



**EAGLE BEND
COMMUNITY DEVELOPMENT
DISTRICT**

**ST. LUCIE COUNTY
INITIAL LANDOWNERS' MEETING
APRIL 18, 2024
11:00 A.M.**

**Special District Services, Inc.
The Oaks Center
2501A Burns Road
Palm Beach Gardens, FL 33410**

**www.eaglebendcdd.org
561.630.4922 Telephone
877.SDS.4922 Toll Free
561.630.4923 Facsimile**

AGENDA
EAGLE BEND COMMUNITY DEVELOPMENT DISTRICT
10807 SW Tradition Square
Port St. Lucie, Florida 34987
INITIAL LANDOWNERS' MEETING
April 18, 2024
11:00 A.M.

- A. Call to Order
- B. Proof of Publication.....Page 1
- C. Establish Quorum
- D. Consider Adoption of Election Procedures.....Page 2
- E. Election of Chair for Landowners' Meeting
- F. Election of Secretary for Landowners Meeting
- G. Election of Supervisors
 - Determine Number of Voting Units Represented or Assigned by Proxy.....Page 5
 - Nomination of Candidates
 - Casting of Ballots.....Page 6
 - Ballot Tabulations
- H. Certification of the Results
- I. Landowners' Comments
- J. Adjourn



Florida

GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Laura Archer
c/o Special District Services, Inc.
Eagle Bend CDD
2501 Burns Road
Palm Beach Gardens FL 33410

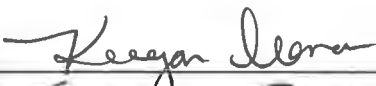

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Indian River Press Journal/St Lucie News Tribune/Stuart News, newspapers published in Indian River/St Lucie/Martin Counties, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible websites of Indian River/St Lucie/Martin Counties, Florida, or in a newspaper by print in the issues of, on:

03/28/2024, 04/04/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 04/04/2024


Legal Clerk

Notary, State of WI, County of Brown
3-7-27

My commission expires

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KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF INITIAL LANDOWNERS' MEETING AND ELECTION AND REGULAR BOARD MEETING OF THE EAGLE BEND COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within the Eagle Bend Community Development District (the "District"), the location of which is described as comprising approximately 391.27 acres and generally located south of West Angle Road, North and East of Floyd Johnson Road and West of Panther Lane, located within the unincorporated area of St. Lucie County, Florida, for the purpose of electing five (5) persons to the District Board of Supervisors. Immediately following the landowners' meeting there will be convened a Regular Board Meeting for the purpose of considering any business which may properly come before the Board.

DATE: April 18, 2023

TIME: 11:00 a.m.

PLACE: Offices of Special District Services, Inc.

10817 SW Tradition Square

Port St. Lucie, Florida 34987

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request of the office of the District Manager, c/o

Special District Services, Inc., 2501A

Burns Road, Palm Beach Gardens, Florida 33410, 561-490-4922 ("District 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 and the Regular Board Meeting are open to the public and will be conducted in accordance with the provisions of Florida law. One or both of the meetings may be continued to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for these meetings may be obtained from the District Office. There may be an occasion where one or more supervisors will participate by speaker telephone.

Any person requiring special accommodations to participate in these meetings is asked to contact the District Office at least forty-eight (48) hours before the meetings. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1 or (800) 955-8770 for aid in contacting the District Office.

A person who decides to appeal any decision made by the Board with respect to any matter considered at the meetings 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

EAGLE BEND COMMUNITY DEVELOPMENT DISTRICT

PUBLISH: ST. LUCIE NEWS TRIBUNE 03/28/24 & 04/04/24

TCN9999932

ELECTION PROCEDURES

1. Annual Landowner's Meeting

In accordance with the provisions of Chapter 298, Florida Statutes, it is required that a meeting of the Landowners of the District to be held every year during the month of June for the purpose of electing Supervisors and hearing reports of the Board of Supervisors. The Landowners when assembled shall organize by electing a Chairperson who shall preside at the meeting with the Secretary or Assistant Secretary of the Board of Supervisors to be the Secretary of the Landowners meeting.

Those Landowners present or voting by proxy shall constitute a quorum at the meeting of the Landowners.

2. Voting

At each Landowners meeting, each Landowner shall be entitled to cast one vote for each and every acre, or any fraction thereof, of land owned by him or her in the District and each Landowner shall be entitled to vote either in person or by representative present with a lawful written proxy.

3. Registration for Casting of Ballots

The registration process for the casting of ballots by Landowners or their representatives holding their proxies shall be as follows:

(A) At the annual Landowner's meeting and prior to the commencement of the first casting of ballots for a Board of Supervisor position, each Landowner or their representative, if proxies are being submitted in lieu thereof, shall be directed to register their attendance, and the total number of votes by acreage to which each claims to be entitled, with the District's Manager, who will be in attendance at the meeting.

(B) At such registration, each Landowner or their representative with a lawful proxy, as the case may be, shall be provided a color coded ballot for each Board of Supervisor position open for election upon which ballot a District representative will fill in the number of votes that such Landowner or their representative is registered to cast for each Board of Supervisor position open for election.

(C) All Landowner proxies shall be collected at the time of registration and retained with the Official Records of the District for subsequent certification or verification, if required.

4. Nominations for Supervisor

Once the Landowners have organized by electing a Chairman and Secretary to conduct the election, the Chairman will call the nominations for Supervisors from the floor. Nominations are not required to be seconded. After nominations are received, and the floor has been closed for nominations, those nominated will be asked if they accept the nominations (this will ensure those nominated for Supervisor wish to serve).

5. Casting of Ballots

Registration and the issuance of ballots shall cease once the Chairperson calls for the commencement of the casting of ballots for the election of a Board of Supervisor and thereafter no additional ballots shall be issued.

