTY CLERK OF THE BOARD



VICINITY MAP

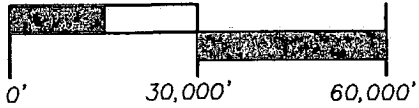


Exhibit 1
HARMONY
COMMUNITY DEVELOPMENT DISTRICT
 Osceola County, Florida



Miller Einhouse Rymer & Boyd
 230 East Monument Ave., Suite B
 Kissimmee, Florida 34741

LEGAL DESCRIPTION - EXPANSION AREA ONLY

A PARCEL OF LAND LYING IN A PORTION OF SECTION 20, TWP. 26 S., RGE. 32 E., OSCEOLA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest Corner of Golf Course Tract-2, BIRCHWOOD GOLF COURSE, as filed and recorded in Plat book 15, Pages 139 thru 151 of the Public Records of Osceola County, Florida, thence S44°31'06"E, along the North line of said Golf course Tract-2, a distance of 230.80 Feet; thence N47°17'35"E, a distance of 1,650.55 Feet to the POINT OF BEGINNING; thence N71°52'29"W, a distance of 281.42 Feet; thence S36°44'46"W, a distance of 24.87 Feet; thence N19°24'01"W, a distance of 28.74 Feet; thence N17°28'45"E, a distance of 69.28 Feet; thence N21°52'35"E, a distance of 114.36 Feet; thence N16°47'15"E, a distance of 35.29 Feet; thence N57°16'34"W, a distance of 34.79 Feet; thence N79°07'01"W, a distance of 64.43 Feet; thence N56°10'56"W, a distance of 45.81 Feet; thence N41°57'26"W, a distance of 62.02 Feet; thence N49°52'48"W, a distance of 63.52 Feet; thence N43°45'11"W, a distance of 49.51 Feet; thence N36°56'21"E, a distance of 43.05 Feet; thence S79°01'14"E, a distance of 76.46 Feet; thence N78°18'38"E, a distance of 48.53 Feet; thence S82°45'34"E, a distance of 77.27 Feet; thence S72°54'13"E, a distance of 76.22 Feet; thence S47°26'59"E, a distance of 63.43 Feet; thence S66°39'29"E, a distance of 75.78 Feet; thence S88°31'47"E, a distance of 39.23 Feet; thence N54°29'17"E, a distance of 27.29 Feet; thence N16°23'31"E, a distance of 40.73 Feet; thence N38°30'07"W, a distance of 79.60 Feet; thence N38°52'04"W, a distance of 73.62 Feet; thence N19°54'05"W, a distance of 69.78 Feet; thence N21°40'03"E, a distance of 66.17 Feet; thence N17°35'56"E, a distance of 89.15 Feet; thence N73°25'07"E, a distance of 45.14 Feet; thence N63°00'36"E, a distance of 62.20 Feet; thence N62°54'30"E, a distance of 88.62 Feet; thence N42°45'18"E, a distance of 66.43 Feet; thence N54°05'27"E, a distance of 75.16 Feet; thence N70°28'53"E, a distance of 81.49 Feet; thence N53°40'50"E, a distance of 37.53 Feet; thence N18°28'09"E, a distance of 40.82 Feet; thence N16°51'36"W, a distance of 44.95 Feet; thence N30°15'46"W, a distance of 48.82 Feet; thence N37°37'20"W, a distance of 65.82 Feet; thence N21°17'01"W, a distance of 51.62 Feet; thence N51°24'58"W, a distance of 46.52 Feet; thence N37°07'35"W, a distance of 36.72 Feet; thence N16°50'45"W, a distance of 58.14 Feet; thence N38°18'38"W, a distance of 52.44 Feet; thence N28°47'18"W, a distance of 80.22 Feet; thence N34°42'15"W, a distance of 76.53 Feet; thence N26°48'39"W, a distance of 146.15 Feet; thence N23°43'08"W, a distance of 74.52 Feet; thence N23°23'13"W, a distance of 53.10 Feet; thence N09°11'18"E, a distance of 54.32 Feet; thence N69°11'27"E, a distance of 135.30 Feet; thence S68°53'04"E, a distance of 105.24 Feet; thence S50°08'36"E, a distance of 49.09 Feet; thence S46°06'34"E, a distance of 65.70 Feet; thence S46°16'18"E, a distance of 114.83 Feet; thence S42°39'45"E, a distance of 63.76 Feet; thence S49°46'55"E, a distance of 32.97 Feet; thence S33°06'13"E, a distance of 134.71 Feet; thence S19°11'01"E, a distance of 78.61 Feet; thence S23°18'52"E, a distance of 139.63 Feet; thence S35°11'54"E, a distance of 52.97 Feet; thence S34°27'00"E, a distance of 69.99 Feet; thence S27°46'55"E, a distance of 83.58 Feet; thence S25°29'04"E, a distance of 49.44 Feet; thence S26°04'50"E, a distance of 117.32 Feet; thence S32°13'27"E, a distance of 51.21 Feet; thence S13°29'17"E, a distance of 62.51 Feet; thence S18°29'33"E, a distance of 75.16 Feet; thence S29°14'10"E, a distance of 50.99 Feet; thence S28°49'01"E, a distance of 114.70 Feet; thence S23°17'45"E, a distance of 103.79 Feet; thence S26°53'06"E, a distance of 113.14 Feet; thence S11°52'11"E, a distance of 85.32 Feet; thence S28°01'08"W, a distance of 67.30 Feet; thence S36°24'51"E, a distance of 20.08 Feet; thence S87°07'49"E, a distance of 47.27 Feet; thence S27°12'00"W, a distance of 73.23 Feet; thence N64°13'58"W, a distance of 21.01 Feet; thence S54°52'16"W, a distance of 55.04 Feet; thence N80°21'14"W, a distance of 37.10 Feet; thence S61°37'25"W, a distance of 48.51 Feet; thence S50°27'00"W, a distance of 31.97 Feet; thence S57°52'17"W, a distance of 46.03 Feet; thence S77°35'13"W, a distance of 45.87 Feet; thence S07°14'09"W, a distance of 41.29 Feet; thence S78°11'30"W, a distance of 22.01 Feet; thence N22°15'56"W, a distance of 27.48 Feet; thence N28°37'27"W, a distance of 59.66 Feet; thence N52°13'55"W, a distance of 44.94 Feet; thence N86°09'42"W, a distance of 23.13 Feet; thence S54°11'10"W, a distance of 30.64 Feet; thence S61°49'06"W, a distance of 77.67 Feet; thence S62°40'09"W, a distance of 55.28 Feet; thence S62°35'39"W, a distance of 37.79 Feet; thence S81°48'40"W, a distance of 27.08 Feet; thence S74°47'27"W, a distance of 50.75 Feet; thence N71°17'46"W, a distance of 64.80 Feet; thence N49°49'43"W, a distance of 52.42 Feet; thence N34°42'30"W, a distance of 123.29 Feet; thence N72°29'00"W, a distance of 41.56 Feet; thence S52°48'21"W, a distance of 68.11 Feet; thence S37°57'59"W, a distance of 74.92 Feet; thence S21°58'04"W, a distance of 61.38 Feet; thence S14°02'40"W, a distance of 40.84 Feet; thence S36°03'31"W, a distance of 57.78 Feet; thence S30°18'03"E, a distance of 8.52 Feet to the POINT OF BEGINNING.

Containing 27.54 Acres, more or less.

Exhibit 2A
HARMONY
COMMUNITY DEVELOPMENT DISTRICT
 Osceola County, Florida



N. T.S.



**Miller
 Einhouse
 Rymer &
 Boyd**

230 East Monument Ave., Suite B
 Kissimmee, Florida 34741

REVISED CDD LEGAL DESCRIPTION
JULY 2004

A parcel of land lying in portions of Sections 24 and 25, T 26 S, R 31 E and Sections 19, 20, 29, 30, 31 and 32, T 26 S, R 32 E, Osceola County, Florida, being more particularly described as follows: Commence at the Southwest corner of Section 30, T 26 S, R 32 E (being a found 4" X 4" concrete monument), run N. 00° 27' 29" W., along the West line of said Section 30, 2116.59 feet to a point on the Southerly Right of Way line of State Road No. 500 (being a found 4" X 4" concrete monument, with the top broken); thence continue N. 00° 27' 29" W., 76.29 feet to a point on the Northerly Right of Way line of said State Road No. 500; also being the Point of Beginning; thence N.60°13'23"W., a distance of 1,004.40 feet to a point of curve to the right having a radius of 3,786.83 feet, a central angle of 14°32'15", and a chord bearing of N.52°57'16"W., 958.25 feet; thence northwesterly along the arc a distance of 960.82 feet; thence N.74°13'35"E., a distance of 19.99 feet; thence continue easterly along said line, a distance of 52.83 feet; thence N.86°39'44"E., a distance of 46.70 feet; thence N.67°55'33"E., a distance of 44.33 feet; thence N.40°27'24"E., a distance of 47.08 feet; thence N.29°24'37"E., a distance of 114.95 feet; thence N.46°10'04"E., a distance of 45.80 feet; thence N.82°04'45"E., a distance of 52.12 feet; thence S.60°31'56"E., a distance of 49.70 feet; thence S.24°48'26"E., a distance of 47.74 feet; thence S.06°46'14"E., a distance of 53.69 feet; thence S.49°19'43"E., a distance of 26.55 feet; thence S.50°30'42"E., a distance of 199.26 feet; thence S.69°32'18"E., a distance of 37.49 feet; thence N.28°10'07"E., a distance of 81.94 feet; thence N.46°39'34"E., a distance of 37.99 feet; thence N.81°44'12"E., a distance of 34.19 feet; thence S.73°24'27"E., a distance of 38.25 feet; thence S.76°15'31"E., a distance of 141.81 feet; thence N.89°56'08"E., a distance of 193.97 feet; thence N.74°42'16"E., a distance of 194.59 feet; thence N.41°25'54"E., a distance of 76.49 feet; thence N.00°01'04"E., a distance of 163.97 feet; thence N.09°49'03"W., a distance of 383.06 feet; thence N.15°23'23"W., a distance of 303.63 feet; thence N.05°05'15"W., a distance of 224.32 feet; thence N.01°10'32"E., a distance of 145.00 feet; thence N.17°58'43"E., a distance of 193.59 feet; thence N.18°34'52"E., a distance of 168.84 feet; thence N.15°47'03"W., a distance of 357.00 feet; thence N.20°53'30"W., a distance of 335.24 feet; thence N.05°57'55"W., a distance of 60.92 feet; thence N.26°52'00"E., a distance of 72.71 feet; thence N.61°02'00"E., a distance of 47.84 feet; thence N.76°44'45"E., a distance of 110.72 feet; thence N.72°42'20"E., a distance of 120.32 feet; thence S.77°41'35"E., a distance of 99.75 feet; thence S.71°00'45"E., a distance of 115.03 feet; thence S.64°04'34"E., a distance of 121.52 feet; thence S.73°52'55"E., a distance of 373.73 feet; thence S.77°46'51"E., a distance of 378.59 feet; thence S.77°14'21"E., a distance of 206.57 feet; thence S.89°48'15"E., a distance of 225.50 feet; thence N.88°05'24"E., a distance of 223.48 feet; thence N.79°47'00"E., a distance of 215.76 feet; thence N.71°31'22"E., a distance of 221.04 feet; thence N.65°31'36"E., a distance of 260.93 feet; thence N.72°24'07"E., a distance of 191.13 feet; thence N.80°28'00"E., a distance of 314.47 feet; thence S.81°33'40"E., a distance of 210.19 feet; thence S.63°38'11"E., a distance of 145.36 feet; thence S.48°41'42"E., a distance of 151.51 feet; thence S.47°07'37"E., a distance of 206.14 feet; thence S.67°16'54"E., a distance of 140.62 feet; thence S.85°22'43"E., a distance of 196.16 feet; thence N.78°57'37"E., a distance of 160.51 feet; thence N.45°52'34"E., a distance of 100.47 feet; thence N.06°07'18"E., a distance of 183.68 feet; thence N.04°22'07"W., a distance of 221.51 feet; thence S.84°38'10"E., a distance of 193.13 feet; thence S.07°16'24"E., a distance of 254.90 feet; thence S.77°49'02"E., a distance of 122.23 feet; thence N.79°04'37"E., a distance of 129.36 feet; thence S.81°34'02"E., a distance of 148.43 feet; thence N.78°59'05"E., a distance of 230.41 feet; thence N.75°58'32"E., a distance of 255.49 feet; thence N.82°27'43"E., a distance of 143.27 feet; thence N.40°02'32"E., a distance of 91.96 feet; thence N.26°34'31"E., a distance of 103.93 feet; thence N.68°16'00"E., a distance of 82.12 feet; thence S.68°32'11"E., a distance of 129.70 feet; thence N.79°31'39"E., a distance of 69.41 feet; thence S.65°08'05"E., a distance of 65.06 feet; thence S.29°16'47"E., a distance of 76.57 feet; thence S.65°38'28"E., a distance of 131.26 feet; thence N.82°33'59"E., a distance of 102.70 feet; thence S.69°49'34"E., a distance of 91.03 feet; thence S.89°40'07"E., a distance of 89.03 feet; thence N.70°55'38"E., a distance of 83.19 feet; thence S.89°22'59"E., a distance of 221.92 feet; thence S.69°59'35"E., a distance of 98.46 feet; thence S.60°24'46"E., a distance of 184.64 feet; thence S.46°10'44"E., a distance of 142.24 feet; thence S.38°35'23"W., a distance of 91.08 feet; thence S.23°01'48"E., a distance of 32.07 feet; thence S.68°58'58"E., a distance of 56.41 feet; thence S.30°04'49"E., a distance of 56.06 feet; thence S.17°19'41"W., a distance of 79.33 feet; thence S.43°27'17"W., a distance of 80.28 feet; thence S.23°20'46"W., a distance of 136.67 feet; thence S.39°31'49"W., a distance of 88.43 feet; thence S.64°16'07"W., a distance of 145.65 feet; thence S.41°38'31"W., a distance of 55.43 feet; thence S.07°17'01"W., a distance of 78.29 feet; thence S.26°24'12"W., a distance of 71.91 feet; thence S.48°50'35"W., a distance of 147.15 feet; thence S.11°00'14"E., a distance of 74.42 feet; thence S.12°36'48"W., a distance of 79.78 feet; thence S.28°27'24"W., a distance of 122.76 feet; thence S.32°23'00"W., a distance of 268.90 feet; thence S.19°27'38"W., a distance of 84.25 feet; thence S.05°42'21"W., a distance of 78.38 feet; thence S.07°19'39"W., a distance of 126.97 feet; thence S.29°53'06"W., a distance of 150.93 feet; thence S.32°03'36"W., a distance of 198.15 feet; thence S.37°15'55"W., a distance of 120.01 feet; thence S.44°53'57"W., a distance of 190.75 feet; thence S.54°43'51"W., a distance of 209.32 feet; thence S.64°43'47"W., a distance of 197.54 feet; thence S.72°36'17"W., a distance of 190.31 feet; thence S.77°06'35"W., a distance of 183.44 feet; thence S.53°38'56"W., a distance of 167.36 feet; thence S.29°25'34"W., a distance of 164.56 feet; thence S.05°48'45"W., a distance of 159.14 feet; thence S.10°15'19"E., a distance of 189.83 feet; thence S.42°49'07"E., a distance of 288.98 feet; thence S.38°19'26"E., a distance of 267.38 feet; thence S.38°16'44"E., a distance of 330.61 feet; thence S.37°24'44"E., a distance of 317.44 feet; thence N.59°19'00"E., a distance of 97.26 feet; thence N.03°19'11"E., a distance of 154.72 feet; thence N.28°04'58"E., a distance of 115.87 feet; thence N.62°00'21"E., a distance of 139.54 feet; thence N.85°46'15"E., a distance of 134.79 feet; thence S.64°35'35"E., a distance of 101.32 feet; thence S.46°36'27"E., a distance of 161.64 feet; thence N.50°08'19"E., a distance of 175.86 feet; thence N.66°49'55"W., a distance of 70.74 feet; thence N.35°28'27"W., a distance of 147.51 feet; thence N.26°58'59"W., a distance of 225.93 feet; thence N.26°32'21"W., a distance of 164.57 feet; thence N.14°54'44"W., a distance of 96.45 feet; thence N.23°29'05"E., a distance of 68.20 feet; thence

1 OF 3

Exhibit 2B
HARMONY
COMMUNITY DEVELOPMENT DISTRICT
Osceola County, Florida



N.T.S.

