

DAYTONA WEST

COMMUNITY DEVELOPMENT

DISTRICT

March 17, 2023

LANDOWNERS'

MEETING AGENDA

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

March 10, 2023

Landowner(s)
Daytona West Community Development District

Dear Landowner(s):

A Landowners' Meeting of the Daytona West Community Development District will be held March 17, 2023 at 10:30 a.m., at the office of Cobb Cole, 231 North Woodland Boulevard, DeLand, Florida 32720. The agenda is as follows:

1. Call to Order/Roll Call
2. Affidavit/Proof of Publication
3. Election of Chair to Conduct Landowners' Meeting
4. Election of Supervisors [All Seats]
 - A. Nominations
 - B. Casting of Ballots
 - Determine Number of Voting Units Represented
 - Determine Number of Voting Units Assigned by Proxy
 - C. Ballot Tabulation and Results
5. Landowners' Questions/Comments
6. Adjournment

A landowner may vote in person at the Landowners' Meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one (1) vote per acre of land owned by him/her and located within the District, for each person that the landowner desires to elect to a position on the Board of Supervisors that is open for election for the upcoming term (five (5) seats on the Board will be up for election). A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one (1) vote with respect thereto. **Please note that a particular real property is entitled to only one (1) vote for each eligible acre of land or fraction thereof;** therefore, Two (2) or more people who own real property in common, that is one (1) acre or less, are together entitled to only one (1) vote for that real property.

ATTENDEES:

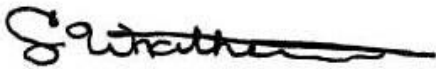
Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.

The first step is to elect a Chair for the meeting, who may be any person present at the meeting. The Chair shall conduct the nominations and the voting. If the Chair is a landowner or proxy holder of a landowner, he/she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board of Supervisors that is open for election for the upcoming term. The two (2) candidates receiving the highest number of votes shall be elected for a term of four (4) years, and the remaining candidates elected shall serve for a two (2)-year term. The term of office for each successful candidate shall commence upon election. Thereafter, there shall be an election of supervisors for the District every two (2) years in November on a date established by the Board of Supervisors upon proper notice until the District qualifies to have its board members elected by the qualified electors of the District.

A proxy is available upon request. To be valid, each proxy must be signed by one (1) of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one (1) vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

If you should have any questions or concerns, please do not hesitate to contact me directly at (561) 719-8675 or Ernesto Torres (904) 295-5714.

Sincerely,



Craig Wrathell
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

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

PARTICIPANT PASSCODE: 413 553 5047

PROOF OF PUBLICATION

Daphne Gillyard
Daytona West Community Development District
2300 Glades RD # 410W
Boca Raton FL 33431-8556

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, said legal clerk, who, on oath says that he/she is LEGAL COORDINATOR of The News-Journal, a daily and Sunday newspaper, published at Daytona Beach in Volusia and Flagler Counties, Florida; that the attached copy of advertisement, being a Public Notices in the Circuit Court, was published in said newspaper in the issues dated or by publication on the newspaper's website, if authorized, on:

02/22/2023, 03/01/2023

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. Subscribed and sworn to before on 03/01/2023.

NOTICE OF LANDOWNERS'
MEETING AND ELECTION OF THE
DAYTONA WEST COMMUNITY
DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within Daytona West Community Development District ("District") the location of which is generally described as comprising a parcel or parcels of land containing approximately 771.5 acres, located south of south of State Road 40 (W. Granada Blvd.), along Tram Road and Slim Pines Road, advising that a meeting of landowners will be held for the purpose of electing five (5) persons/people to the District's Board of Supervisors ("Board"), and individually, "Supervisor").

