

This Instrument Prepared by  
and return to:

Indigo Community Development District  
Governmental Management Services, LLC  
14785 St. Augustine Road, Suite 4  
Jacksonville, Florida 32258

**DISCLOSURE OF PUBLIC FINANCING AND MAINTENANCE  
OF IMPROVEMENTS TO REAL PROPERTY UNDERTAKEN BY  
THE INDIGO COMMUNITY DEVELOPMENT DISTRICT**

**Board of Supervisors<sup>1</sup>  
Indigo Community Development District**

Kurt von der Osten  
Chairperson

Robert E. Welsh  
Vice Chairperson

George Speer, III  
Treasurer/Assistant Secretary

John McCarthy  
Assistant Secretary

Randy Smith  
Assistant Secretary

James A. Perry  
District Manager  
Governmental Management Services, LLC  
14785 St. Augustine Road, Suite 4  
Jacksonville, Florida 32258

District records are on file at the offices of the District Manager and at the local records office 105 Grand Champion Boulevard, Daytona Beach, Florida 32124, and are available for public inspection upon request during normal business hours.

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<sup>1</sup> This list reflects the composition of the Board of Supervisors and Officers as of April 1, 2008. For a current list, please contact the District Manager.

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## INTRODUCTION

On behalf of the Board of Supervisors of the Indigo Community Development District, the following information is provided to give you a description of the District's services, the assessments, fees and charges that have been levied within the District to pay for certain community infrastructure, and the manner in which the District is operated. A unit of special-purpose local government created pursuant to and existing under the provisions of Chapter 190, Florida Statutes, the District provides facilities and community services that would otherwise be the responsibility of the private sector, a homeowners association or another unit of local government. Unlike city and county governments, the District has only certain limited powers and responsibilities. These powers and responsibilities include construction, operation and/or maintenance of roads and street lights, water management and drainage control facilities, bridges, culverts, parks and recreational facilities.

The District is here to serve the needs of the community and we encourage your participation in District activities.

Under Florida law, community development districts are required to take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to real property undertaken by such districts. The law specifically provides that this information shall be made available to all persons currently residing within the District and to all prospective District residents. The following information describing the **Indigo Community Development District** and the assessments, fees and charges that have been levied within the District to pay for certain community infrastructure is provided to fulfill this statutory requirement.

### **What is the District and how is it governed?**

The District is an independent special district established January 3, 1995, by rule of the Florida Land and Water Adjudicatory Commission. A local unit of special-purpose government created pursuant to and existing under the provisions of Chapter 190, Florida Statutes, the District encompasses approximately 2,513 acres of land adjacent to I-95, US 92 and LPGA Boulevard in the City of Daytona Beach, Florida. The District provides an alternative means for planning, financing, constructing, operating and maintaining various public improvements and community facilities within its jurisdiction.

The District is governed by a five-member Board of Supervisors, the members of which must be residents of the State and citizens of the United States. Within 90 days of appointment of the initial board, members were elected on an at-large basis by the owners of property within the District, each landowner being entitled to one vote for each acre of land with fractions thereof rounded upward to the nearest whole number. Elections are held every two years on the first Tuesday in November. When the District attains a minimum of 250 qualified electors, Supervisors whose terms are expiring will begin to be elected by qualified electors of the District. A "qualified elector" in this instance is any person at least 18 years of age who is a citizen of the United States, a legal resident of

Florida and of the District, and who is also registered with the Supervisor of Elections to vote in Volusia County. Notwithstanding the foregoing, if at any time the Board proposes to exercise its ad valorem taxing power, it shall, prior to the exercise of such power, call an election at which all members of the Board shall be elected by qualified electors of the District.

Board meetings are noticed in the local newspaper and are conducted in a public forum in which public participation is invited. Consistent with Florida's public records laws, the records of the District are available for public inspection in accordance with the requirements of Florida law. Elected members of the Board are similarly bound by the State's open meetings law and are subject to the same disclosure requirements as other elected officials under the State's ethics laws.

### **What infrastructure improvements does the District provide?**

The boundaries of the District encompass approximately 2,513 acres of land located in the City of Daytona Beach. The legal description for the lands encompassed within the District is attached as **Exhibit "A"**. The development of the land within the District was approved in 1993 as a Development of Regional Impact (DRI). Infrastructure improvements necessary for the development of residential and commercial tracts within the District include the construction of water management facilities, road, entranceway and traffic improvements and utility facilities. The District also has a number of maintenance obligations relating to these improvements. Each of these infrastructure improvements is more fully detailed below.

#### **Water Management and Roadway Improvements**

Roadway, entranceway and traffic improvements have been provided and in some portion dedicated to the City of Daytona Beach. Additional roadway, entranceway and traffic improvements will be provided by the District in the South Assessment Area. These roadway improvements allow access to District properties and provide necessary traffic volume capacity. Roadway improvements dedicated to the City of Daytona Beach include Champion's Drive Phase II as well as International Golf Drive. The entrance features owned and maintained by the District include entry signs, entry fountains, walkways, lighting and other features.

In addition, a conservation and open space system is in place to enhance the wetlands and wildlife habitat within the District. The conservation system provides for the preservation of existing wetlands, including the majority of the existing mixed wetland hardwoods. Flowways or man-made wetlands currently or will link numerous recharge lakes and the natural wetland system.

Further information can be obtained from the District's Improvement Plan and from Interlocal Agreements with the City of Daytona Beach, which are on file in the District's public records.

## **Utility Facilities**

The District has acquired and/or constructed water mains, sanitary sewer pump stations, sanitary sewer force mains and gravity sewers. The facilities constructed or acquired by the District have been or will be transferred to those local governments for ownership, operation and maintenance of such utility systems including the City of Daytona Beach. The District plans to construct additional wastewater pumping stations, sanitary sewer and force mains to service lands within the South Assessment Area of the District. The sewer infrastructure will eventually be conveyed to the City of Daytona Beach Utility Department.

Further information can be obtained from the District's Improvement Plans and from Interlocal Agreements with the City of Daytona Beach, which are on file in the District's public records.

### **Assessments, Fees, and Charges**

The costs of the major portion of these infrastructure improvements were financed by the District through the sale of Indigo Community Development District Capital Improvement Revenue Bonds Series 1999A in the amount of \$980,000, 1999B in the amount of \$6,825,000, and 1999C in the amount of \$8,515,000 (the "Series 1999 Bonds").

The proceeds from the Series 1999A and Series 1999B Bonds are being used to repay the Series 1999 Bond Anticipation Notes, and to finance the construction of additional infrastructure in the portion of the Development known as the Renar Development (Sedona, Gray Hawk, Opal Hill, Joyelle and Centennial).

The proceeds from the Series 1999C Bonds are being used to repay the Series 1997 A & B Bond Anticipation Notes, and to finance certain portions of community wide infrastructure including roads, street lighting, water and sewer systems, stormwater management, main entrance and landscaping improvements.

The District has also undertaken to construct, acquire or install additional improvements and facilities, the costs of which have been financed by the District through the sale of Indigo Community Development District Capital Improvement Revenue Bonds Series 2005 in the amount of \$14,710,000 (the "Series 2005 Bonds").

The proceeds from the Series 2005 Bonds are being used to finance certain portions of community wide infrastructure including a surface water management system, roadways, street lighting, wastewater pumping stations, sanitary sewer, force mains entrance features and landscaping in the South Assessment Area of the District.

The Series 1999A Bonds, the Series 1999C Bonds, the Series 2005 Bonds, and the interest thereon are payable solely from and secured by the levy of non ad valorem or special assessments against lands within the District that benefit from the construction, acquisition, establishment and operation of the District's improvements. The assessments

may be billed in the same manner as county ad valorem taxes. The Series 1999B bonds, which have been retired, no longer require assessment payments.