Miller Einhouse Rymer & Boyd
230 East Monument Ave., Suite B
Kissimmee, Florida 34741

N.29°13'57"E., a distance of 76.89 feet; thence N.14°57'11"E., a distance of 115.23 feet; thence N.39°34'46"E., a distance of 97.95 feet; thence N.16°22'07"E., a distance of 76.52 feet; thence N.08°42'07"E., a distance of 126.60 feet; thence N.31°49'06"E., a distance of 104.86 feet; thence N.56°51'04"E., a distance of 133.71 feet; thence N.76°16'42"E., a distance of 122.54 feet; thence N.26°32'59"E., a distance of 109.00 feet; thence N.55°54'46"E., a distance of 157.23 feet; thence N.07°05'59"E., a distance of 43.40 feet; thence N.22°28'06"W., a distance of 136.76 feet; thence N.35°45'17"W., a distance of 204.88 feet; thence N.49°43'05"W., a distance of 125.18 feet; thence N.15°22'36"W., a distance of 72.78 feet; thence N.06°45'32"E., a distance of 95.03 feet; thence N.25°50'31"E., a distance of 125.55 feet; thence N.32°58'21"E., a distance of 244.53 feet; thence N.25°27'47"E., a distance of 184.39 feet; thence N.24°40'25"E., a distance of 162.54 feet; thence N.33°56'09"E., a distance of 209.31 feet; thence N.33°09'35"E., a distance of 230.29 feet; thence N.62°58'04"E., a distance of 89.27 feet; thence S.86°48'49"E., a distance of 35.96 feet; thence N.01°26'05"E., a distance of 48.79 feet; thence N.30°31'39"E., a distance of 116.31 feet; thence N.48°12'58"E., a distance of 120.58 feet; thence N.23°27'45"E., a distance of 135.04 feet; thence N.15°08'58"W., a distance of 110.36 feet; thence N.25°28'12"W., a distance of 244.31 feet; thence N.28°06'13"W., a distance of 172.87 feet; thence N.07°32'42"W., a distance of 154.27 feet; thence N.03°28'37"E., a distance of 117.54 feet; thence N.22°19'02"W., a distance of 78.40 feet; thence N.30°52'36"W., a distance of 144.54 feet; thence N.15°36'17"W., a distance of 150.68 feet; thence N.00°09'12"E., a distance of 160.40 feet; thence N.33°49'20"E., a distance of 47.85 feet; thence N.68°41'58"E., a distance of 50.49 feet; thence N.71°42'50"E., a distance of 81.17 feet; thence N.59°09'20"E., a distance of 121.60 feet; thence N.84°51'29"E., a distance of 106.60 feet; thence S.70°25'07"E., a distance of 119.57 feet; thence S.68°47'05"E., a distance of 293.37 feet; thence S.45°08'54"E., a distance of 59.39 feet; thence S.18°03'36"E., a distance of 205.37 feet; thence S.53°04'49"E., a distance of 53.52 feet; thence S.82°33'13"E., a distance of 123.38 feet; thence S.67°20'19"E., a distance of 125.97 feet; thence S.42°31'13"E., a distance of 98.20 feet; thence S.16°52'48"E., a distance of 60.02 feet; thence S.32°50'43"W., a distance of 55.58 feet; thence S.73°19'14"W., a distance of 32.39 feet; thence S.87°58'04"W., a distance of 154.06 feet; thence S.41°23'51"W., a distance of 46.70 feet; thence S.10°15'13"E., a distance of 71.86 feet; thence S.59°09'03"E., a distance of 132.74 feet; thence N.84°08'38"E., a distance of 46.37 feet; thence N.36°44'46"E., a distance of 227.34 feet; thence S.71°52'29"E., a distance of 403.14 feet; thence N.82°00'50"E., a distance of 53.60 feet; thence S.38°44'39"E., a distance of 118.22 feet; thence S.63°38'06"E., a distance of 107.96 feet; thence S.82°29'54"E., a distance of 91.47 feet; thence S.37°47'10"E., a distance of 53.12 feet; thence N.83°46'44"E., a distance of 108.72 feet; thence S.87°41'29"E., a distance of 100.10 feet; thence N.64°38'19"E., a distance of 464.69 feet; thence N.89°16'17"E., a distance of 86.03 feet; thence S.51°36'34"E., a distance of 71.23 feet; thence S.14°23'47"E., a distance of 141.83 feet; thence S.08°24'31"W., a distance of 97.45 feet; thence S.56°19'40"W., a distance of 54.91 feet; thence S.80°37'00"W., a distance of 126.99 feet; thence S.43°08'49"E., a distance of 111.73 feet; thence S.07°20'59"E., a distance of 113.82 feet; thence S.27°01'32"W., a distance of 103.02 feet; thence S.41°29'41"W., a distance of 119.95 feet; thence S.61°00'10"W., a distance of 219.05 feet; thence S.14°22'52"W., a distance of 149.33 feet; thence S.03°40'58"W., a distance of 134.37 feet; thence S.01°27'42"W., a distance of 186.11 feet; thence S.05°51'20"E., a distance of 144.67 feet; thence S.13°24'51"W., a distance of 83.29 feet; thence S.55°21'32"W., a distance of 73.01 feet; thence S.66°00'55"W., a distance of 135.99 feet; thence S.71°07'29"W., a distance of 169.55 feet; thence S.03°12'02"E., a distance of 30.53 feet; thence S.09°13'06"E., a distance of 102.63 feet; thence S.09°07'35"W., a distance of 117.47 feet; thence S.02°58'22"E., a distance of 51.08 feet; thence S.17°51'11"E., a distance of 104.63 feet; thence S.16°17'00"E., a distance of 358.03 feet; thence S.10°05'02"E., a distance of 162.39 feet; thence S.03°39'27"W., a distance of 197.38 feet; thence S.16°51'49"W., a distance of 148.41 feet; thence S.23°51'07"W., a distance of 878.40 feet; thence S.33°38'52"W., a distance of 118.39 feet; thence S.83°42'53"W., a distance of 118.24 feet; thence S.06°53'47"W., a distance of 103.56 feet; thence S.23°49'34"W., a distance of 233.30 feet; thence S.43°12'56"W., a distance of 204.79 feet; thence S.55°45'48"W., a distance of 174.66 feet; thence S.24°17'36"E., a distance of 221.13 feet; thence S.23°23'54"W., a distance of 129.21 feet; thence N.84°58'18"W., a distance of 148.70 feet; thence S.81°37'01"W., a distance of 365.07 feet; thence N.54°09'54"W., a distance of 194.69 feet; thence S.50°56'07"W., a distance of 56.06 feet; thence S.13°18'43"W., a distance of 225.35 feet; thence N.80°13'47"E., a distance of 153.38 feet; thence S.76°14'33"E., a distance of 145.22 feet; thence S.65°22'29"E., a distance of 124.00 feet; thence S.35°13'45"E., a distance of 104.11 feet; thence S.02°14'08"W., a distance of 58.30 feet; thence S.02°19'27"W., a distance of 90.74 feet; thence S.85°05'17"W., a distance of 166.46 feet; thence N.67°11'31"W., a distance of 138.10 feet; thence N.84°08'17"W., a distance of 106.42 feet; thence S.62°39'24"W., a distance of 75.70 feet; thence S.10°57'22"W., a distance of 49.06 feet; thence S.50°05'40"W., a distance of 156.67 feet; thence S.85°45'45"W., a distance of 77.83 feet; thence S.42°46'38"W., a distance of 146.62 feet; thence N.42°31'21"W., a distance of 165.33 feet; thence N.18°00'29"W., a distance of 510.78 feet; thence N.00°46'35"W., a distance of 120.44 feet; thence N.77°00'27"W., a distance of 93.95 feet; thence S.41°23'28"W., a distance of 271.07 feet; thence S.50°13'07"W., a distance of 212.96 feet; thence S.60°53'42"W., a distance of 221.24 feet; thence S.38°17'29"E., a distance of 205.40 feet; thence S.84°56'38"E., a distance of 254.32 feet; thence S.70°17'22"E., a distance of 363.80 feet; thence S.30°48'39"E., a distance of 168.60 feet; thence N.79°42'48"E., a distance of 224.81 feet; thence S.54°47'14"E., a distance of 115.98 feet; thence S.89°58'07"E., a distance of 115.42 feet; thence N.39°35'05"E., a distance of 200.09 feet; thence N.48°45'27"E., a distance of 162.90 feet; thence N.86°21'05"E., a distance of 118.53 feet; thence S.72°06'01"E., a distance of 166.49 feet; thence S.13°03'41"E., a distance of 71.44 feet; thence S.53°08'57"W., a distance of 148.71 feet; thence S.38°03'49"W., a distance of 139.86 feet; thence S.55°40'56"W., a distance of 212.67 feet; thence S.55°54'10"W., a distance of 284.66 feet; thence N.87°25'11"W., a distance of 111.40 feet; thence N.82°03'47"W., a distance of 235.19 feet; thence S.88°30'44"W., a distance of 230.97 feet; thence S.58°51'57"W., a distance of 100.76 feet; thence N.67°43'09"W., a distance of 99.94 feet; thence N.64°55'29"W., a distance of 147.57 feet; thence N.88°50'59"W., a distance of 265.00 feet; thence S.14°34'58"W., a distance of 158.79 feet; thence S.02°59'21"W., a distance of 154.69 feet; thence S.21°44'41"E., a distance of 159.48 feet; thence S.07°03'24"W., a distance of 142.64 feet; thence S.19°07'55"E., a distance of

Exhibit 2B
HARMONY
COMMUNITY DEVELOPMENT DISTRICT
Osceola County, Florida



Miller Einhouse Rymer & Boyd

230 East Monument Ave., Suite B
 Kissimmee, Florida 34741

177.70 feet; thence S.22°03'35"W, a distance of 99.38 feet; thence S.35°27'00"W, a distance of 112.21 feet; thence S.20°14'12"W, a distance of 105.00 feet; thence S.64°27'24"W, a distance of 59.16 feet; thence S.32°08'29"W, a distance of 83.78 feet, to a point on the Northerly Right of Way line of State Road No. 500; thence N.60°13'23"W, along said Northerly Right of Way line, a distance of 6,437.64 feet to the POINT OF BEGINNING.

Containing 995.95 acres, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LYING IN A PORTION OF SECTION 20, TWP. 26 S., RGE. 32 E., OSCEOLA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Northwest Corner of Golf Course Tract-2, BIRCHWOOD GOLF COURSE, as filed and recorded in Plat book 15, Pages 139 thru 151 of the Public Records of Osceola County, Florida, thence S44°31'06"E, along the North line of said Golf course Tract-2, a distance of 230.80 Feet; thence N47°17'35"E, a distance of 1,650.55 Feet to the POINT OF BEGINNING; thence N71°52'29"W, a distance of 281.42 Feet; thence S36°44'46"W, a distance of 24.87 Feet; thence N19°24'01"W, a distance of 28.74 Feet; thence N17°28'45"E, a distance of 69.28 Feet; thence N21°52'35"E, a distance of 114.36 Feet; thence N16°47'15"E, a distance of 35.29 Feet; thence N57°16'34"W, a distance of 34.79 Feet; thence N79°07'01"W, a distance of 64.43 Feet; thence N56°10'56"W, a distance of 45.81 Feet; thence N41°57'26"W, a distance of 62.02 Feet; thence N49°52'48"W, a distance of 63.52 Feet; thence N43°45'11"W, a distance of 49.51 Feet; thence N36°56'21"E, a distance of 43.05 Feet; thence S79°01'14"E, a distance of 76.46 Feet; thence N78°18'38"E, a distance of 48.53 Feet; thence S82°45'34"E, a distance of 77.27 Feet; thence S72°54'13"E, a distance of 76.22 Feet; thence S47°26'59"E, a distance of 63.43 Feet; thence S66°39'29"E, a distance of 75.78 Feet; thence S88°31'47"E, a distance of 39.23 Feet; thence N54°29'17"E, a distance of 27.29 Feet; thence N16°23'31"E, a distance of 40.73 Feet; thence N38°30'07"W, a distance of 79.60 Feet; thence N38°52'04"W, a distance of 73.62 Feet; thence N19°54'05"W, a distance of 69.78 Feet; thence N21°40'03"E, a distance of 66.17 Feet; thence N17°35'56"E, a distance of 89.15 Feet; thence N73°25'07"E, a distance of 45.14 Feet; thence N63°00'36"E, a distance of 62.20 Feet; thence N62°54'30"E, a distance of 88.62 Feet; thence N42°45'18"E, a distance of 66.43 Feet; thence N54°05'27"E, a distance of 75.16 Feet; thence N70°28'53"E, a distance of 81.49 Feet; thence N53°40'50"E, a distance of 37.53 Feet; thence N18°28'09"E, a distance of 40.82 Feet; thence N16°51'36"W, a distance of 44.95 Feet; thence N30°15'46"W, a distance of 48.82 Feet; thence N37°37'20"W, a distance of 65.82 Feet; thence N21°17'01"W, a distance of 51.62 Feet; thence N51°24'58"W, a distance of 46.52 Feet; thence N37°07'35"W, a distance of 36.72 Feet; thence N16°50'45"W, a distance of 58.14 Feet; thence N38°18'38"W, a distance of 52.44 Feet; thence N28°47'18"W, a distance of 80.22 Feet; thence N34°42'15"W, a distance of 76.53 Feet; thence N26°48'39"W, a distance of 146.15 Feet; thence N23°43'08"W, a distance of 74.52 Feet; thence N23°23'13"W, a distance of 53.10 Feet; thence N09°11'18"E, a distance of 54.32 Feet; thence N69°11'27"E, a distance of 135.30 Feet; thence S68°53'04"E, a distance of 105.24 Feet; thence S50°08'36"E, a distance of 49.09 Feet; thence S46°06'34"E, a distance of 65.70 Feet; thence S46°16'18"E, a distance of 114.83 Feet; thence S42°39'45"E, a distance of 63.76 Feet; thence S49°46'55"E, a distance of 32.97 Feet; thence S33°06'13"E, a distance of 134.71 Feet; thence S19°11'01"E, a distance of 78.61 Feet; thence S23°18'52"E, a distance of 139.63 Feet; thence S35°11'54"E, a distance of 52.97 Feet; thence S34°27'00"E, a distance of 69.99 Feet; thence S27°46'55"E, a distance of 83.58 Feet; thence S25°29'04"E, a distance of 49.44 Feet; thence S26°04'50"E, a distance of 117.32 Feet; thence S32°13'27"E, a distance of 51.21 Feet; thence S13°29'17"E, a distance of 62.51 Feet; thence S18°29'33"E, a distance of 75.16 Feet; thence S29°14'10"E, a distance of 50.99 Feet; thence S28°49'01"E, a distance of 114.70 Feet; thence S23°17'45"E, a distance of 103.79 Feet; thence S26°53'06"E, a distance of 113.14 Feet; thence S11°52'11"E, a distance of 85.32 Feet; thence S28°01'08"W, a distance of 67.30 Feet; thence S36°24'51"E, a distance of 20.08 Feet; thence S87°07'49"E, a distance of 47.27 Feet; thence S27°12'00"W, a distance of 73.23 Feet; thence N64°13'58"W, a distance of 21.01 Feet; thence S54°52'16"W, a distance of 55.04 Feet; thence N80°21'14"W, a distance of 37.10 Feet; thence S61°37'25"W, a distance of 48.51 Feet; thence S50°27'00"W, a distance of 31.97 Feet; thence S57°52'17"W, a distance of 46.03 Feet; thence S77°35'13"W, a distance of 45.87 Feet; thence S07°14'09"W, a distance of 41.29 Feet; thence S78°11'30"W, a distance of 22.01 Feet; thence N22°15'56"W, a distance of 27.48 Feet; thence N28°37'27"W, a distance of 59.66 Feet; thence N52°13'55"W, a distance of 44.94 Feet; thence N86°09'42"W, a distance of 23.13 Feet; thence S54°11'10"W, a distance of 30.64 Feet; thence S61°49'06"W, a distance of 77.67 Feet; thence S62°40'09"W, a distance of 55.28 Feet; thence S62°35'39"W, a distance of 37.79 Feet; thence S81°48'40"W, a distance of 27.08 Feet; thence S74°47'27"W, a distance of 50.75 Feet; thence N71°17'46"W, a distance of 64.80 Feet; thence N49°49'43"W, a distance of 52.42 Feet; thence N34°42'30"W, a distance of 123.29 Feet; thence N72°29'00"W, a distance of 41.56 Feet; thence S52°48'21"W, a distance of 68.11 Feet; thence S37°57'59"W, a distance of 74.92 Feet; thence S21°58'04"W, a distance of 61.38 Feet; thence S14°02'40"W, a distance of 40.84 Feet; thence S36°03'31"W, a distance of 57.78 Feet; thence S30°18'03"E, a distance of 8.52 Feet to the POINT OF BEGINNING.

