

CYPRESS BAY

WEST

COMMUNITY DEVELOPMENT

DISTRICT

May 18, 2022

LANDOWNERS'

MEETING AGENDA

Cypress Bay 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

May 11, 2022

Landowner(s)
Cypress Bay West Community Development District

Dear Landowner(s):

A Landowners' Meeting of the Cypress Bay West Community Development District will be held on May 18, 2022 at 12:00 p.m., at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926. 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,

ATTENDEES:

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

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.

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) 346-5294.

Sincerely,



Cindy Cerbone
District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE

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

PARTICIPANT PASSCODE: 801 901 3513



CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT
2300 GLADES RD STE 410W

BOCA RATON, FL, 33431

STATE OF WISCONSIN COUNTY OF BROWN:
Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the **FLORIDA TODAY**, a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

as published in **FLORIDA TODAY** in the issue(s) dated or by publication on the newspaper's website, if authorized, on :

04/26/2022, 05/03/2022

Affiant further says that the said **FLORIDA TODAY** is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard 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 or she has never paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 13th of May 2022, by legal clerk who is personally known to me

Nicelle Jacobs

Affiant

Kathleen Allen

Notary State of Wisconsin County of Brown
1-7-25

My commission expires
Publication Cost: \$605.12
Ad No: 0005225645
Customer No: 5615710010CYPR
This is not an invoice
of Affidavits: 1

Ad#5225645 04/26, 05/03/2022
NOTICE OF LANDOWNERS' MEETING
AND ELECTION OF THE CYPRESS
BAY WEST COMMUNITY
DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within Cypress Bay West Community Development District ("District") the location of which is generally described as comprising a parcel or parcels of land containing approximately 453.79 acres, located south of Mara Loma Boulevard, west of Babcock Street Southeast, and north of Davis Lane in Brevard County, Florida, 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: May 18, 2022
TIME: 12:00 p.m.
PLACE: Kays Bar-B-Que & Steaks
1552 West King Street
Cocoa, Florida 32926

Each landowner may vote in person or by written proxy. Proxy forms may be obtained upon request at the office of the District Manager, c/o Wrathell, Hunt & Associates, LLC, 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 ("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 at 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 7-1-1, 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

KATHLEEN ALLEN
Notary Public
State of Wisconsin

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

DATE OF LANDOWNERS' MEETING: May 18, 2022

TIME: 12:00 p.m.

LOCATION: Kays Bar-B-Que & Steaks,
1552 West King Street
Cocoa, Florida 32926

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 candidates receiving the highest number of votes shall be elected for a term of four (4) years. The three 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
 CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT
 LANDOWNERS' MEETING**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints _____ (**"Proxy Holder"**) for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the District to be held at Kays Bar-B-Que & Steaks, 1552 West King Street, Cocoa, Florida 32926 on May 18, 2022 at 12:00 p.m., 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.

Printed Name of Legal Owner

Signature of Legal Owner

Date

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes</u>
SEE ATTACHMENT 1 _____	_____ ACRES	_____ VOTES

[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: _____ VOTES

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

ATTACHMENT 1

Parcel Number	Owner	Address	City State ZIP	Acres	Votes
30-37-04-00-502	FORESTAR (USA) REAL ESTATE GROUP INC	10700 PECAN PARK BLVD STE 150	AUSTIN, TX 78750	77.78	78
30-37-04-00-500	WATERSTONE FARMS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937		
30-37-05-HF-750	WATERSTONE FARMS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937		
30-37-05-HF-1	WATERSTONE FARMS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937	282.84	283
30-37-04-00-1	WATERSTONE HOLDINGS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937		
30-37-04-00-5	WATERSTONE HOLDINGS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937	93.17	94
Total				453.794	455

OFFICIAL BALLOT
CYPRESS BAY WEST COMMUNITY DEVELOPMENT DISTRICT
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 District and described as follows:

Description

Acreage

[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, _____, as Landowner, or as the proxy holder of _____
(Landowner) pursuant to the Landowner's Proxy attached hereto, do cast my votes as follows:

SEAT	NAME OF CANDIDATE	NUMBER OF VOTES
1		___ Votes
2		___ Votes
3		___ Votes
4		___ Votes
5		___ Votes

Date: _____

Signed: _____

Printed Name: _____

ATTACHMENT 1

Parcel Number	Owner	Address	City State ZIP	Acres	Votes
30-37-04-00-502	FORESTAR (USA) REAL ESTATE GROUP INC	10700 PECAN PARK BLVD STE 150	AUSTIN, TX 78750	77.78	78
30-37-04-00-500	WATERSTONE FARMS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937		
30-37-05-HF-750	WATERSTONE FARMS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937		
30-37-05-HF-1	WATERSTONE FARMS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937	282.84	283
30-37-04-00-1	WATERSTONE HOLDINGS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937		
30-37-04-00-5	WATERSTONE HOLDINGS LLC	2040 HIGHWAY A1A STE 207 C/O SUNCOAST	INDIAN HARBOUR BEACH, FL 32937	93.17	94
Total				453.794	455