Taking each open Board of Supervisor position in the order determined by the Chairperson, the Landowners or their representatives, as the case may be, will be required to cast their ballots using the appropriately colored ballot for that particular Board of Supervisor position. Once the ballots have been cast, the Chairperson will call for a collection of the ballots for that particular open position by the Secretary.

6. Counting of Ballots

Following the collection of the ballots for a particular Board of Supervisor position, the Secretary or Assistant Secretary shall be responsible for the tabulation of ballots for that position in order to determine the total votes cast for each candidate that is seeking election to that particular open position and for determination of the number of votes cast for each candidate for such position.

The candidate receiving the highest number of votes for the particular Board of Supervisor position for which said votes were cast shall be declared by the Chairperson as elected for such Board of Supervisor position following the Secretary's submission of the tabulation for that election.

The process shall be repeated for each Board of Supervisor position open for election until balloting has been conducted for all such positions.

7. Contesting of Election Results

(A) Following the first election and announcement of the candidate receiving the highest number of votes, the Chairperson shall ask the Landowners present or those representatives holding proxies for Landowners, whether they wish to contest the election results. If no contests are received, said election results shall thereupon be certified and the newly elected Supervisor will thereupon take the Oath of Office and be seated as a member of the District's Board of Supervisors.

If there is a contest, the contest must be addressed to the Chairperson and thereupon the individual casting a ballot that is being contested will be required to provide proof of ownership of the acreage for which they voted at the election within five (5) business days of the Landowner's meeting. The proof of ownership shall be submitted to the District Manager who will thereupon consult with the District's general counsel and together they will review the material provided and attempt to determine the legality of the contested ballots. Once the contests are resolved, the Chairperson shall reconvene the Landowner's meeting and thereupon certify the election results with the newly elected Supervisor to thereupon take the oath of office and be seated as a member of the Board of Supervisors.

(B) If, following any balloting for a particular Board of Supervisor position, there is a contest of the election results, any subsequent ballot shall proceed but the results of the subsequent ballots for those subsequent Board of Supervisor position(s) shall be on a "conditional basis" pending resolution of the challenged ballot results. If the contest over the challenged balloting is resolved and the candidate that was initially announced as receiving the highest number of votes is elected, then the subsequent un-contested ballot(s) shall thereupon be closed and the candidate that received the highest number of votes during the subsequent balloting for a particular Board of

Supervisor position shall thereupon take the Oath of Office and be seated as a member of the Board of Supervisors for that particular position.

If, however, there is a contest of the election results of any subsequent balloting, then the procedure for resolving the contest of such election shall be done in the same fashion as that set forth above for each such round of balloting so contested.

8. Recessing of Annual Landowner's Meeting

In the event there is a contest of a ballot or of the election, the Landowner's meeting shall be recessed to a future time certain date and location at which time the election findings on the contest shall be reported in accordance with the procedure above and the newly elected Supervisor(s) shall thereupon take their Oath of Office.

9. Miscellaneous Provisions

(A) Each Landowner shall only be entitled to vote in person or by means of a representative attending in person and holding a lawful written proxy in order to cast said Landowner's votes.

(B) Proxies will not require that proof of acreage ownership be attached. Rather, proof of ownership must be timely provided by the holder of the proxy if the proxy is contested in accordance with the procedure above.

LANDOWNER PROXY
EAGLE BEND COMMUNITY DEVELOPMENT DISTRICT
INITIAL LANDOWNERS' MEETING

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints Stephanie Brown ("Proxy Holder") for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the **Eagle Bend Community Development District** to be held on April 18, 2024 at 11:00 a.m. the Tradition Management Offices, 10807 SW Tradition Square, Port St. Lucie, FL 34987 and at any adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may be legally considered at said meeting.

This proxy is to continue in full force and effect from the hereof until the conclusion of the above noted landowners' meeting and any adjournment or adjournments thereof, but may be revoked at any time by written notice of such revocation presented at the annual meeting prior to the Proxy Holder exercising the voting rights conferred herein.

WHALOU PROPERTIES LLC, a Delaware limited liability company
By: WHALOU PROPERTY HOLDINGS LLC,
a Delaware limited liability company, its sole
member Timo Kipp

Printed Name of Legal Owner

Signature of Legal Owner

4/5/2024

Date

Parcel Description*

of Acres

Saint Lucie County

177.18

T 35 39 NE 1/4-LESS W 1/2 OF NW

1/4 OF NE 1/4-AND N 1/2 OF N

1/2 OF SE 1/4-LESS S 13 FT AND

LESS RD AND CANAL RS/W-(177.18

AC) (OR 3871-258)

* Insert in the space 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.]

Pursuant to section 190.006(2) (b), Florida Statutes (2020), a fraction of an acre is treated as one (1) acre entitling the landowner to one vote with respect thereto.

TOTAL NUMBER OF AUTHORIZED VOTES: 177

Please note that each eligible acre of land or fraction thereof is entitled to only one vote, for example, a husband and wife are together entitled to only one vote per their residence if it is located on one acre or less of real property.

If the Legal Owner 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.)

BALLOT

BALLOT # _____

**EAGLE BEND
COMMUNITY DEVELOPMENT DISTRICT
LANDOWNERS' MEETING**

ELECTION OF BOARD SUPERVISORS

APRIL 18, 2024

The undersigned certifies that he/she is the owner (____) or duly authorized **representative of lawful proxy of an owner** (____) of land in the **Eagle Bend Community Development District**, constituting _____ acre(s) and hereby casts up to the corresponding number of his/her vote(s) for the following candidate/candidates to hold the above-named open position:

<u>Name of Candidate</u>	<u>Number of Votes</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signature: _____

Printed Name: _____

Street Address or Tax Parcel Id Number for your Real Property:

