

## **Steven's Plantation**

---

Community Development District  
210 N. University Dr., Suite 702  
Coral Springs, FL 33071

Phone: (954) 753-5841  
Fax: (954) 345-1292

March 10, 2014

RE: 15-26-30-0700-0001-XXX

Dear Property Owner,

At the direction of the Board of Supervisors of the Stevens Plantation Community Development District, this letter is a follow up to the letter sent to you in January and is intended to provide additional information about the B assessments and 2003B Bonds referenced in our letter. The CDD has received several inquiries and we want to be sure that all affected residents have the benefit of the answers to the most commonly asked questions. A compact disc containing copies of the documents referred to herein is provided for your convenience. Additionally, these documents may be accessed on the Stevens Plantation CDD website at <http://www.stevensplantationcdd.org/>.

### **What is the Stevens Plantation Community Development District (“CDD”) and what does it do?**

The CDD is a local, special purpose government entity created and authorized by Chapter 190 of the Florida Statutes. It was created to facilitate the development of Stevens Plantation by constructing and maintaining the public infrastructure in the Stevens Plantation subdivisions such as roads, water systems, sewer systems, utilities etc.

### **What are the B Bonds?**

The financing of some of the infrastructure was done by the CDD selling bonds to investors and using the proceeds from the sale of those bonds to build the infrastructure. In 2003 the CDD sold two series of bonds, the 2003A Bonds and the 2003B Bonds or B Bonds. The 2003 A Bonds were structured to be paid over a period of 32 years, with annual principal payments beginning in 2006 and running through the May 1, 2035 maturity date. Because the 2003B Bonds were structured with a single maturity date of May 1, 2013 the entire principal balance became due on that date. The B Bonds were expected to be repaid much earlier than maturity through assessments prepayments made at the time homes and developed and improved commercial properties were sold as explained.

## **How was the amount of the assessment on each lot calculated?**

The amount of the assessment on each lot was calculated using the methodology set out in the CDD's Master Assessment Methodology adopted by the CDD in 2003. The methodology uses tested criteria to apportion the special benefit received by all lots within the CDD from the infrastructure improvements constructed by the CDD. The commercial lots are looked at differently from the residential lots but are also apportioned the cost of the improvements. Additionally, because of the varying lot sizes within the distinct neighborhoods (or "pods" as referenced in the methodology), an equivalent unit of measurement was used to fairly apportion the cost of the improvements. Accordingly, although not all lots are assessed for the same amount, all similar property is assessed on the same basis. The methodology used to determine the amounts of the assessments is described in the Adopted Master Assessment Methodology Stevens Plantation Community Development District, which is available on the enclosed CD or on the CDD's website.

The assessment methodology sets out how the cost of the financed improvements are apportioned among the property lots within the CDD and sets out the amount of the assessments per lot (or per unit) supporting the 2003A Bonds and the 2003B Bonds. Additionally, the assessment methodology sets out the "Builder's Release Amount" for all lots (and units within the commercial and corporate campus areas). It is this Builder's Release Amount that, although paid at most of the real estate closings to date, resulting in the release of the lien for the B assessments, which was not paid on your lot. In that the Builder's Release Amount takes into account certain reserve funds held by the trustee for the 2003B Bonds, this amount is actually less than the full B assessment.

## **What infrastructure was constructed with the funds obtained through the bonds?**

As more specifically set out in Exhibit D to the Engineer's Report (see enclosed CD or the CDD website) the following is a list of infrastructure improvements constructed by the CDD with the bond proceeds:

- Surface Water Management System including lakes, culverts, and control structures.
- Collector Roadway & Intersection Improvements including drainage and utilities.
- Residential and commercial streets within the development pods.
- Water and sewer system including water distribution system, on-site lift stations, sewage force mains, and gravity sewer collection systems.
- Reuse water distribution for irrigation.
- Landscaping and street lighting.

## **Why are the B assessments a lien on my property?**

Under Florida law, when the CDD makes an assessment the assessment automatically becomes a lien on the assessed property. Making the assessment is called imposing the assessment.

A document that was recorded in the Official Public Records of Osceola County that gives the public, including all prospective purchasers of property in the CDD, notice that the assessments may exist or may be created in the future and that any assessments will create a lien on the affected properties until the assessments are paid. A copy of that document, the Declaration of Consent to Jurisdiction of Stevens Plantation Community Development District and to Imposition of Special assessments, is on the enclosed CD and available on the CDD website. Copies of Resolution 2003-02, Resolution 2003-03 and Resolution 2003-11 which are referred to in the Declaration are also on the enclosed CD or available on the CDD website.

On October 2, 2003 the assessments were imposed on each lot, and, by operation of law, automatically became a lien on your property when the CDD adopted Resolution 2003-11. The specific amount of the lien does not have to be recorded in land records of the county. That is because Florida law provides that the lien is automatically created upon imposition of the assessment and notice of the possible existence of a lien is provided by the Declaration. To find out the amount of the lien a property owner or closing agent needs to contact the CDD.