Containing 27.54 Acres, more or less.

TOTAL 1023.49 ACRES, MORE OR LESS.

3 OF 3

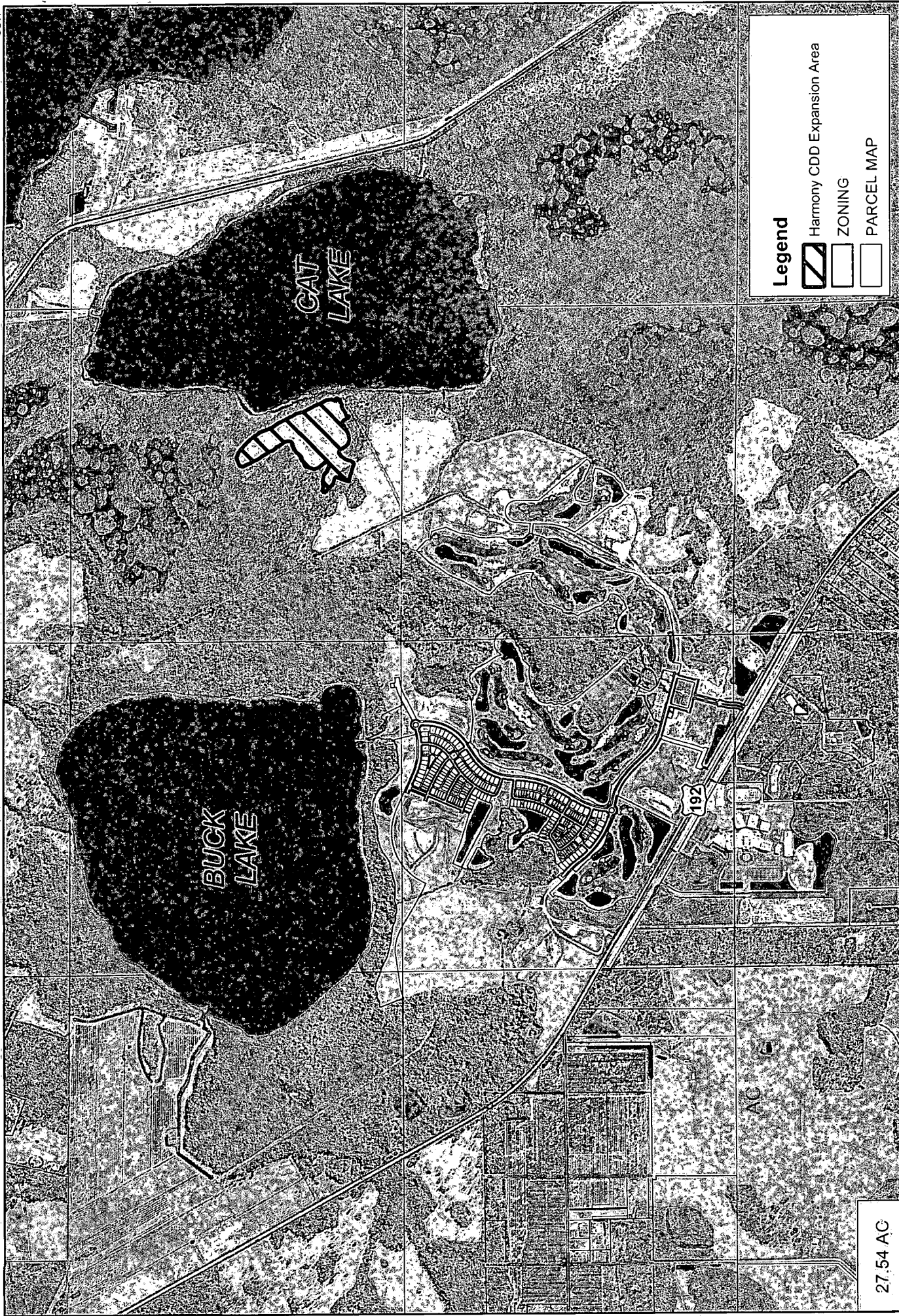
Exhibit 2B
HARMONY
COMMUNITY DEVELOPMENT DISTRICT
Osceola County, Florida



N.T.S.






Miller
Einhouse
Rymer &
Boyd
230 East Monument Ave., Suite B
Kissimmee, Florida 34741



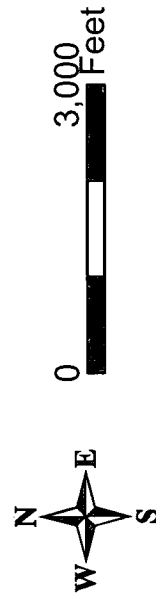
27.54 AC

Legend

-  Harmony CDD Expansion Area
-  ZONING
-  PARCEL MAP



THIS MAP WAS
 PRODUCED BY:
 OSCEOLA COUNTY
 PLANNING DEPT
 GIS SECTION
 20DEC2004



Harmony CDD Expansion Area

**BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY**

ORDINANCE 01-35

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, PERTAINING TO THE HARMONY COMMUNITY DEVELOPMENT DISTRICT; AMENDING ORDINANCES 00-05 AND 00-16 TO PROVIDE FOR A REVISED LEGAL DESCRIPTION OF THE BOUNDARIES OF THE DISTRICT AND OF THE EXPANSION OF THE DISTRICT BY 3.35 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Harmony Community Development District ("District") has been created by law and established pursuant to Osceola County Ordinance 00-05, adopted February 28, 2000, effective on March 6, 2000, and having given consent to the District's exercise of certain special charter powers pursuant to Osceola County Ordinance 00-16, adopted September 11, 2000, effective on September 14, 2000;

WHEREAS, the District is active and is in good legal standing;

WHEREAS, the District has petitioned the County to amend the boundaries of the District to incorporate a corrected legal description and to thereby expand the District by approximately 3.35 acres by and through the filing with the County of a Petition to Amend Osceola County Ordinance 00-05 & 00-16 to Expand the External Boundaries of the Harmony Community Development District ("Petition") on or about September 13, 2001; and,

WHEREAS, the Board, after proper published notice, conducted a public hearing as required by law and finds that:

1. The Petition is complete in that it meets the requirements of sections 190.046 and section 190.005(1)(a)1. and 8., Florida Statutes (2000); and, statements contained in the Petition are

true and correct;

2. The appropriate staff of Osceola County have reviewed and approved the petition;

3. The increase by approximately 3.35 acres in the land area served by the District does not modify the plan of development for the District, nor does it alter or amend the County's findings related to the factors set forth in section 190.005(1)(e), Florida Statutes, which findings were set forth in Ordinances 00-05 and 00-16, and which findings are hereby reincorporated wholly herein by reference; and

4. The Petition should be granted.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Osceola County that:

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to section 190.046(1)(b), Florida Statutes.

SECTION TWO: EXPANSION OF THE DISTRICT

The District's existing legal description of its boundaries, incorporated into both Osceola County Ordinance 00-05 and 00-16, is hereby amended to expand the District by approximately 3.35 acres pursuant to its corrected legal description which is attached hereto and incorporated herein as Exhibit 'A'.

SECTION THREE: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinances or resolutions of Osceola County or applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the office of the Secretary of State for Florida.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Osceola County, Florida this 27th day of September 2001.



BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY, FLORIDA.

By:

Chair

[Signature]

ATTEST

By:

[Signature]
Clerk/Deputy Clerk
Board approved 9/24/01

**NOTICE THAT THIS ORDINANCE HAS BEEN
FILED WITH THE FLORIDA STATE BUREAU
OF ADMINISTRATIVE CODE.**

ON October 26 2001

BY [Signature]
DEPUTY CLERK OF THE BOARD

LEGAL DESCRIPTION

A parcel of land lying in portions of Sections 24 and 25, T 26 S, R 31 E and Sections 19, 20, 29, 30, 31 and 32, T 26 S, R 32 E, Osceola County, Florida, being more particularly described as follows: Commence at the Southwest corner of Section 30, T 26 S, R 32 E (being a found 4" X 4" concrete monument), run N. 00° 27' 29" W., along the West line of said Section 30, 2116.59 feet to a point on the Southerly Right of Way line of State Road No. 500 (being a found 4" X 4" concrete monument, with the top broken); thence continue N. 00° 27' 29" W., 76.29 feet to a point on the Northerly Right of Way line of said State Road No. 500; also being the Point of Beginning; thence N.60°13'23"W., a distance of 1,004.40 feet to a point of curve to the right having a radius of 3,786.83 feet, a central angle of 14°32'15", and a chord bearing of N.52°57'16"W., 958.25 feet; thence northwesterly along the arc a distance of 960.82 feet; thence N.74°13'35"E., a distance of 19.99 feet; thence continue easterly along said line, a distance of 52.83 feet; thence N.86°39'44"E., a distance of 46.70 feet; thence N.67°55'33"E., a distance of 44.33 feet; thence N.40°27'24"E., a distance of 47.08 feet; thence N.29°24'37"E., a distance of 114.95 feet; thence N.46°10'04"E., a distance of 45.80 feet; thence N.82°04'45"E., a distance of 52.12 feet; thence S.60°31'56"E., a distance of 49.70 feet; thence S.24°48'26"E., a distance of 47.74 feet; thence S.06°46'14"E., a distance of 53.69 feet; thence S.49°19'43"E., a distance of 26.55 feet; thence S.50°30'42"E., a distance of 199.26 feet; thence S.69°32'18"E., a distance of 37.49 feet; thence N.28°10'07"E., a distance of 81.94 feet; thence N.46°39'34"E., a distance of 37.99 feet; thence N.81°44'12"E., a distance of 34.19 feet; thence S.73°24'27"E., a distance of 38.25 feet; thence S.76°15'31"E., a distance of 141.81 feet; thence N.89°56'08"E., a distance of 193.97 feet; thence N.74°42'16"E., a distance of 194.59 feet; thence N.41°25'54"E., a distance of 76.49 feet; thence N.00°01'04"E., a distance of 163.97 feet; thence N.09°49'03"W., a distance of 383.06 feet; thence N.15°23'23"W., a distance of 303.63 feet; thence N.05°05'15"W., a distance of 224.32 feet; thence N.01°10'32"E., a distance of 145.00 feet; thence N.17°58'43"E., a distance of 193.59 feet; thence N.18°34'52"E., a distance of 168.84 feet; thence N.15°47'03"W., a distance of 357.00 feet; thence N.20°53'30"W., a distance of 335.24 feet; thence N.05°57'55"W., a distance of 60.92 feet; thence N.26°52'00"E., a distance of 72.71 feet; thence N.61°02'00"E., a distance of 47.84 feet; thence N.76°44'45"E., a distance of 110.72 feet; thence N.72°42'20"E., a distance of 120.32 feet; thence S.77°41'35"E., a distance of 99.75 feet; thence S.71°00'45"E., a distance of 115.03 feet; thence S.64°04'34"E., a distance of 121.52 feet; thence S.73°52'55"E., a distance of 373.73 feet; thence S.77°46'51"E., a distance of 378.59 feet; thence S.77°14'21"E., a distance of 206.57 feet; thence S.89°48'15"E., a distance of 225.50 feet; thence N.88°05'24"E., a distance of 223.48 feet; thence N.79°47'00"E., a distance of 215.76 feet; thence N.71°31'22"E., a distance of 221.04 feet; thence N.65°31'36"E., a distance of 260.93 feet; thence N.72°24'07"E., a distance of 191.13 feet; thence N.80°28'00"E., a distance of 314.47 feet; thence S.81°33'40"E., a distance of 210.19 feet; thence S.63°38'11"E., a distance of 145.36 feet; thence S.48°41'42"E., a distance of 151.51 feet; thence S.47°07'37"E., a distance of 206.14 feet; thence S.67°16'54"E., a distance of 140.62 feet; thence S.85°22'43"E., a distance of 196.16 feet; thence N.78°57'37"E., a distance of 160.51 feet; thence N.45°52'34"E., a distance of 100.47 feet; thence N.06°07'18"E., a distance of 183.68 feet; thence N.04°22'07"W., a distance of 221.51 feet; thence S.84°38'10"E., a distance of 193.13 feet; thence S.07°16'24"E., a distance of 254.90 feet; thence S.77°49'02"E., a distance of 122.23 feet; thence N.79°04'37"E., a distance of 129.36 feet; thence S.81°34'02"E., a distance of 148.43 feet; thence N.78°59'05"E., a distance of 230.41 feet; thence N.75°58'32"E., a distance of 255.49 feet; thence N.82°27'43"E., a distance of 143.27 feet; thence N.40°02'32"E., a distance of 91.96 feet; thence N.26°34'31"E., a distance of 103.93 feet; thence N.68°16'00"E., a distance of 82.12 feet; thence S.68°32'11"E., a distance of 129.70 feet; thence N.79°31'39"E., a distance of 69.41 feet; thence S.65°08'05"E., a distance of 65.06 feet; thence S.29°16'47"E., a distance of 76.57 feet; thence S.65°38'28"E., a distance of 131.26 feet;

thence N.82°33'59"E., a distance of 102.70 feet; thence S.69°49'34"E., a distance of 91.03 feet; thence S.89°40'07"E., a distance of 89.03 feet; thence N.70°55'38"E., a distance of 83.19 feet; thence S.89°22'59"E., a distance of 221.92 feet; thence S.69°59'35"E., a distance of 98.46 feet; thence S.60°24'46"E., a distance of 184.64 feet; thence S.46°10'44"E., a distance of 142.24 feet; thence S.38°35'23"W., a distance of 91.08 feet; thence S.23°01'48"E., a distance of 32.07 feet; thence S.68°58'58"E., a distance of 56.41 feet; thence S.30°04'49"E., a distance of 56.06 feet; thence S.17°19'41"W., a distance of 79.33 feet; thence S.43°27'17"W., a distance of 80.28 feet; thence S.23°20'46"W., a distance of 136.67 feet; thence S.39°31'49"W., a distance of 88.43 feet; thence S.64°16'07"W., a distance of 145.65 feet; thence S.41°38'31"W., a distance of 55.43 feet; thence S.07°17'01"W., a distance of 78.29 feet; thence S.26°24'12"W., a distance of 71.91 feet; thence S.48°50'35"W., a distance of 147.15 feet; thence S.11°00'14"E., a distance of 74.42 feet; thence S.12°36'48"W., a distance of 79.78 feet; thence S.28°27'24"W., a distance of 122.76 feet; thence S.32°23'00"W., a distance of 268.90 feet; thence S.19°27'38"W., a distance of 84.25 feet; thence S.05°42'21"W., a distance of 78.38 feet; thence S.07°19'39"W., a distance of 126.97 feet; thence S.29°53'06"W., a distance of 150.93 feet; thence S.32°03'36"W., a distance of 198.15 feet; thence S.37°15'55"W., a distance of 120.01 feet; thence S.44°53'57"W., a distance of 190.75 feet; thence S.54°43'51"W., a distance of 209.32 feet; thence S.64°43'47"W., a distance of 197.54 feet; thence S.72°36'17"W., a distance of 190.31 feet; thence S.77°06'35"W., a distance of 183.44 feet; thence S.53°38'56"W., a distance of 167.36 feet; thence S.29°25'34"W., a distance of 164.56 feet; thence S.05°48'45"W., a distance of 159.14 feet; thence S.10°15'19"E., a distance of 189.83 feet; thence S.42°49'07"E., a distance of 288.98 feet; thence S.38°19'26"E., a distance of 267.38 feet; thence S.38°16'44"E., a distance of 330.61 feet; thence S.37°24'44"E., a distance of 317.44 feet; thence N.59°19'00"E., a distance of 97.26 feet; thence N.03°19'11"E., a distance of 154.72 feet; thence N.28°04'58"E., a distance of 115.87 feet; thence N.62°00'21"E., a distance of 139.54 feet; thence N.85°46'15"E., a distance of 134.79 feet; thence S.64°35'35"E., a distance of 101.32 feet; thence S.46°36'27"E., a distance of 161.64 feet; thence N.50°08'19"E., a distance of 175.86 feet; thence N.66°49'55"W., a distance of 70.74 feet; thence N.35°28'27"W., a distance of 147.51 feet; thence N.26°58'59"W., a distance of 225.93 feet; thence N.26°32'21"W., a distance of 164.57 feet; thence N.14°54'44"W., a distance of 96.45 feet; thence N.23°29'05"E., a distance of 68.20 feet; thence N.29°13'57"E., a distance of 76.89 feet; thence N.14°57'11"E., a distance of 115.23 feet; thence N.39°34'46"E., a distance of 97.95 feet; thence N.16°22'07"E., a distance of 76.52 feet; thence N.08°42'07"E., a distance of 126.60 feet; thence N.31°49'06"E., a distance of 104.86 feet; thence N.56°51'04"E., a distance of 133.71 feet; thence N.76°16'42"E., a distance of 122.54 feet; thence N.26°32'59"E., a distance of 109.00 feet; thence N.55°54'46"E., a distance of 157.23 feet; thence N.07°05'59"E., a distance of 43.40 feet; thence N.22°28'06"W., a distance of 136.76 feet; thence N.35°45'17"W., a distance of 204.88 feet; thence N.49°43'05"W., a distance of 125.18 feet; thence N.15°22'36"W., a distance of 72.78 feet; thence N.06°45'32"E., a distance of 95.03 feet; thence N.25°50'31"E., a distance of 125.55 feet; thence N.32°58'21"E., a distance of 244.53 feet; thence N.25°27'47"E., a distance of 184.39 feet; thence N.24°40'25"E., a distance of 162.54 feet; thence N.33°56'09"E., a distance of 209.31 feet; thence N.33°09'35"E., a distance of 230.29 feet; thence N.62°58'04"E., a distance of 89.27 feet; thence S.86°48'49"E., a distance of 35.96 feet; thence N.01°26'05"E., a distance of 48.79 feet; thence N.30°31'39"E., a distance of 116.31 feet; thence N.48°12'58"E., a distance of 120.58 feet; thence N.23°27'45"E., a distance of 135.04 feet; thence N.15°08'58"W., a distance of 110.36 feet; thence N.25°28'12"W., a distance of 244.31 feet; thence N.28°06'13"W., a distance of 172.87 feet; thence N.07°32'42"W., a distance of 154.27 feet; thence N.03°28'37"E., a distance of 117.54 feet; thence N.22°19'02"W., a distance of 78.40 feet; thence N.30°52'36"W., a distance of 144.54 feet; thence N.15°36'17"W., a distance of 150.68 feet; thence N.00°09'12"E., a distance of 160.40 feet; thence N.33°49'20"E., a distance of 47.85 feet; thence N.68°41'58"E., a distance of 50.49 feet; thence N.71°42'50"E., a distance of 81.17 feet; thence N.59°09'20"E., a distance of 121.60 feet; thence N.84°51'29"E., a distance of 106.60 feet;