The current debt service assessments per unit are as follows:

Area/Lot Size	1999C Bond Assessment per Unit	1999A Bond Assessment per Unit	2005A Bond Assessment per Unit	Total Bond Assessment per Unit
<b><u>NORTH SECTION</u></b>				
Sedona	\$343.60	\$82.26		\$425.86
Gray Hawk	\$343.60	\$137.10		\$480.70
Opal Hill	\$343.60	\$164.52		\$508.12
Joyelle	\$343.60	\$191.94		\$535.54
Centennial Park	\$343.60	\$205.65		\$549.25
Eagle Marsh	\$343.60	\$82.26		\$425.86
Jubilee A	\$343.60			\$343.60
Jubilee B	\$343.60			\$343.60
Jubilee C	\$343.60			\$343.60
Lions Paw Acclaim	\$343.60			\$343.60
Lions Paw Nobles	\$343.60			\$343.60
Lions Paw Grand	\$343.60			\$343.60
Lions Paw Festiva	\$343.60			\$343.60
Lions Paw Captiva	\$343.60			\$343.60
Lions Paw Arika	\$343.60			\$343.60
Lions Paw Promenade	\$343.60			\$343.60
<b><u>SOUTH SECTION</u></b>				
Masters Glen	\$45.34		\$612.00	\$657.34
Brier Creek	\$45.34		\$612.00	\$657.34
Augusta	\$45.34		\$612.00	\$657.34

The amounts described above exclude any operations and maintenance assessment that is calculated annually by the District's Board of Supervisors against all benefitted lands in the District. The maintenance assessment includes maintenance of District entrances, landscaping, street lighting, water management and drainage services and other maintenance obligations as detailed in the Interlocal Agreements with the City of Daytona Beach, and may be billed to the benefitted lands annually in the same manner as county ad valorem taxes.

The District may undertake the construction, acquisition, or installation of other future improvements and facilities, which may be financed by bonds, notes or other methods authorized by Chapter 190, Florida Statutes.

A detailed description of all costs and allocations that result in the formulation of assessments, fees and charges are available for public inspection upon request.

### **Method of Collection**

The District's benefit and maintenance assessments appear on that portion of the annual real estate tax bill entitled "non-ad valorem assessments," and are collected by the county tax collector in the same manner as county ad valorem taxes. Each property owner must pay both ad valorem and non-ad valorem assessments at the same time. Property owners will, however, be entitled to the same discounts as provided for ad valorem taxes. As with any tax bill, if all taxes and assessments due are not paid within the prescribed time limit, the tax collector is required to sell tax certificates that, if not timely redeemed, may result in the loss of title to the property.

This description of the Indigo Community Development District's operation, services and financing structure is intended to provide assistance to landowners and purchasers concerning the important role that the District plays in providing infrastructure improvements essential to the development of new communities. If you have questions or would simply like additional information about the District, please write to the District Manager, Indigo Community Development District, Governmental Management Services, Inc., 14785 St. Augustine Road, Suite 4, Jacksonville, Florida 32258, or call (904) 288-9130.

IN WITNESS WHEREOF, this Disclosure of Public Financing and Maintenance of Improvements to Real Property Undertaken has been executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 2008, and recorded in the Official Records of Volusia County, Florida.

**INDIGO COMMUNITY  
DEVELOPMENT DISTRICT**

By: [Signature]  
Chairman

[Signature]  
Witness

James A Perry  
Print Name

[Signature]  
Witness

SHERYL FULKS  
Print Name

**STATE OF FLORIDA  
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of MAY, 2008, by Kurt von der Osten, Chairman of the Indigo Community Development District, who is personally known to me or who has produced \_\_\_\_\_ as identification, and did [ ] or did not [ ] take the oath.

NOTARY PUBLIC-STATE OF FLORIDA  
David B. deNagy  
Commission # DD564209  
Expires: JUNE 14, 2010  
BONDED THRU ATLANTIC BONDING CO., INC.

[Signature]  
Notary Public, State of Florida  
Print Name: \_\_\_\_\_  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Exhibit A: Legal Description