DATE: March 17, 2023
TIME: 10:30 A.M.
PLACE: office of Cobb Cole
231 North Woodland Boulevard
DeLand, Florida 32720

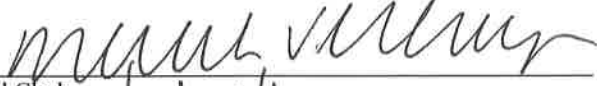
Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, cb Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33401 ("District Manager's Office"). At said meeting each landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land, or fractional portion thereof, owned by him or her and located within the District for each person to be elected to the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting is open to the public and will be conducted in accordance with the provisions of Florida law. The meeting may be continued to a date, time, and place to be specified on the record of such meeting. A copy of the agenda for the meeting may be obtained from the District Manager's Office. There may be an occasion where one or more supervisors will participate by telephone.

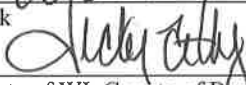
Any person requiring special accommodations to participate in the meeting is asked to contact the District Manager's Office, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 711, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Manager's Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that such person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

District Manager
LB475499 2/22 3/1 2023



Legal Clerk



Notary, State of WI, County of Brown
91925

My commission expires

Publication Cost: \$728.20

Order No: 8475499

Customer No: 912417

of Copies:

1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

VICKY FELTY
Notary Public
State of Wisconsin



**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING OF
DAYTONA WEST COMMUNITY DEVELOPMENT DISTRICT
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: **March 17, 2023**

TIME: **10:30 a.m.**

LOCATION: **the office of Cobb Cole
231 North Woodland Boulevard
DeLand, Florida 32720**

Pursuant to Chapter 190, Florida Statutes, and after a Community Development District ("**District**") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors ("**Board**") every two years until the District qualifies to have its board members elected by the qualified electors of the District. The following instructions on how all landowners may participate in the election are intended to comply with Section 190.006(2)(b), Florida Statutes.

A landowner may vote in person at the landowners' meeting, or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the District, for each position on the Board that is open for election for the upcoming term. A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one vote with respect thereto. Please note that a particular parcel of real property is entitled to only one vote for each eligible acre of land or fraction thereof; therefore, two or more people who own real property in common, that is one acre or less, are together entitled to only one vote for that real property.

At the landowners' meeting, the first step is to elect a chair for the meeting, who may be any person present at the meeting. The landowners shall also elect a secretary for the meeting who may be any person present at the meeting. The secretary shall be responsible for the minutes of the meeting. The chair shall conduct the nominations and the voting. If the chair is a landowner or proxy holder of a landowner, he or she may nominate candidates and make and second motions. Candidates must be nominated and then shall be elected by a vote of the landowners. Nominees may be elected only to a position on the Board that is open for election for the upcoming term.

Five (5) seats on the Board will be up for election by landowners. The two (2) candidates receiving the highest number of votes shall be elected for a term of four (4) years. The three (3) candidates receiving the next highest number of votes shall be elected for a term of two (2) years. The term of office for each successful candidate shall commence upon election.

A proxy is available upon request. To be valid, each proxy must be signed by one of the legal owners of the property for which the vote is cast and must contain the typed or printed name of the individual who signed the proxy; the street address, legal description of the property or tax parcel identification number; and the number of authorized votes. If the proxy authorizes more than one vote, each property must be listed and the number of acres of each property must be included. The signature on a proxy does not need to be notarized.

LANDOWNER PROXY

**DAYTONA WEST COMMUNITY DEVELOPMENT DISTRICT
VOLUSIA COUNTY, FLORIDA
LANDOWNERS' MEETING**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints Cindy Cerbone ("Proxy Holder") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Daytona West Community Development District to be held at 10:30 a.m., on March 17, 2023, at the offices the office of Cobb Cole, 231 North Woodland Boulevard, DeLand, Florida 32720 and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the proxy holder's exercising the voting rights conferred herein.

AVALON PARK DAYTONA LAND HOLDING LP
Printed Name of Legal Owner

Signature of Legal Owner

Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
see attached	448.47	449

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: 449

NOTES: Pursuant to Section 190.006(2)(b), Florida Statutes (2019), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

Parcel ID	Alt Key	Owner	Address	City State ZIP	Acres	Votes
413400000061	8011666	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	87.47	
413500000011	8011668	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	126.06	
510100000012	8011670	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	14.8	
510100000013	8011671	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	34.87	
510100000022	8011673	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	38.53	
520600000021	8011672	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	56.96	
520600000030	5260488	AVALON PARK DAYTONA LAND HOLDING LP	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	89.77	
					448.47	449
413400000060	8004788	AVALON PARK DAYTONA LLC	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	61.51	
510100000010	2483211	AVALON PARK DAYTONA LLC	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	168.96	
510100000020	5260518	AVALON PARK DAYTONA LLC	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	87.35	
520600000020	3232038	AVALON PARK DAYTONA LLC	3860 AVALON PARK EAST BLVD STE 300	ORLANDO FL 32828	5.23	
					323.05	324
Total				Acres as per the Petition:	771.52	773

LANDOWNER PROXY

**DAYTONA WEST COMMUNITY DEVELOPMENT DISTRICT
VOLUSIA COUNTY, FLORIDA
LANDOWNERS' MEETING**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints Cindy Cerbone ("Proxy Holder") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Daytona West Community Development District to be held at 10:30 a.m., on March 17, 2023, at the offices the office of Cobb Cole, 231 North Woodland Boulevard, DeLand, Florida 32720 and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner that the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing that may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with his or her discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

Any proxy heretofore given by the undersigned for said meeting is hereby revoked. This proxy is to continue in full force and effect from the date hereof until the conclusion of the landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the landowners' meeting prior to the proxy holder's exercising the voting rights conferred herein.

AVALON PARK DAYTONA LLC
Printed Name of Legal Owner

Signature of Legal Owner

Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
see attached	323.05	324

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel. If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

Total Number of Authorized Votes: 324

NOTES: Pursuant to Section 190.006(2)(b), Florida Statutes (2019), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto. For purposes of determining voting interests, platted lots shall be counted individually and rounded up to the nearest whole acre. Moreover, two (2) or more persons who own real property in common that is one acre or less are together entitled to only one vote for that real property.

If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto (e.g., bylaws, corporate resolution, etc.).

Parcel ID	Alt Key	Owner	Address	City State ZIP	Acres	Votes
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					323.05	324
Total				Acres as per the Petition:	771.52	773

OFFICIAL BALLOT

**DAYTONA WEST COMMUNITY DEVELOPMENT DISTRICT
VOLUSIA COUNTY, FLORIDA
LANDOWNERS' MEETING**

For Election (5 Supervisors): The two (2) candidates receiving the highest number of votes will each receive a four (4) year term, and the three (3) candidates receiving the next highest number of votes will each receive a two (2) year term, with the term of office for each successful candidate commencing upon election.

The undersigned certifies that he/she/it is the fee simple owner of land, or the proxy holder for the fee simple owner of land, located within the Daytona West Community Development District and described as follows:

<u>Description</u>	<u>Acreeage</u>
see attached	771.52

[Insert above the street address of each parcel, the legal description of each parcel, or the tax identification number of each parcel.] [If more space is needed, identification of parcels owned may be incorporated by reference to an attachment hereto.]

or

Attach Proxy.

I, Cindy Cerbone, as Landowner, or as the proxy holder of AVALON PARK DAYTONA LAND HOLDING LP and AVALON PARK DAYTONA LLC (Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

SEAT NUMBER	NAME OF CANDIDATE	NUMBER OF VOTES
1	Maybel Defillo	
2	Ross Halle	
3	Eric Wills	
4	Stephanie Lerret	
5	Augustine "Trey" Fragala, III	

Date: _____

Signed: _____

Printed Name: _____

Parcel ID	Alt Key	Owner	Address	City State ZIP	Acres	Votes
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