thence S.70°25'07"E., a distance of 119.57 feet; thence S.68°47'05"E., a distance of 293.37 feet; thence S.45°08'54"E., a distance of 59.39 feet; thence S.18°03'36"E., a distance of 205.37 feet; thence S.53°04'49"E., a distance of 53.52 feet; thence S.82°33'13"E., a distance of 123.38 feet; thence S.67°20'19"E., a distance of 125.97 feet; thence S.42°31'13"E., a distance of 98.20 feet; thence S.16°52'48"E., a distance of 60.02 feet; thence S.32°50'43"W., a distance of 55.58 feet; thence S.73°19'14"W., a distance of 32.39 feet; thence S.87°58'04"W., a distance of 154.06 feet; thence S.41°23'51"W., a distance of 46.70 feet; thence S.10°15'13"E., a distance of 71.86 feet; thence S.59°09'03"E., a distance of 132.74 feet; thence N.84°08'38"E., a distance of 46.37 feet; thence N.36°44'46"E., a distance of 227.34 feet; thence S.71°52'29"E., a distance of 403.14 feet; thence N.82°00'50"E., a distance of 53.60 feet; thence S.38°44'39"E., a distance of 118.22 feet; thence S.63°38'06"E., a distance of 107.96 feet; thence S.82°29'54"E., a distance of 91.47 feet; thence S.37°47'10"E., a distance of 53.12 feet; thence N.83°46'44"E., a distance of 108.72 feet; thence S.87°41'29"E., a distance of 100.10 feet; thence N.64°38'19"E., a distance of 464.69 feet; thence N.89°16'17"E., a distance of 86.03 feet; thence S.51°36'34"E., a distance of 71.23 feet; thence S.14°23'47"E., a distance of 141.83 feet; thence S.08°24'31"W., a distance of 97.45 feet; thence S.56°19'40"W., a distance of 54.91 feet; thence S.80°37'00"W., a distance of 126.99 feet; thence S.43°08'49"E., a distance of 111.73 feet; thence S.07°20'59"E., a distance of 113.82 feet; thence S.27°01'32"W., a distance of 103.02 feet; thence S.41°29'41"W., a distance of 119.95 feet; thence S.61°10'24"W., a distance of 219.05 feet; thence S.14°22'52"W., a distance of 149.33 feet; thence S.03°40'58"W., a distance of 134.37 feet; thence S.01°27'42"W., a distance of 186.11 feet; thence S.05°51'20"E., a distance of 144.67 feet; thence S.13°24'51"W., a distance of 83.29 feet; thence S.55°21'32"W., a distance of 73.01 feet; thence S.66°00'55"W., a distance of 135.99 feet; thence S.71°07'29"W., a distance of 169.55 feet; thence S.03°12'02"E., a distance of 30.53 feet; thence S.09°13'06"E., a distance of 102.63 feet; thence S.09°07'35"W., a distance of 117.47 feet; thence S.02°58'22"E., a distance of 51.08 feet; thence S.17°51'11"E., a distance of 104.63 feet; thence S.16°17'00"E., a distance of 358.03 feet; thence S.10°05'02"E., a distance of 162.39 feet; thence S.03°39'27"W., a distance of 197.38 feet; thence S.16°51'49"W., a distance of 148.41 feet; thence S.23°51'07"W., a distance of 878.40 feet; thence S.33°38'52"W., a distance of 118.39 feet; thence S.83°42'53"W., a distance of 118.24 feet; thence S.06°53'47"W., a distance of 103.56 feet; thence S.23°49'34"W., a distance of 233.30 feet; thence S.43°12'56"W., a distance of 204.79 feet; thence S.55°45'48"W., a distance of 174.66 feet; thence S.24°17'36"E., a distance of 221.13 feet; thence S.23°23'54"W., a distance of 129.21 feet; thence N.84°58'18"W., a distance of 148.70 feet; thence S.81°37'01"W., a distance of 365.07 feet; thence N.54°09'54"W., a distance of 194.69 feet; thence S.50°56'07"W., a distance of 56.06 feet; thence S.13°18'43"W., a distance of 225.35 feet; thence N.80°13'47"E., a distance of 153.38 feet; thence S.76°14'33"E., a distance of 145.22 feet; thence S.65°22'29"E., a distance of 124.00 feet; thence S.35°13'45"E., a distance of 104.11 feet; thence S.02°14'08"W., a distance of 58.30 feet; thence S.02°19'27"W., a distance of 90.74 feet; thence S.85°05'17"W., a distance of 166.46 feet; thence N.67°11'31"W., a distance of 138.10 feet; thence N.84°08'17"W., a distance of 106.42 feet; thence S.62°39'24"W., a distance of 75.70 feet; thence S.10°57'22"W., a distance of 49.06 feet; thence S.50°05'40"W., a distance of 156.67 feet; thence S.85°45'45"W., a distance of 77.83 feet; thence S.42°46'38"W., a distance of 146.62 feet; thence N.42°31'21"W., a distance of 165.33 feet; thence N.18°00'29"W., a distance of 510.78 feet; thence N.00°46'35"W., a distance of 120.44 feet; thence N.77°00'27"W., a distance of 93.95 feet; thence S.41°23'28"W., a distance of 271.07 feet; thence S.50°13'07"W., a distance of 212.96 feet; thence S.60°53'42"W., a distance of 221.24 feet; thence S.38°17'29"E., a distance of 205.40 feet; thence S.84°56'38"E., a distance of 254.32 feet; thence S.70°17'22"E., a distance of 363.80 feet; thence S.30°48'39"E., a distance of 168.60 feet; thence N.79°42'48"E., a distance of 224.81 feet; thence S.54°47'14"E., a distance of 115.98 feet; thence S.89°58'07"E., a distance of 115.42 feet; thence N.39°35'05"E., a distance of 200.09 feet; thence N.48°45'27"E., a distance of 162.90 feet; thence N.86°21'05"E., a distance of 118.53 feet; thence S.72°06'01"E., a distance of 166.49 feet;

thence S.13°03'41"E., a distance of 71.44 feet; thence S.53°08'57"W., a distance of 148.71 feet; thence S.38°03'49"W., a distance of 139.86 feet; thence S.55°40'56"W., a distance of 212.67 feet; thence S.55°54'10"W., a distance of 284.66 feet; thence N.87°25'11"W., a distance of 111.40 feet; thence N.82°03'47"W., a distance of 235.19 feet; thence S.88°30'44"W., a distance of 230.97 feet; thence S.58°51'57"W., a distance of 100.76 feet; thence N.67°43'09"W., a distance of 99.94 feet; thence N.64°55'29"W., a distance of 147.57 feet; thence N.88°50'59"W., a distance of 265.00 feet; thence S.14°34'58"W., a distance of 158.79 feet; thence S.02°59'21"W., a distance of 154.69 feet; thence S.21°44'41"E., a distance of 159.48 feet; thence S.07°03'24"W., a distance of 142.64 feet; thence S.19°07'55"E., a distance of 177.70 feet; thence S.22°03'35"W., a distance of 99.38 feet; thence S.35°27'00"W., a distance of 112.21 feet; thence S.20°14'12"W., a distance of 105.00 feet; thence S.64°27'24"W., a distance of 59.16 feet; thence S.32°08'29"W., a distance of 83.78 feet, to a point on the Northerly Right of Way line of State Road No. 500; thence N.60°13'23"W., along said Northerly Right of Way line, a distance of 6,437.64 feet to the POINT OF BEGINNING.

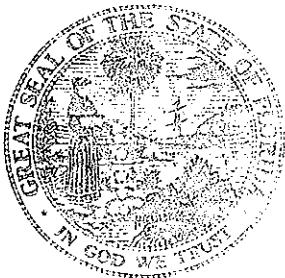
Containing 995.95 acres, more or less.

STATE OF FLORIDA DEPARTMENT OF STATE

Division of Elections

I, KATHERINE HARRIS, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Osceola County Ordinance No. 01-35, which was filed in this office on October 1, 2001, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
1st., day of October, A.D., 2001.



Katherine Harris
Secretary of State

DSDE 99 (1-99)

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida" appears in small letters across the face of this 8 1/2 X 11" document.

**BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY**

ORDINANCE NO.: 00-16

AN ORDINANCE CONSENTING TO THE EXERCISE, BY THE HARMONY COMMUNITY DEVELOPMENT DISTRICT, OF CERTAIN SPECIAL POWERS GRANTED TO THE DISTRICT IN CHAPTER 190.012 (2), FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Harmony Community Development District (“Harmony District”) has been created by law and established pursuant to Osceola County Ordinance No. 00-05 on February 28, 2000, with an effective date of March 6, 2000; and

WHEREAS, the District is active and in good legal standing; and

WHEREAS, Section 190.012, Florida Statutes (1997), as amended, part of the District Charter, grants to the community development district numerous special powers and provides that the County must consent to the exercise by the District of those special powers in Section 190.012(2), Florida Statutes, before the District may exercise them; and

WHEREAS, on July 31, 2000, the District petitioned the Board of County Commissioners of Osceola County, Florida, (“Osceola County Board”) for consent to exercise the special powers granted by Section 190.012(2), Florida Statutes; and

WHEREAS, staff review of the operations and functions of the District and all related information confirms there is no change of circumstances or conditions since the District was established so that consent to the exercise of powers set forth in the petition by the District to authorize the exercise by the district of certain powers is appropriate; and

WHEREAS, the Board has confirmed that the District government has the capability of providing these additional powers; and

WHEREAS, the consent to exercise the powers is not inconsistent with, will always be subject to and will comply with the Osceola County Comprehensive Plan and all related regulations governing the use of land served by the District; and

WHEREAS, the Board desires to consent to the exercise by the District of these additional special powers.

NOW, THEREFORE, BE IT ORDAINED by the Board that:

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.012 (2), Florida Statutes.

**SECTION TWO: CONSENT TO THE EXERCISE
OF OPTIONAL SPECIAL POWERS**

The Osceola County Board of County Commissioners hereby consents to the exercise by the Harmony Community Development District of all of the additional special powers granted in Section 190.012(2), Florida Statutes, as part of its statutory charter.

More specifically, the District is granted by its charter, so long as it is in compliance with and subject to the Osceola County Comprehensive Plan and subject to the regulatory jurisdiction and permitting authority of all applicable other ordinances and regulations of Osceola County, the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses, fire prevention and control, including related buildings and equipment, school buildings and related structures, security, including but not limited to personnel and equipment,

mosquito and arthropods of public health importance control, and waste collection and disposal.

**SECTION THREE: STATUTORY PROVISIONS
CONSTITUTING THE CHARTER DISTRICT**

The charter of the Harmony Community Development District is contained in Sections 190.006 - 190.041, Florida Statutes.

SECTION FOUR: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinances or resolutions of Osceola County or applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such hold shall not affect the validity of the remaining portion.

SECTION FIVE: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the office of the Secretary of State for Florida.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Osceola

County, Florida, this 11th day of September, 2000.

NOTICE THAT THIS ORDINANCE HAS BEEN FILED WITH THE FLORIDA STATE BUREAU OF ADMINISTRATIVE CODE.

BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA

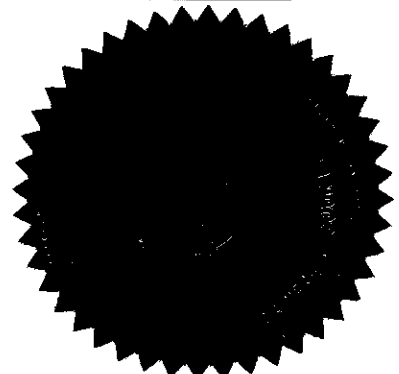
ON September 14, 2000 (Thursday)

By: My Arrington
Chairman

BY Paula J Carpenter
DEPUTY CLERK OF THE BOARD

ATTEST

By: Kelly A Mueller
Clerk/Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OSCEOLA COUNTY, FLORIDA

RE: PROPOSED ORDINANCE OR RESOLUTION
PURSUANT TO SECTION 190.012(2),
FLORIDA STATUTES, TO CONSENT TO
THE EXERCISE BY THE HARMONY
COMMUNITY DEVELOPMENT DISTRICT
OF CERTAIN SPECIAL POWERS GRANTED
IN THE STATE-CREATED CHARTER

**PETITION FOR CONSENT TO EXERCISE
CERTAIN SPECIAL STATE-GRANTED CHARTER POWERS**

The HARMONY COMMUNITY DEVELOPMENT DISTRICT (“Petitioner” or “District”), by and through its undersigned attorney, petitions the BOARD OF COUNTY COMMISSIONERS, OSCEOLA COUNTY, FLORIDA (“County”) to adopt an ordinance or resolution consenting to the exercise of certain special powers granted to the District as authorized by the District’s charter and as expressed in the Uniform Community Development District Act of Florida, chapter 190, Florida Statutes (1999 and hereafter). In support thereof, Petitioner submits:

1. Petitioner has its District offices located at 610 Sycamore Street, Suite 140, Celebration, Florida 34747, and its Chairman of the Board of Supervisors is Gregory S. Butterfield and its Manager is Severn Trent Environmental Services.
2. The land area within which the special powers herein petitioned for are to be exercised is within the boundaries and jurisdiction of the County as provided in County Ordinance No. 00-05, establishing the District, as adopted by the County on the 28th day of February, 2000, and attached hereto as Exhibit “1.”
3. The Petition for Establishment, attachments, “white papers” and workshop information as well as county staff and commission review addressed the potential exercise by the

District of all special powers granted in 190.012(2), Florida Statutes as of the date the District was established, as evidenced at paragraph nine of Exhibit "1."

4. Attached as Exhibit "2" is that certain portion of the minutes of the District Board of Supervisor's meeting on the 25th of March, 2000 wherein the Board approved the exercise by the District of those special powers herein petitioned for pursuant to section 190.012(2), Florida Statutes.

5. There have been no substantive changes since the passage of County Ordinance No. 00-05 in facts, circumstances, or conditions that would affect the determination of the County regarding the District exercising certain special powers. Attached as Exhibit "3" are affidavits by the District; Manager, Planner, Engineer, and Financial Consultants, attesting to the fact that no substantive changes have occurred since the establishment of the District and that the consent to the exercise of certain powers granted by the state in section 190.012 (2), Florida Statutes, is applicable and appropriate.

WHEREFORE, Petitioner respectfully requests the County to:

A. Direct its staff to do the things necessary to provide statutory notice with respect to the adoption of an ordinance or resolution by the County to consent for the District to exercise its certain special powers granted by the District's state law charter contained at sections 190.006 - 190.041, Florida Statutes, said special powers specifically being, to plan, establish, acquire, operate, and maintain additional systems and facilities for:

Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.