### **Why is the CDD requiring payment of the B assessments now?**

The A assessments and the B assessments were imposed and structured to support the payment of the 2003A Bonds and the 2003B Bonds. The A and B assessments are the source of security for the bonds. As noted above, the 2003 A Bonds (and, correspondingly, the A assessments) were structured to be paid over a period of 32 years, with annual principal payments beginning in 2006 and running through the May 1, 2035 maturity date. The A assessments are calculated annually by the CDD to be the amount necessary to pay the principal of the 2003A Bonds required to be paid that year, plus accrued interest on the outstanding 2003A Bonds. Also as noted above, the 2003B Bonds (and, correspondingly the B assessments) were structured to be paid at maturity on May 1, 2013. Based on the real estate market when the bonds were issued, it was anticipated that the 2003B Bonds would be paid much earlier as a result of the prepayment of the B assessments (the "Builder's Release" amount discussed above) upon the sale of finished homes to residents and the sale of improved commercial property and/or units on the corporate campus.

The CDD has been in discussions with the Master Trustee and bondholders in an attempt to work out a solution, however, the bondholders have not agreed to any extension or restructuring of the 2003B Bonds. Additionally, in September 2013 the bondholders directed the CDD to fully enforce the payment of the assessments. As a result, the CDD mailed you the letter referred to above. The bondholders also directed the CDD to bill the unpaid B assessments at a higher rate than the lots for which the B assessment had already been paid. However, the CDD did not comply with that request. The amount billed on your lot is the same as the amount paid on similar lots in your neighborhood.

### **Were the B assessments paid on any of the lots in the Stevens Plantation subdivisions?**

Yes. Most of the lots that were sold had the B assessments paid either at or before closing. Of the 510 residential lots sold, 433 apparently had the B assessments paid when the sales were

closed. The B assessments remain on most of the commercial lots. In some of those instances, the current owner, bought the property subject to the assessments and is responsible for paying the assessments. In the remaining instances, the original owner is responsible for the assessments.

### **Why don't the B Assessments appear on the Property Tax Bill or on the Property Card on the Property Appraiser's Website?**

Under Florida law, the CDD can collect assessments by billing property owners directly or by opting to have the assessments collected in the same manner as ad valorem property taxes by the county tax collector. If the assessments are collected by the tax collector, the assessments will appear on the annual tax bill and the "property card" on the property appraiser's website. The CDD collects the "A" assessments in this manner, as well as the operations assessment and the high-speed data assessment. Because the B assessments were intended to be collected at the time a finished home or an improved and developed commercial lot was sold, the CDD did not opt to put these assessments on the tax bill. Regardless of how the assessments are collected, the assessments represent a lien on the property until paid.

### **Why weren't the B Assessments paid when I bought my property?**

The purchase and sale of property within the CDD is a private transaction. The CDD is not a party to that property transaction. In most instances, unless contacted by a closing agent or one of the parties, the CDD does not have any knowledge of a pending transaction. Whether a lien is satisfied at closing is strictly a matter between the buyer and seller. For example, with regard to some of the commercial property transactions, the buyers agreed in the purchase contracts to purchase the property subject to the assessments. In other transactions, the contract provides that these assessments will be paid at closing. Regardless of the specific contract terms, a buyer, seller or title company may contact the CDD to determine the amount of assessments that are outstanding for a lot and the terms on which the assessments are payable and prepayable. When the CDD receives such an inquiry it sends a letter to the inquiring party stating the amount necessary to pay the assessments in full and thereby release the liens. A copy of such a letter is included on the enclosed CD or available on the CDD website herewith.

The contract under which you purchased your property may or may not have provisions regarding liens for assessments and who was responsible for paying them. If a title company or other closing agent closed your purchase, although a public records search would have revealed the above-referenced Declaration and Consent, the company or agent may not have researched whether there was a lien on your property and may not have informed you about such a lien. There may be other factors in your particular transaction that bear on why the assessment was not paid, including that moneys were set aside at closing for the payment of the assessment but never paid over to the CDD. You would need to look at the specifics of your transaction to determine whether anything else is relevant.

### **The earlier letter I received said that the lien assessment must be paid by April 1, 2014, what should I do if I am not able to pay that amount?**

As stated, the CDD was directed by the bondholders to send out payment invoices to each of the affected property owners. If you are not able to pay the amount by April 1, 2014, it is suggested that you advise the CDD in writing by letter addressed to Stevens Plantation CDD c/o Severn Trent Services 210 N University Drive, Suite 702 Coral Springs, FL 33071 Attention: Luvinia LaCap. It is suggested that you explain the circumstances associated with your specific situation and provide any information that you are willing to communicate to the bondholders as to your ability to pay the amount by that date.

**Who may my closing agent or title company contact, if additional information is required?**

If needed, you may direct a title company or closing agent to Attorney Norm Nash of DeBeaubien, Knight, Simmons, Mantzaris & Neal, LLP, for further information. Mr. Nash may be reached at (407) 992-3637 or at [nnash@dbksmn.com](mailto:nnash@dbksmn.com).

It is our sincere hope that the above information is of assistance to you in better understanding the current situation regarding your property and enables you to address the outstanding lien.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary Moyer", written in a cursive style.

Gary Moyer