Security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by property governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general purpose government agencies for an increased level of such services within the district boundaries.

as according to subsections (a & d) of section 190.012(2), Florida Statutes.

B. Thereafter, to grant this Petition and adopt an ordinance or resolution consenting to the exercise of the certain special powers as petitioned by the District.

RESPECTFULLY SUBMITTED to County this the 31 day of July, 2000.

Tim Franklin
FOR

KEN VAN ASSENDERP, ESQ.
Florida Bar I.D. No.: 158829

TIM FRANKIN, ESQ.
Florida Bar I.D. No.: 172464

Attorneys for Petitioner:
Young, van Assenderp, Varnadoe & Anderson, P.A.
225 South Adams Street
Suite 200
Tallahassee, Florida 32302-1833
(850) 222-7206

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one original and nine (10) true and correct copies of the foregoing Petition for Consent to Exercise Certain Special State-Granted Charter Powers were served by express courier service this 31 day of July, 2000, for delivery the following day to: Ms. Jo Thacker, Osceola County Attorney, with a copy to Ms. Kate Payne, Osceola County Assistant Attorney, at the Osceola County Attorney's Offices located at 17 South Vernon Avenue, Kissimmee, Florida 34741, and a copy to to Mr. Michael Kloehn, Osceola County Planning Department, One Courthouse Square, Suite 1400, Kissimmee, Florida 34741.

TIM FRANKLIN, ESQ.

BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY, FLORIDA

ORDINANCE NO.00-05

AN ORDINANCE ESTABLISHING HARMONY COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; NAMING THE DISTRICT; PROVIDING THAT THE COUNTY MAY NOT AND SHALL NOT MODIFY OR DELETE ANY PROVISION OF THE DISTRICT CHARTER SET FORTH IN SECTIONS 190.006 - 190.041, FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Birchwood Acres Limited Partners, ("Petitioner") has petitioned the Osceola County Board of County Commissioners ("Board") to establish, by non-emergency ordinance, the Harmony Community Development District ("District"); and

WHEREAS, the Board, after proper published notice, conducted a local, public, legislative and information-gathering ordinance hearing as required by law and hereby finds as follows:

1. The Petition is complete in that it meets the requirements of section 190.005(1)(a), Florida Statutes (1999 as amended and hereafter); and, all statements contained within the petition are true and correct;

2. The appropriate administrative and legislative staff persons of Osceola County have reviewed and approved the petition for establishment of the District on the proposed land and it is complete and sufficient;

3. The costs to Osceola County and government agencies from establishment of the District are nominal. There is no adverse impact on competition or employment from District establishment.

2000 MAR -6 AM 10:41
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

The persons affected by establishment are the future landowners, present landowners, Osceola County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from District establishment as the state law created government entity to manage and finance the statutory services identified. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the District. Methodology is as set forth in the Statement of Estimated Regulatory Costs ("SERC") on file with the County. The SERC of the Petitioner on District establishment is complete and adequate in that it meets the requirements of section 120.541, Florida Statutes;

4. Establishment of the District by this Ordinance, whose uniform general law charter is sections 190.006 - 190.041, Florida Statutes, created by general law, is subject to and not inconsistent with the local Comprehensive Plan of Osceola County and with the State Comprehensive Plan;

5. That the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community;

6. The District is the best alternative available for delivering community development services and facilities to the

area proposed to be serviced by the District;

7. The community development systems, facilities and services of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities;

8. The area that is proposed to be served by the District is amenable to separate special district government;

9. The District, once established, may petition the Board for consent to exercise one or more of the special powers granted by charter in section 190.012(2), Florida Statutes, and the county in reaching its conclusions, has considered the potential exercise by the District of all the powers set forth in section 190.012(1-3), Florida Statutes.

10. Upon the effective date of this establishing Ordinance, the Harmony Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law; and, has the right to seek consent from Osceola County for the grant of authorization to exercise special powers in accordance with, and granted by, charter section 190.012(2), Florida Statutes, without question as to the District's establishment and its continued rights, authority and power to exercise its limited powers under law.

11. All notice requirements of law were met and complete notice was timely given.

NOW, THEREFORE, BE IT ORDAINED by the Board that:

SECTION ONE: DISTRICT NAME

The Community Development District herein established will be known as the "Harmony Community Development District."

SECTION TWO: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

SECTION THREE: ESTABLISHMENT OF DISTRICT

The Harmony Community Development District, as created by general law, is hereby established within the boundaries of the real property described in Exhibit "2" attached hereto and incorporated by reference herein.

SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are herewith designated to be the initial members of the Board of Supervisors of the District:

- (1)
whose address is: Mrs. Martha E. Lentz
3233 Tindall Acres Road
Kissimmee, Florida 32804
- (2)
whose address is: Mr. James O'Keefe
940 Douglas Avenue, Apt. #196
Altamonte Springs, Florida 32714
- (3)
whose address is: Mr. William "Billy" Johnson
Post Office Box 420843
Kissimmee, Florida 34742
- (4)
whose address is: Mr. Kenneth Peach
7146 Shady Wood Lane
Orlando, Florida 32835
- (5)
whose address is: Mr. Gregory Scott Butterfield
6861 N. W. 104th Lane
Parkland, Florida 33076

SECTION FIVE: STATUTORY PROVISIONS CONSTITUTING
THE UNIFORM CHARTER DISTRICT

Harmony Community Development District shall be governed by the provision of chapter 190, Florida Statutes, specifically sections 190.006 - 190.041, Florida Statutes, which constitutes its uniform charter created by general law.

SECTION SIX: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance or resolution of Osceola County or other applicable law, the more restrictive shall apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION SEVEN. EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Secretary of State.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote was as follows:

ROBERT GUEVARA

MARY JO ARRINGTON

KEN SHIPLEY

KEN SMITH

CHUCK DUNNICK

DULY PASSED AND ADOPTED this 28 day of February, 2000.

ATTEST:

PAULA CARPENTER, CLERK

By: Paula J. Carpenter
Paula Carpenter, Clerk

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: Kenneth Y. Smith
Kenneth Y. Smith, Chairman

APPROVED AS TO FORM

By: Kate Payne
Kate Payne, Deputy Co. Attorney



(STATE OF FLORIDA)
(COUNTY OF OSCEOLA)

I, Paula Carpenter, Clerk to the Osceola County Board of County Commissioners, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 00-05
which was adopted by the Osceola County Board of County Commissioners during Regular Session on the 28 day of February, 2000.

By: Paula J. Carpenter

Clerk, Board of County Commissioners, Osceola County.

STATE OF FLORIDA
COUNTY OF OSCEOLA

2000 MAR - 6 AM 10:41
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

I, PAULA J. CARPENTER, Deputy Clerk of the Board of County Commissioners, Osceola, Florida, DO HEREBY CERTIFY that attached and foregoing is a true and correct copy of Ordinance #00-05. Ordinance #00-05 establishes the Harmony Community Development District; describing the external boundaries of the District; naming the initial members of the Board of Supervisors; naming the district; providing that the County may not and shall not modify or delete any provision of the district Charter set forth in Sections 190.006 - 190.041, Florida Statutes; providing for conflict and severability; and providing an effective date. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Kissimmee, Florida, this the 02 day of March A.D. 2000.

By: Paula J. Carpenter

Paula J. Carpenter, Recording
Secretary Manager, and Deputy Clerk of
the Board of County Commissioners of
Osceola County, State of Florida.



March 24, 2000

Harmony C.D.D.

future if the Board so chooses. This at least gets us started. I ask that the Board adopt it initially.

On MOTION by Mr. Peach seconded by Mr. O'Keefe with all in favor Resolution 2000-11, Adopting an Investment Policy was adopted.

FOURTEEN ORDER OF BUSINESS

Authorization to Petition the County For Additional Powers

Mr. van Assenderp stated this is a petition that we are asking you to consider adopting that would be sent to the Board of County Commissioners. This petition asks the Board of County Commissioners to consent to this Board exercising the ability to manage and finance parks and recreation facilities, and the ability to provide for security for the property within this District--access, security, guardhouses. If you look to the third page of the Resolution you will see that listed. These two powers--the power to provide for parks and recreation and the power to provide for security--are already in your Charter, but the legislature says that even though you have this power granted to you, the legislature does not want it exercised until the County Commission where your land is located gives its consent to the exercise. They are not granting you this power; they are just giving you their consent.

With Doug Miller's help, we had the County review everything as though this District were already able to exercise these powers. We will file with this petition affidavits from the engineer and planner along with other information to say that since the 28th of February, when your District was established until now, there has been no change in the land area that would justify any reason not to give consent to exercise these powers. Most of the work has already been done and the County staff, Attorney and Commissioners know this information is coming.

Mr. Peach stated this shows Mrs. Lentz as the Chairman. That will have to be changed.

On MOTION by Mrs. Lentz seconded by Mr. Butterfield with all in favor staff was authorized to file the Petition for consent to Exercise Certain Special State-Granted Charter Powers.

**AFFIDAVIT OF GARY MOYER
FOR SEVERN TRENT ENVIRONMENTAL SERVICES
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is Gary Moyer. I am employed by the Manager of the Harmony Community Development District ("District"), Severn Trent Environmental Services ("Manager"). In my capacity as an employee to Manager, I am chiefly responsible for the District.
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as an employee to the District Manager, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e)1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.

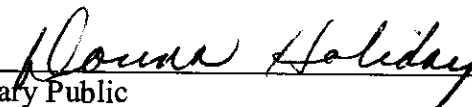


Gary Moyer, for District Manager

STATE OF FLORIDA
Broward COUNTY

SWORN TO AND SUBSCRIBED before me this 24 day of July, 2000, by Gary Moyer, for District Manager.

Personally known ✓
Produced Identification _____
Type of Identification Produced _____

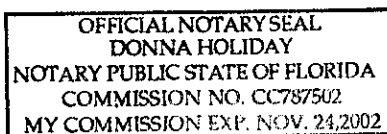


Notary Public

My commission expires:

Donna Holiday

(Printed Name of Notary Public)



**AFFIDAVIT OF GARY MOYER
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is Gary Moyer. I am a Financial Co-Consultant for the Harmony Community Development District ("District")
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as Financial Co-Consultant, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e) 1.- 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.

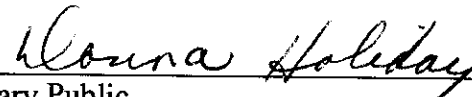


Gary Moyer, as District Financial Co-Consultant

STATE OF FLORIDA
Broward COUNTY

SWORN TO AND SUBSCRIBED before me this 24 day of July, 2000, by Gary Moyer, as District Financial Co-consultant.

Personally known ✓
Produced Identification _____
Type of Identification Produced _____

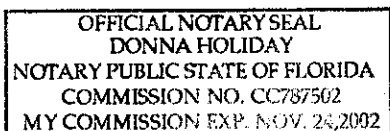


Notary Public

My commission expires:

Donna Holiday

(Printed Name of Notary Public)



**AFFIDAVIT OF RHONDA ARCHER
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is Rhonda Archer. I am a Financial Co-Consultant for the Harmony Community Development District ("District").
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as Financial Co-Consultant, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e)1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.



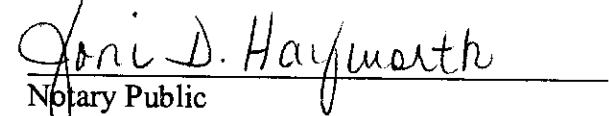
Rhonda Archer, as District Financial Co-Consultant

STATE OF FLORIDA
BADWAAD COUNTY

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2000, by Rhonda Archer, as Financial Co-Consultant for the District.

Personally known
Produced Identification _____
Type of Identification Produced _____

My commission expires: _____


Notary Public


JONI D. HAYWORTH
(Printed Name of Notary Public)



JONI D. HAYWORTH
COMMISSION # CC592331
EXPIRES NOV 24, 2007
BOUNDED THROUGH
FIDELITY & BOND CO., INC

**AFFIDAVIT OF H. DOUGLAS MILLER, P.E.
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is H. Douglas Miller, P.E.. I am the Planner for the Harmony Community Development District ("District").
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as District Planner, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e) 1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.




H. Douglass Miller, P.E., as District Planner

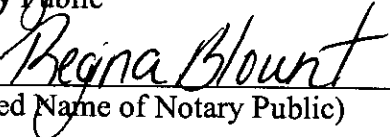
STATE OF FLORIDA
Orange COUNTY

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2000, by Doug Miller, P.E., as District Planner.

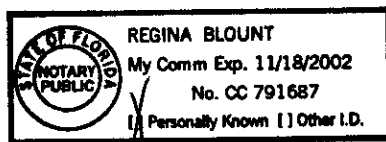
Personally known X
Produced Identification _____
Type of Identification Produced _____

My commission expires: 11/18/2002



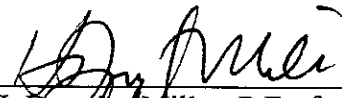
Notary Public


(Printed Name of Notary Public)



**AFFIDAVIT OF H. DOUGLAS MILLER, P.E.
FOR MILLER, EINHOUSE, RYMER & ASSOCIATES, INC.
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is H. Douglas Miller and I am a Professional Engineer licensed under chapter 471, Florida Statutes. I practice engineering with the firm of Miller, Einhouse, Rymer & Associates, Inc. ("Engineer") and the firm is currently employed as Engineer for the Harmony Community Development District ("District") project for which I am chiefly responsible.
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my professional capacity with the District Engineer, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e)1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.

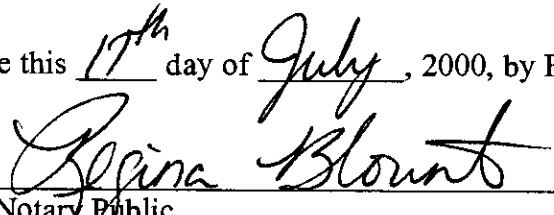


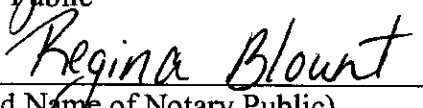
H. Douglas Miller, P.E., for District Engineer

STATE OF FLORIDA
Orange COUNTY

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2000, by H. Douglas Miller, P.E., for District Engineer.

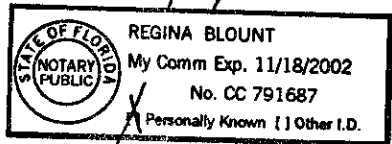
Personally known X
Produced Identification _____
Type of Identification Produced _____



Notary Public


(Printed Name of Notary Public)

My commission expires: 11/18/2002



BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY, FLORIDA

ORDINANCE NO.00-05

AN ORDINANCE ESTABLISHING HARMONY COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; NAMING THE DISTRICT; PROVIDING THAT THE COUNTY MAY NOT AND SHALL NOT MODIFY OR DELETE ANY PROVISION OF THE DISTRICT CHARTER SET FORTH IN SECTIONS 190.006 - 190.041, FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Birchwood Acres Limited Partners, ("Petitioner") has petitioned the Osceola County Board of County Commissioners ("Board") to establish, by non-emergency ordinance, the Harmony Community Development District ("District"); and

WHEREAS, the Board, after proper published notice, conducted a local, public, legislative and information-gathering ordinance hearing as required by law and hereby finds as follows:

1. The Petition is complete in that it meets the requirements of section 190.005(1)(a), Florida Statutes (1999 as amended and hereafter); and, all statements contained within the petition are true and correct;

2. The appropriate administrative and legislative staff persons of Osceola County have reviewed and approved the petition for establishment of the District on the proposed land and it is complete and sufficient;

3. The costs to Osceola County and government agencies from establishment of the District are nominal. There is no adverse impact on competition or employment from District establishment.

The persons affected by establishment are the future landowners, present landowners, Osceola County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from District establishment as the state law created government entity to manage and finance the statutory services identified. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the District. Methodology is as set forth in the Statement of Estimated Regulatory Costs ("SERC") on file with the County. The SERC of the Petitioner on District establishment is complete and adequate in that it meets the requirements of section 120.541, Florida Statutes;

4. Establishment of the District by this Ordinance, whose uniform general law charter is sections 190.006 - 190.041, Florida Statutes, created by general law, is subject to and not inconsistent with the local Comprehensive Plan of Osceola County and with the State Comprehensive Plan;

5. That the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community;

6. The District is the best alternative available for delivering community development services and facilities to the

area proposed to be serviced by the District;

7. The community development systems, facilities and services of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities;

8. The area that is proposed to be served by the District is amenable to separate special district government;

9. The District, once established, may petition the Board for consent to exercise one or more of the special powers granted by charter in section 190.012(2), Florida Statutes, and the county in reaching its conclusions, has considered the potential exercise by the District of all the powers set forth in section 190.012(1-3), Florida Statutes.

10. Upon the effective date of this establishing Ordinance, the Harmony Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law; and, has the right to seek consent from Osceola County for the grant of authorization to exercise special powers in accordance with, and granted by, charter section 190.012(2), Florida Statutes, without question as to the District's establishment and its continued rights, authority and power to exercise its limited powers under law.

11. All notice requirements of law were met and complete notice was timely given.

NOW, THEREFORE, BE IT ORDAINED by the Board that:

SECTION ONE: DISTRICT NAME

The Community Development District herein established will be known as the "Harmony Community Development District."

SECTION TWO: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

SECTION THREE: ESTABLISHMENT OF DISTRICT

The Harmony Community Development District, as created by general law, is hereby established within the boundaries of the real property described in Exhibit "2" attached hereto and incorporated by reference herein.

SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are herewith designated to be the initial members of the Board of Supervisors of the District:

- | | |
|--------------------------|---|
| (1)
whose address is: | Mrs. Martha E. Lentz
3233 Tindall Acres Road
Kissimmee, Florida 32804 |
| (2)
whose address is: | Mr. James O'Keefe
940 Douglas Avenue, Apt. #196
Altamonte Springs, Florida 32714 |
| (3)
whose address is: | Mr. William "Billy" Johnson
Post Office Box 420843
Kissimmee, Florida 34742 |
| (4)
whose address is: | Mr. Kenneth Peach
7146 Shady Wood Lane
Orlando, Florida 32835 |
| (5)
whose address is: | Mr. Gregory Scott Butterfield
6861 N. W. 104 th Lane
Parkland, Florida 33076 |

SECTION FIVE: STATUTORY PROVISIONS CONSTITUTING THE UNIFORM CHARTER DISTRICT

Harmony Community Development District shall be governed by the provision of chapter 190, Florida Statutes, specifically sections 190.006 - 190.041, Florida Statutes, which constitutes its uniform charter created by general law.

SECTION SIX: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance or resolution of Osceola County or other applicable law, the more restrictive shall apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION SEVEN. EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Secretary of State.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote was as follows:

ROBERT GUEVARA _____

MARY JO ARRINGTON _____

KEN SHIPLEY _____

KEN SMITH _____

CHUCK DUNNICK _____

DULY PASSED AND ADOPTED this 28 day of February, 2000.

ATTEST:
PAULA CARPENTER, CLERK

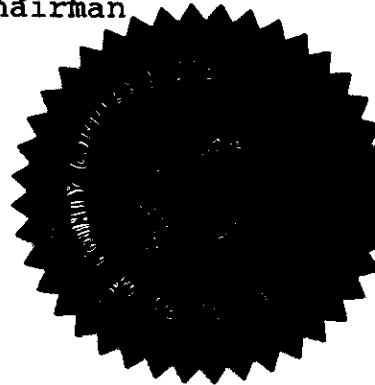
By: Paula J Carpenter
Paula Carpenter, Clerk

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: Kenneth Y. Smith
Kenneth Y. Smith, Chairman

APPROVED AS TO FORM

By: Kate Payne
Kate Payne, Deputy Co. Attorney



(STATE OF FLORIDA)
(COUNTY OF OSCEOLA)

I, Paula Carpenter, Clerk to the Osceola County Board of County Commissioners, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 00-05

which was adopted by the Osceola County Board of County Commissioners during Regular Session on the 28 day of February, 2000.

By: Paula J Carpenter

Clerk, Board of County Commissioners, Osceola County.

NOTICE THAT THIS ORDINANCE HAS BEEN FILED WITH THE FLORIDA STATE BUREAU OF ADMINISTRATIVE CODE.

ON March 06, 2000

BY Paula J Carpenter
DEPUTY CLERK OF THE BOARD

BK 0170 PG 0840A

Petition for Establishment
Harmony Community Development District



Prepared By:

*Kenza van Assenderp
Young, van Assenderp, Varnadoe & Anderson, P.A.
Gallie's Hall
225 South Adams, Suite 200
Tallahassee, Florida 32302-1833*

BOARD OF COUNTY COMMISSIONERS
OSCEOLA COUNTY, FLORIDA

RE: PROPOSED ORDINANCE PURSUANT TO
SECTION 190.005(2), FLORIDA STATUTES,
TO ESTABLISH THE HARMONY
COMMUNITY DEVELOPMENT DISTRICT

**PETITION FOR ESTABLISHMENT OF A
COMMUNITY DEVELOPMENT DISTRICT**

Birchwood Acres Limited Partners ("Petitioner"), by and through its undersigned attorney, petitions the BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA, ("Commission") to adopt an ordinance: recognizing the community development district ("District") as created by general law, the Uniform Community Development District Act of Florida, chapter 190, Florida Statutes (1999 and hereafter); acknowledging the uniform District charter contained in sections 190.006 - 190.041, therein; establishing the District; and, designating the proposed land area within which the District may manage and finance its basic infrastructure systems, facilities and services. In support thereof, Petitioner submits:

1. Petitioner, Birchwood Acres Limited Partners, has its principal place of business at 20 North Orange Avenue, Suite 1400, Orlando, Florida 32801, and its General Partner is James L. Lentz.

2. The land area to be served by the District is located wholly within Osceola County. The land area is bounded on the north by Buck Lake and undeveloped land; the south by U.S. Highway 441/192; on the east by Cat Lake and undeveloped land; and the west by undeveloped land abutting U.S. Highway 441/192; and comprises approximately 993 contiguous acres. A map showing the

location of the land area to be serviced by the District is attached as Exhibit "1".

3. A metes and bounds legal description of the external boundaries of the District is attached as Exhibit "2". There is no real property within the boundaries of the District which is to be excluded from the jurisdiction of the District.

4. Attached as Exhibit "3" is documentation constituting written consent to the establishment of the District by the owners of 100% of the real property to be included in the land to be serviced by the District.

5. The five (5) persons designated to serve as the initial members of the Board of Supervisors of the District, who shall serve in that office until replaced by elected members, as provided in section 190.006, Florida Statutes, are:

(1) Mrs. Martha E. Lentz
whose address and relationship to petitioner, if any, are: 3233 Tindall Acres Road
Kissimmee, Florida 32804
(Wife of General Partner)

(2) Mr. James O'Keefe
whose address and relationship to petitioner, if any, are: 940 Douglas Avenue, Apt. #196
Altamonte Springs, Florida 32714
(Brother-in-law of General Partner)

(3) Mr. William "Billy" Johnson
whose address and relationship to petitioner, if any, are: Post Office Box 420843
Kissimmee, Florida 34742
(Not an Employee or Relative)

(4) Mr. Kenneth Peach
whose address and relationship to petitioner, if any, are: 7146 Shady Wood Lane
Orlando, Florida 32835
(Not an Employee or Relative)

(5) Mr. Gregory Scott Butterfield
whose address and relationship to petitioner, if any, are: 6861 N. W. 104th Lane
Parkland, Florida 33076
(Not an Employee or Relative)

6. The name of the District is the Harmony Community Development District. The District charter is a uniform charter created expressly in uniform general law in sections 190.006 - 190.041, Florida Statutes.

7. A map of the land area proposed for the establishment of the state-created, statutory District, showing current major trunk water mains, sewer interceptors, utilities and outfalls, if any, is attached as Exhibit "4".

8. The estimate of proposed timetables and related costs of construction and provision of District systems, facilities and services which are contemplated by Petitioners and which may be proposed to the District's Board of Supervisors, when established, and based upon available data, which are subject to change, is attached as Exhibit "5".

9. Osceola County has adopted all mandatory elements of its Local Government Comprehensive Plan ("Plan") in accordance with requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, as amended in 1986, and Osceola County has completed its revised plan for minimum criterion review pursuant to *chapter 9J-5, Florida Administrative Code*, by Osceola County ordinance No. 91-05, as amended, which is currently in effect, and which is currently in compliance. Osceola County Ordinance No. 93-11 and all amendments as enacted by Ordinance Nos. 93-14, 93-15, 94-11, 94-22, 95-12, 96-24, 96-25 and 97-7 presently designate the land area within the legal description of the land proposed to be serviced by the state-created District as "Rural Community."

A copy of Osceola County Ordinance No. 93-11 and all amendments as enacted by Ordinance Nos. 93-14, 93-15, 94-11, 94-22, 95-12, 96-24, 96-25 and 97-7 and the entire Osceola County Comprehensive Plan, as amended, are on file with the with the Osceola County Attorney's Office and the Osceola County Comprehensive Planning Staff, so that accordingly, only the future

land use map ("FLUM") is attached as Exhibit "6".

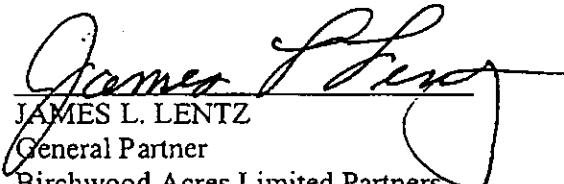
11. Petitioner contemplates a petition by the District, once established, to obtain consent of the Commission, as provided by section 190.012(2), Florida Statutes, to exercise some or all the powers granted therein to the District by the general law charter.

WHEREFORE, Petitioner respectfully requests the Commission to:

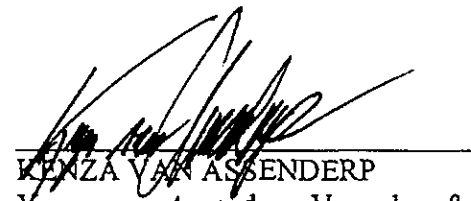
A. Direct its staff to notice, as soon as practicable, a local, public, non-emergency and information-gathering and ordinance hearing pursuant to the requirements of section 190.005(2)(c), Florida Statutes, on the subject of whether to grant this Petition for the establishment on the proposed land area of the Harmony Community Development District and to enact the ordinance establishing the District.

B. Grant this Petition and adopt the ordinance to establish the District in conformity herewith: expressly to designate in the ordinance the land area to be the land served by the District, the name of the District, and the initial Board of Supervisors of the District and expressly to recognize in the ordinance, by statutory citation, that the uniform, general law charter of the District was created by the Florida Legislature in sections 190.006 - 190.041, Florida Statutes. Recognize the impending petition to allow the District to exercise powers granted by law under section 190.012(2), Florida Statutes, and that such potential exercise has been reviewed and assessed to the date of the ordinance. Finally, provide that, with regard to any future specific consent by Osceola County to the exercise by the District of any other special powers granted expressly in its general law charter, the legal existence and authority of the District, as created by State law and as established by this ordinance, shall have thereby been decided.

Respectfully submitted this 13 day of Dec., 1999.



JAMES L. LENTZ
General Partner
Birchwood Acres Limited Partners
20 North Orange Avenue, Suite 1400
Orlando, FL 32801
407-426-9611

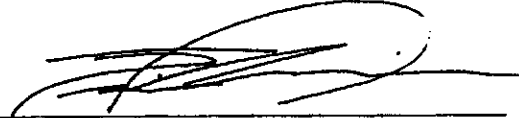


KENZA VAN ASSENDERP
Young, van Assenderp, Vamadoe, & Anderson P.A.
225 S. Adams Street, Suite 200
Tallahassee, Florida 32301
(850) 222-7206
Attorneys for Petitioner

BK 0170 PG 0840F

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing Petition for Establishment of a Community Development District was furnished to the Osceola County Attorney's Office this 13 day of DEC., 1999, by U. S. regular mail to: Jo Thacker, Assistant Osceola County Attorney, Osceola County Attorney's Office, 17 South Vernon Avenue, Kissimmee, Florida 34741.



Timothy S. Franklin
Florida Bar I.D. No. 172464

For: Kenza van Assenderp

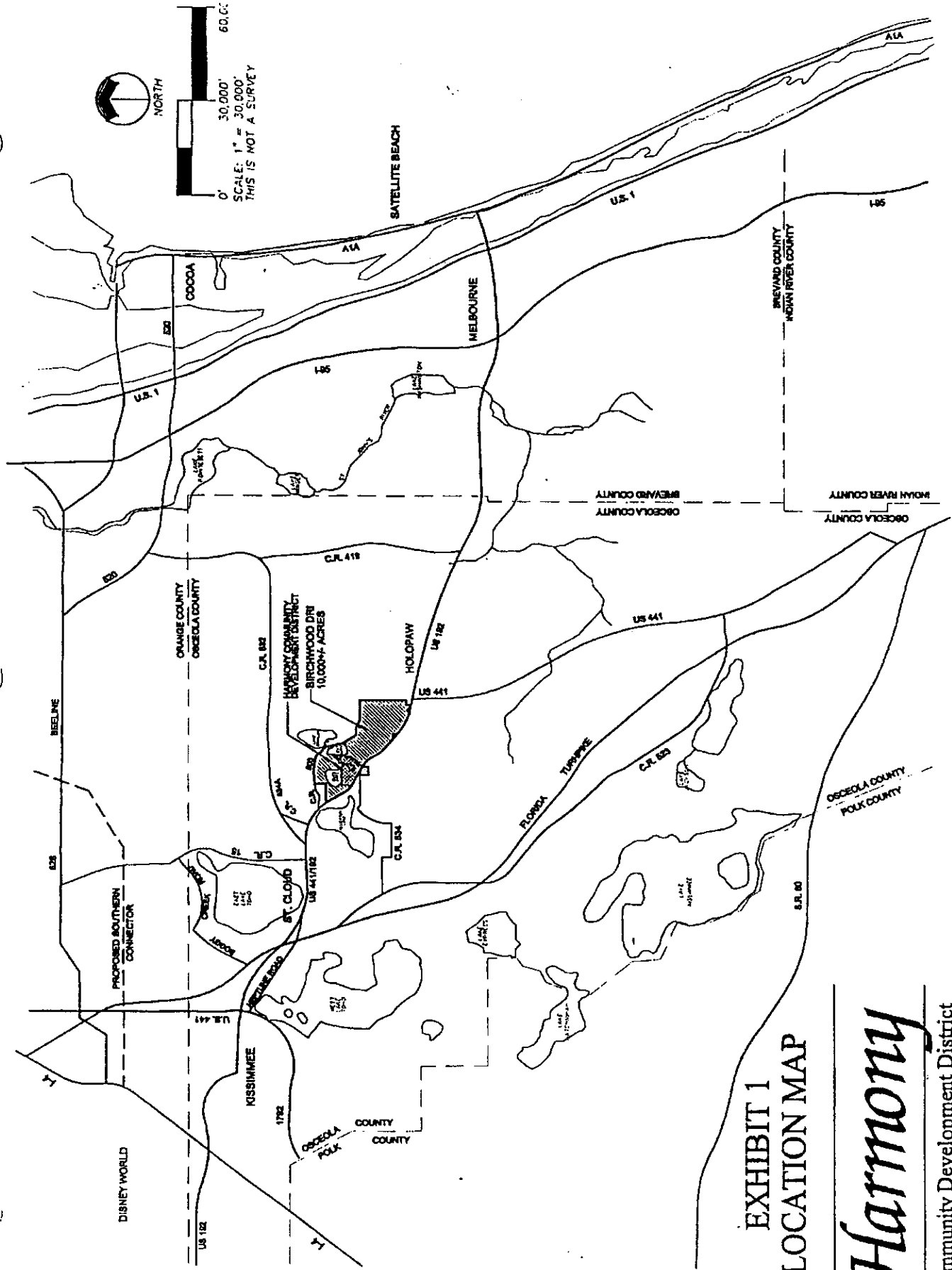


EXHIBIT 1
LOCATION MAP

Harmony

Community Development District

HARMONY – COMMUNITY DEVELOPMENT DISTRICT

(12/2/99)

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 18, 19, 29 AND 30, TOWNSHIP 26 SOUTH, RANGE 32 EAST AND IS SECTIONS 24 AND 25, TOWNSHIP 26 SOUTH, RANGE 31 EAST, DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 26 SOUTH, RANGE 32 EAST; THENCE RUN S89°56'25"W ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1495.82 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY #441 AND #192, ALSO KNOWN AS STATE HIGHWAY #24 AND #500; THENCE RUN N60°13'25"W ALONG SAID RIGHT OF WAY LINE, 2033.76 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE N60°13'25"W, 5441.41 FEET TO A CURVE CONCAVE TO THE NORTHEAST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 14°23'26", A RADIUS OF 3769.83 FEET, AN ARC LENGTH OF 946.85 FEET, A CHORD BEARING OF N53°01'42"W AND A CHORD DISTANCE OF 944.36 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT OF WAY LINE RUN THE FOLLOWING COURSES AND DISTANCES N74°13'41"E, 52.83 FEET; N86°39'51"E, 46.70 FEET; N67°55'40"E, 44.33 FEET; N40°27'30"E, 47.08 FEET; N29°24'43"E, 114.95 FEET; N46°10'11"E, 45.80 FEET; N82°04'52"E, 52.12 FEET; S60°31'49"E, 49.70 FEET; S24°48'19"E, 47.74 FEET; S06°46'08"E, 53.69 FEET; S49°19'36"E, 26.55 FEET; S50°30'35"E, 199.26 FEET; S69°32'11"E, 37.49 FEET; N28°10'14"E, 81.94 FEET; 46°39'41"E, 37.99 FEET; N81°44'19"E, 34.19 FEET; S73°24'20"E, 38.25 FEET; S76°15'24"E, 141.81 FEET; N89°56'15"E, 193.97 FEET; N74°42'23"E, 194.59 FEET; N41°26'00"E, 76.49 FEET; N00°01'11"E, 163.97 FEET; N09°48'56"W, 383.06 FEET; N15°23'16"W, 303.63 FEET; N05°05'09"W, 224.32 FEET; N01°10'39"E, 145.00 FEET; N17°58'49"E, 193.59 FEET; N18°34'59"E, 168.84 FEET; N15°46'56"W, 357.00 FEET; N20°53'23"W, 335.24 FEET; N05°57'48"W, 60.92 FEET; N26°52'07"E, 72.71 FEET; N61°02'06"E, 47.84 FEET; N76°44'52"E, 110.72 FEET; N72°42'27"E, 120.32 FEET; S77°41'29"E, 99.75 FEET; S71°00'39"E, 115.03 FEET; S64°04'27"E, 121.52 FEET; S73°52'48"E, 373.73 FEET; S77°46'44"E, 378.59 FEET; S77°14'14"E, 206.57 FEET; S89°48'08"E, 225.50 FEET; N88°05'31"E, 223.48 FEET; N79°47'07"E, 215.76 FEET; N71°31'29"E, 221.04 FEET; N65°31'42"E, 260.93 FEET; N72°24'14"E, 191.13 FEET; N80°28'07"E, 314.47 FEET; S81°33'33"E, 210.19 FEET; S63°38'04"E, 145.36 FEET; S48°41'35"E, 151.51 FEET; S47°07'30"E, 206.14 FEET; S67°18'48"E, 140.62 FEET; S85°22'36"E, 196.16 FEET; N78°57'44"E, 180.51 FEET; N45°52'40"E, 100.47 FEET; N06°07'25"E, 183.68 FEET; N04°22'00"W, 221.51 FEET; S84°38'03"E, 193.13 FEET; S07°16'17"E, 254.90 FEET; S77°48'56"E, 122.23 FEET; N79°04'44"E, 129.36 FEET; S81°33'56"E, 148.43 FEET; N78°59'12"E, 230.41 FEET; N75°58'39"E, 255.49 FEET; N82°27'50"E, 143.27 FEET; N40°02'39"E, 91.96 FEET; N26°34'38"E, 103.93 FEET; N68°18'07"E, 82.12 FEET; S68°32'04"E, 129.70 FEET; N79°31'45"E, 69.41 FEET; S65°07'59"E, 65.06 FEET; S29°16'41"E, 76.57 FEET; S65°38'22"E, 131.26 FEET; N82°34'06"E, 102.70 FEET; S69°49'27"E, 91.03 FEET; S89°40'00"E, 89.03 FEET; N70°55'44"E, 83.19 FEET; S89°22'52"E, 221.92 FEET; S69°59'28"E, 98.46 FEET; S60°24'40"E, 184.64 FEET; S46°10'37"E, 142.24 FEET; S38°35'30"W, 91.08 FEET; S23°01'42"E, 32.07 FEET; S68°58'51"E, 56.41 FEET; S30°04'42"E, 56.06 FEET; S17°19'48"W, 79.33 FEET; S43°27'24"W, 80.28 FEET; S23°20'53"W, 136.67 FEET; S39°31'56"W, 88.43 FEET; S64°16'14"W, 145.65 FEET; S41°38'38"W, 55.43 FEET; S07°17'07"W, 78.29 FEET; S26°24'19"W, 71.91 FEET; S48°50'42"W, 147.15 FEET; S11°00'07"E, 74.42 FEET; S12°36'55"W, 79.78 FEET; S28°27'31"W, 122.76 FEET; S32°23'07"W, 268.90 FEET; S19°27'45"W, 84.25 FEET; S05°42'27"W, 78.38 FEET; S07°19'46"W, 126.97 FEET; S29°53'13"W, 150.93 FEET; S32°03'43"W, 198.15 FEET; S37°16'02"W, 120.01 FEET; S44°54'04"W, 190.75 FEET; S54°43'58"W, 209.32 FEET; S64°43'54"W, 197.54 FEET; S72°36'24"W, 190.31 FEET; S77°06'42"W, 183.44 FEET; S53°39'03"W, 167.36 FEET; S29°25'41"W, 164.56 FEET; S05°48'52"W, 159.14 FEET; S10°15'13"E, 189.83 FEET; S42°49'00"E, 288.98 FEET; S38°19'19"E, 267.38 FEET; S38°16'37"E, 330.61 FEET; S37°24'37"E, 317.44 FEET; N59°19'07"E, 97.26 FEET; N03°19'18"E, 154.72 FEET; N28°05'05"E, 115.87 FEET; N62°00'28"E, 139.54 FEET; N85°46'22"E, 134.79 FEET; S64°35'28"E, 101.32 FEET; S46°36'21"E, 161.64 FEET; N50°08'26"E, 175.86 FEET; N66°49'48"W, 70.74 FEET; N35°28'20"W, 147.51 FEET; N26°58'52"W, 225.93 FEET;

BK 0170 PG 0840 I

N26°32'14"W, 164.57 FEET; N14°54'38"W, 96.45 FEET; N23°29'12"E, 68.20 FEET; N29°14'03"E, 76.89
 FEET; N14°57'17"E, 115.23 FEET; N39°34'53"E, 97.95 FEET; N16°22'13"E, 76.52 FEET; N08°42'13"E,
 126.60 FEET; N31°49'13"E, 104.86 FEET; N56°51'11"E, 133.71 FEET; N76°16'49"E, 122.54 FEET;
 N26°33'06"E, 109.00 FEET; N55°54'53"E, 157.23 FEET; N07°06'06"E, 43.40 FEET; N22°28'00"W, 136.76
 FEET; N35°45'10"W, 204.88 FEET; N49°42'58"W, 125.18 FEET; N15°22'29"W, 72.78 FEET;
 N06°45'39"E, 95.03 FEET; N25°50'38"E, 125.55 FEET; N32°58'28"E, 244.53 FEET; N25°27'54"E, 184.39
 FEET; N24°40'31"E, 162.54 FEET; N33°56'16"E, 209.31 FEET; N33°09'41"E, 230.29 FEET; N62°58'11"E,
 89.27 FEET; S86°48'42"E, 35.96 FEET; N01°26'11"E, 48.79 FEET; N30°31'46"E, 116.31 FEET;
 N48°13'05"E, 120.58 FEET; N23°27'52"E, 135.04 FEET; N15°08'51"W, 110.36 FEET; N25°28'06"W,
 244.31 FEET; N28°06'06"W, 172.87 FEET; N07°32'36"W, 154.27 FEET; N03°28'43"E, 117.54 FEET;
 N22°18'56"W, 78.40 FEET; N30°52'29"W, 144.54 FEET; N15°36'11"W, 150.68 FEET; N00°09'19"E,
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 N59°09'27"E, 121.60 FEET; N84°51'35"E, 106.60 FEET; S70°25'00"E, 119.57 FEET; S68°46'58"E,
 293.37 FEET; S45°08'47"E, 59.39 FEET; S18°03'29"E, 205.37 FEET; S53°04'43"E, 53.52 FEET;
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 FEET; S32°50'50"W, 55.58 FEET; S73°19'20"W, 32.39 FEET; S87°58'11"W, 154.06 FEET; S41°23'58"W,
 46.70 FEET; S10°15'06"E, 71.86 FEET; S59°08'56"E, 132.74 FEET; N84°08'45"E, 46.37 FEET;
 N36°44'52"E, 227.34 FEET; S71°52'22"E, 403.14 FEET; N82°00'57"E, 53.60 FEET; S38°44'32"E, 118.22
 FEET; S63°37'59"E, 107.96 FEET; S82°29'47"E, 91.47 FEET; S37°47'03"E, 53.12 FEET; N83°46'51"E,
 108.72 FEET; S87°41'23"E, 100.10 FEET; N64°38'26"E, 464.69 FEET; N89°16'24"E, 86.03 FEET;
 S51°36'27"E, 71.23 FEET; S14°23'41"E, 141.83 FEET; S08°24'38"W, 97.45 FEET; S56°19'47"W, 54.91
 FEET; S80°37'06"W, 126.99 FEET; S43°08'43"E, 111.73 FEET; S07°20'52"E, 113.82 FEET;
 S27°01'39"W, 103.02 FEET; S41°29'48"W, 119.95 FEET; S61°10'31"W, 219.05 FEET; S14°22'58"W,
 149.33 FEET; S03°41'05"W, 134.37 FEET; S01°27'49"W, 186.11 FEET; S05°51'13"E, 144.67 FEET;
 S13°24'58"W, 83.29 FEET; S55°21'39"W, 73.01 FEET; S66°01'02"W, 135.99 FEET; S71°07'35"W, 169.55
 FEET; S03°11'55"E, 30.53 FEET; S09°12'59"E, 102.63 FEET; S09°07'42"W, 117.47 FEET; S02°58'15"E,
 51.08 FEET; S17°51'05"E, 104.63 FEET; S16°16'53"E, 358.03 FEET; S10°04'56"E, 162.39 FEET;
 S03°39'34"W, 197.38 FEET; S16°51'56"W, 148.41 FEET; S23°51'14"W, 678.40 FEET; S33°38'59"W,
 118.39 FEET; S83°43'00"W, 118.24 FEET; S06°53'54"W, 103.56 FEET; S23°49'41"W, 233.30 FEET;
 S43°13'03"W, 204.79 FEET; S55°45'55"W, 174.66 FEET; S24°17'29"E, 221.13 FEET; S23°24'01"W,
 129.21 FEET; N64°58'12"W, 148.70 FEET; S81°37'08"W, 365.07 FEET; N54°09'47"W, 194.69 FEET;
 S50°56'14"W, 56.06 FEET; S13°18'50"W, 225.35 FEET; N80°13'54"E, 153.38 FEET; S76°14'27"E, 145.22
 FEET; S65°22'22"E, 124.00 FEET; S35°13'38"E, 104.11 FEET; S02°17'29"W, 149.04 FEET;
 S85°05'24"W, 166.46 FEET; N67°11'25"W, 138.10 FEET; N84°08'10"W, 106.42 FEET; S62°39'31"W,
 75.70 FEET; S10°57'28"W, 49.06 FEET; S50°05'47"W, 156.67 FEET; S85°45'52"W, 77.83 FEET;
 S42°46'45"W, 146.62 FEET; N42°31'15"W, 165.33 FEET; N18°00'22"W, 510.78 FEET; N00°46'28"W,
 120.44 FEET; N77°00'20"W, 93.95 FEET; S41°23'34"W, 271.07 FEET; S50°13'14"W, 212.96 FEET;
 S60°53'49"W, 221.24 FEET; S38°17'22"E, 205.40 FEET; S84°56'31"E, 254.32 FEET; S70°17'16"E,
 363.80 FEET; S30°48'33"E, 168.60 FEET; N79°42'54"E, 224.81 FEET; S54°47'08"E, 115.98 FEET;
 S89°58'00"E, 115.42 FEET; N39°35'12"E, 200.09 FEET; N48°45'33"E, 162.90 FEET; N86°21'12"E,
 118.53 FEET; S72°05'54"E, 166.49 FEET; S13°03'34"E, 71.44 FEET; S53°09'04"W, 148.71 FEET;
 S38°03'56"W, 139.86 FEET; S55°41'03"W, 212.67 FEET; S55°54'17"W, 284.66 FEET; N87°25'04"W,
 111.40 FEET; N82°03'40"W, 235.19 FEET; S88°30'51"W, 230.97 FEET; S58°52'04"W, 100.76 FEET;
 N67°43'02"W, 99.94 FEET; N64°55'23"W, 147.57 FEET; N88°50'52"W, 265.00 FEET; S14°35'05"W,
 158.79 FEET; S02°59'28"W, 154.69 FEET; S21°44'34"E, 159.48 FEET; S07°03'31"W, 142.64 FEET;
 S19°07'48"E, 177.70 FEET; S22°03'42"W, 99.38 FEET; S35°27'06"W, 112.21 FEET; S20°14'19"W,
 105.00 FEET; S64°27'31"W, 59.16 FEET; S32°08'36"W, 66.18 FEET; N60°13'25"W, 2000.97 FEET TO
 THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 992.594 ACRES MORE OR LESS.

BK 0170 PG 0840, K

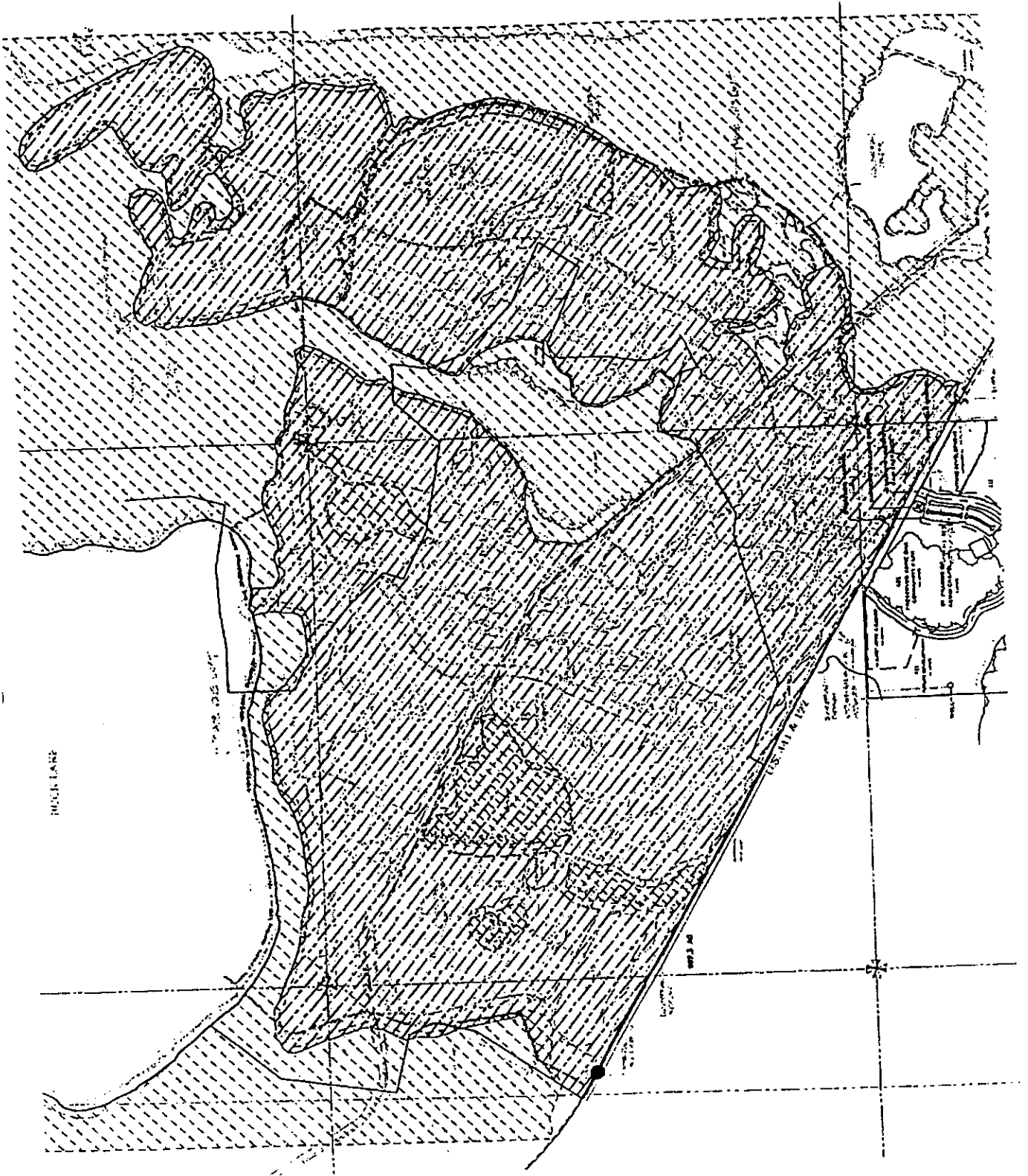


Exhibit "3"

LANDOWNER'S CONSENT TO ESTABLISHMENT OF DISTRICT

Birchwood Acres Limited Partners, with its principal place of business at 20 North Orange Avenue, Suite 1400, Orlando, Florida 32801, by and through its authorized representative, James L. Lentz, General & Managing Partner, hereby certify it is the owner of certain property located in Osceola County and more particularly described as follows:

See Exhibits "1" & "2" of the "Petition to Establish the Harmony Community Development District" incorporated herein by reference.

By signing below, Birchwood Acres Limited Partnership, as owner of 100% of the proposed land to be included in the HARMONY COMMUNITY DEVELOPMENT DISTRICT ("District"), as evidenced in the deed records of Osceola County, hereby gives full consent to the establishment of the District by Osceola County ordinance in accordance with section 190.005, Florida Statutes, and consent to the inclusion of its property within the proposed boundaries of the said District.

IN WITNESS WHEREOF, I hereunto set my hand on this 9 day of November 1999.

James L. Lentz
James L. Lentz
General Partner
Birchwood Acres Limited Partnership

STATE OF FLORIDA
Orange COUNTY

The foregoing instrument was acknowledged before me this 9th day of November, 1999, by James L. Lentz.

Personally known JAMES L. LENTZ

Produced Identification
Type of Identification Produced

Benjamin M. O'Keefe
Notary Public

My commission expires



(Printed Name of Notary Public)

GENEVIEVE M. O'KEEFE

BK 0170 PG 0840L

EXHIBIT 5

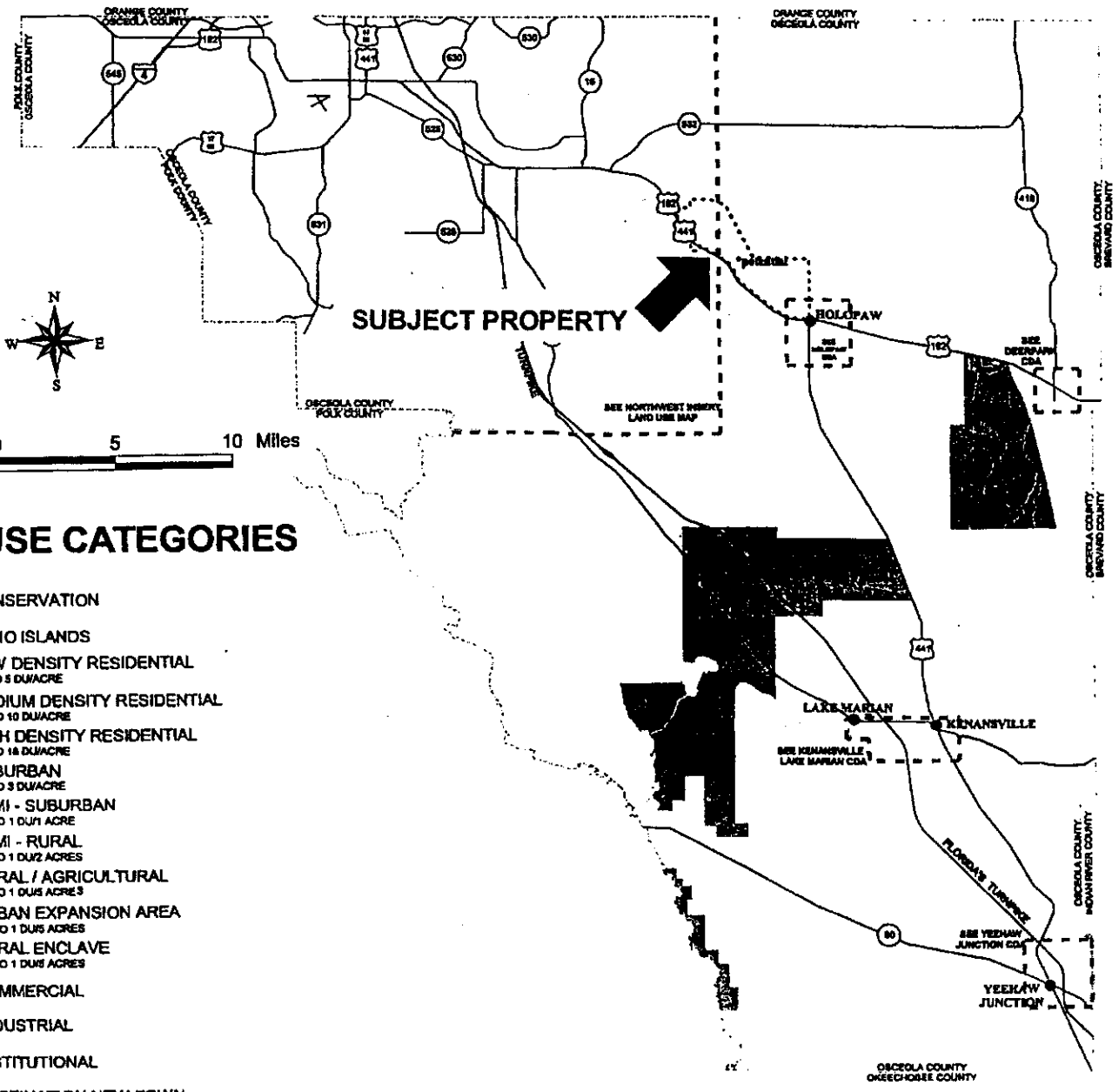
HARMONY COMMUNITY DEVELOPMENT DISTRICT

SUMMARY OF OPINION OF PROBABLE COSTS AND ESTIMATED TIMETABLE

INFRASTRUCTURE* (costs in thousands of dollars)				
SYSTEM, FACILITY AND SERVICE	2000	2001	2002	TOTAL
WASTEWATER PLANT	1500	0	4500	6000
WATER PLANT	1000	0	2000	3000
DRAINAGE	2500	0	0	2500
LAND (Parks, Roadways, etc.)	4500	0	0	4500
PAVING, WATER & SEWER LINE	2500	0	3400	5900
UNDERGROUND UTILITIES	1400	0	2600	4000
BIKE PATHS, TRAILS, EQUESTRIAN CENTER	1500	0	1000	2500
LANDSCAPING	1500	0	500	2000
PUBLIC FACILITIES	1250	0	0	1250
CONTINGENCIES	1500	0	1500	3000
TOTAL PRIMARY	19150	0	15500	34650

* Estimated costs of construction are for those special powers granted under section 190.012(1), Florida Statutes (1999) only. No estimates are provided for any special powers granted under section 190.012(2), Florida Statutes, since consent to exercise these state-created charter powers is by the local general purpose government within whose jurisdiction such powers are to be exercised, in this instance, Osceola County.

BK 0170 PG 0840.0



LAND USE CATEGORIES

- CONSERVATION
- TOHO ISLANDS
- LOW DENSITY RESIDENTIAL
UP TO 5 DU/ACRE
- MEDIUM DENSITY RESIDENTIAL
UP TO 10 DU/ACRE
- HIGH DENSITY RESIDENTIAL
UP TO 18 DU/ACRE
- SUBURBAN
UP TO 3 DU/ACRE
- SEMI - SUBURBAN
UP TO 1 DU/1 ACRE
- SEMI - RURAL
UP TO 1 DU/2 ACRES
- RURAL / AGRICULTURAL
UP TO 1 DU/5 ACRES
- URBAN EXPANSION AREA
UP TO 1 DU/5 ACRES
- RURAL ENCLAVE
UP TO 1 DU/5 ACRES
- COMMERCIAL
- INDUSTRIAL
- INSTITUTIONAL
- DESTINATION NEW TOWN
- DUAL USE / HDR & COMMERCIAL
- DUAL USE / INSTITUTIONAL & COMMERCIAL

COUNTY INDEX MAP

OVERLAY DISTRICTS

- MANUFACTURED HOUSING OVERLAY
- MICHIGAN AVENUE OVERLAY
- NEPTUNE ROAD OVERLAY
- WEST COUNTY OVERLAY
- TOURIST CORRIDOR OVERLAY
- RURAL COMMUNITY (*potential)
- SUBURBAN OVERLAY

* Refer to Future Land Use Element for Overlay District Policies

EXHIBIT 6

PLEASE SEE THE ORIGINAL PETITION FOR THE FULL SIZE MAP OF THE OSCEOLA COUNTY - FUTURE LAND MAP 2010

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This statement of estimated regulatory costs ("SERC") supports the petition to establish the Harmony Community Development District ("Harmony" or "District"). As a new community development district ("CDD"), the limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. (governing CDDs) as follows:

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

1.2 Harmony Community Development District

The proposed District comprises approximately 993 proposed acres within Osceola County, Florida ("County"). The current development plan for the community includes approximately 2,500 residential units, about 600,000 square feet of retail/commercial space, an equestrian center, bike paths, nature trails and other amenities.

A Community Development District is an independent unit of special purpose local government created by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDD's provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers." Section 190.002 (1) (a) F.S.

A CDD is not a substitute for the local, general purpose, government unit, i.e., the County in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A community development district is an alternative means of financing, constructing, operating and maintaining community infrastructure for planned developments, such as Harmony. The scope of this SERC is limited to evaluating the consequences of approving the proposal to establish the Harmony Community Development District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S. (1997), defines the elements a statement of estimated regulatory costs for rules must contain, which also apply, because of Chapter 190, F.S., to this ordinance:

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

(b) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

(c) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.

(d) An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S. (Osceola County is not defined as a small county for purposes of this requirement).

(e) Any additional information that the agency determines may be useful.

(f) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule."

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

The principal entities that are likely to be required to comply with the ordinance include the District, the State of Florida, and Osceola County. In addition, future landowners in Harmony will also be affected by the establishment of the District on the proposed property. As noted above, Harmony is designed to include approximately 2,500 housing units, about 600,000 square feet of

retail/commercial space, an equestrian center, bike paths, nature trails and other amenities.

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

3.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

There will be minimal costs to State and existing local governments to Implement the proposed ordinance establishing the Harmony Community Development District. Since Harmony is under 1,000 acres and lies within the County, it is the County alone that must evaluate and decide upon the proposed ordinance. The State has no role in evaluating the proposed ordinance. However, the State will have some modest Implementation costs relating to the various reports the CDD must file. These are described below.

Since Harmony lies entirely within the County, the County will examine the petition to establish the District and decide upon the proposed ordinance. There will be staff costs for the review, the costs of a public hearing, and costs to the County Commission to consider the proposed ordinance.

These costs are modest for a number of reasons. First, review of the petition to establish the CDD is limited by statute to the financial and operational aspects of establishing the District, and they do not include analysis of the Harmony development project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, existing general purpose local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Finally, general purpose local governments routinely process applications for land uses and zoning changes that are far more complex than is the petition to establish the state-created CDD on the proposed property.

Furthermore, these should be fully offset by the filing fee allowed under State law. Thus, the net cost to the County to review the proposed ordinance is very small, if it exists at all.

As units of local government, CDDs must file all reports required by units of local government in Florida. These include, but are not necessarily limited to the following:

- (a) copies of each annual financial report for the previous year must be filed with the County and the Department of Banking and Finance no later than March 31 of each year;

(b) budgets for the upcoming fiscal year are the subject of public hearing, after proper newspaper notice, and are subject to review and optional comments by the County within which the CDD is located;

(c) within twelve months of the close of each fiscal year, a CDD must file certified copies of its audited financial statements with the County;

(d) each year a CDD must file with the County and the Division of Bond Finance of the State Board of Administration a complete description of all of its outstanding bonds (Chapter 218.38, F.S.);

(e) each year a CDD must file with the County a schedule of time, date and location of all regular meetings of the Board of Supervisors (Chapter 189, F.S.);

(f.) each year a CDD must file a public facilities report pursuant to the requirements of Chapter 189.415, F. S.;

(g.) certain certifications to the Department of Community Affairs Special District Information Program concerning bond sales and the character of the bond issue to the effect that either:

(1) the bonds were rated in one of the highest four categories by a nationally recognized rating service;

(2) the bonds were privately placed with or otherwise sold to accredited investors;

(3) the bonds were backed by credit enhancement; or

(4) the bonds were accompanied by an independent financial advisory opinion stating the estimates of debt service coverage and probability of repayment as reasonable; and

(h) the obligation to notify the Governor and the Legislative Auditing Committee of any impending or existing financial emergency of the CDD (Chapter 189.049, F.S.).

In addition, CDDs are governed by the provisions of Chapter 189.412 and must participate in the Special District Information Program conducted by the Department of Community Affairs. The Department charges a fee of \$175 per year to each CDD to offset the Department's costs.

The review and collation of all of these reports absorbs some resources of the State and its various agencies. However, the incremental cost of one additional set of local governmental reports is minimal. The same is true for the County which will also receive various reports from the CDD for informational purposes. However, no ongoing action is required from either the State or the other local governments. The CDD is an independent unit of local government with its own budget and its own staff.

3.2 Impact on State and Local Revenues

Adoption of the proposed ordinance to approve the establishment of the Harmony Community Development District will have no adverse impact on State and local revenues. As noted above, the District's sole proposed functions are granted and provided in Chapter 190, F.S. and relate strictly to the planning, financing, constructing, operating and maintaining community infrastructure and services to serve the Harmony community.

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

Transactional costs to the State and local agencies in reviewing the petition to establish the District have been discussed above. Beyond those administrative costs, there will be no cost incurred by the State of Florida, any of its agencies, or local governments.

Harmony Community Development District is created by law to plan, finance, operate, and maintain community infrastructure and services to serve the property in the Harmony community. The District will levy non-ad valorem special assessments on properties within its boundaries to finance the infrastructure the District provides and to defray the costs of operating and maintaining that infrastructure and associated community facilities. The table below summarizes the opinion of probable costs and estimated timetable for the District's infrastructure.

**HARMONY COMMUNITY DEVELOPMENT DISTRICT
SUMMARY OF PROBABLE COSTS AND ESTIMATED TIMETABLE**

<u>Infrastructure Component</u>	<u>2000 to 2002</u>
Water and Wastewater	\$18,900,000
Surface Water Management	2,500,000
Roadways	4,500,000
Bike Paths, Trails, Equestrian Center	2,500,000
Landscaping	2,000,000
Public Facilities	1,250,000
Construction Contingency	<u>3,000,000</u>
Total	\$34,650,000

The total estimated construction cost (including engineering and construction contingency) for these facilities is \$34,650,000. Also, various financing reserves must be provided for, such as a Debt Service Reserve (approximately \$3,627,300), and capitalized interest (approximately \$5,652,811), in addition to estimated costs of bond issuance of approximately \$1,049,889. In total, the District plans to issue approximately \$44,980,000 in special assessment revenue bonds to fund the above costs.

Prospective future land owners in the District would be required to pay off the special assessment revenue bonds over 30 years in the form of non-ad valorem special assessments levied by the District and collected by the Osceola County Tax Collector (the Tax Collector and Property Appraiser are reimbursed for their expenses). However, as is the case in most CDDs, the landowner may make some paydown of this debt at or before closing on the property. While not required to do so, landowners and developers in CDDs almost always pay down some, or all, of the debt encumbering properties prior to closing. This is because debt levels would otherwise be an obstacle to the sale of property in the District.

In addition to the levy of non-ad valorem special assessments for debt service, the petitioner for the District also plans an annual levy for operations and maintenance of the District.

In considering the costs that must be paid by those affected by the proposed ordinance to establish the Harmony Community Development District, two points are important. First, unlike most other situations, 100% of the costs which would be funded by the District (in this case construction and maintenance of roadways, utility lines, and drainage systems) would have to be incurred in any event. These costs are not peculiar to the establishment of the District. If the District does not provide these facilities and services, the Developer would borrow money, construct the facilities, and raise the prices for its real estate products to cover these extra costs. If the District does not operate and maintain these facilities, a homeowners association (or similar entity) would have to assess its members to pay for this management service. The point is that these costs exist in any event.

Second, State law requires that prospective property owners be notified that these District levies exist. Anyone purchasing property subject to the District's levies does so voluntarily and with full information. Thus, those who are subject to the transactional costs of the proposed ordinance choose, voluntarily, to be governed by the District so far as infrastructure provision is concerned.

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

Approval of the petition to establish the Harmony Community Development District will have only incidental impact on small businesses, and it is positive. The District must operate according to Florida's "sunshine" laws, and the District must take bids for the goods and services it will purchase. As a result, small businesses will be better able to compete for District business serving the lands to be included within the District.


The approval of the District will not have any impact on small counties and cities as defined in Section 120.52, F.S. The County is not a small county as defined.

6.0 Any additional useful information.

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

Fishkind & Associates, Inc.

By



Arthur H. Diamond, Associate