

**BERRY BAY
COMMUNITY DEVELOPMENT DISTRICT
BOARD OF SUPERVISORS
REGULAR MEETING
DECEMBER 01, 2022**

BERRY BAY
COMMUNITY DEVELOPMENT DISTRICT AGENDA
DECEMBER 01, 2022, AT 2:00 P.M.
THE OFFICES OF INFRAMARK
LOCATED AT 2005 PAN AM CIRCLE, SUITE 300, TAMPA, FL 33607

District Board of Supervisors	Chair Vice-Chair Supervisor Supervisor Supervisor	Jeffery Hills Nicholas Dister Kelly Evans Ryan Motko Chloe Firebaugh
District Manager	Inframark	Rick Reidt
District Attorney	Straley Robin Vericker	John Vericker
District Engineer	Stantec, Inc	Tonja Stewart

All cellular phones and pagers must be turned off while in the meeting room

Public workshops sessions may be advertised and held to provide informational services. These sessions allow staff or consultants to discuss a policy or business matter in a more informal manner and allow for lengthy presentations prior to scheduling the item for approval. Typically, no motions or votes are made during these sessions.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the District Office at (813) 873-7300, at least 48 hours before the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 7-1-1 who can aid you in contacting the District Office.

Any person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that this same 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.

Board of Supervisors
Berry Bay Community Development District

Dear Board Members:

The Regular Meetings of **Berry Bay Community Development District** will be held on **Thursday, December 01, 2022, at 2:00 p.m. at the offices of Inframark located at 2005 Pan Am Circle, Suite 300, Tampa, FL 33607.** Please let us know 24 hours before the meeting if you wish to call in for the meeting. Following is the agenda for the meeting:

Call In Number: 1-866-906-9330

Access Code: 4863181#

REGULAR MEETING

1. CALL TO ORDER/ROLL CALL

2. PUBLIC COMMENT ON AGENDA ITEMS

3. BUSINESS ITEMS

A. Acceptance of Conveyances of Tracts Tab 01
 i. Tract 306 & 307

B. Consideration of Resolution 2023-04; Authorizing Certain Erroneously Conveyed to District
 Back to EPG1, LLC.....Tab 02

4. BOARD OF SUPERVISORS REQUESTS AND COMMENTS

5. AUDIENCE QUESTIONS, COMMENTS AND DISCUSSION FORUM

6. ADJOURNMENT

We look forward to speaking with you at the meeting. In the meantime, if you have any questions, please do not hesitate to call us at (813) 873-7300.

Sincerely,

Rick Reidt
District Manager

Consideration; \$10.00
Documentary Stamp Tax: \$0.70

Prepared by and
when recorded return to:
Dana Crosby Collier
Straley Robin Vericker
1510 W. Cleveland Street
Tampa, Florida 33606

Special Warranty Deed

THIS SPECIAL WARRANTY DEED is made as of _____, 2022, by **Berry Bay Community Development District**, a unit of special purpose local government organized and existing under Chapter 190, Florida Statutes (the "**Grantor**"), whose address is 2005 Pan Am Circle #300, Tampa, Florida 33607, in favor of the **EPG1, LLC**, a Florida limited liability company ("**Grantee**"), whose address is 111 S. Armenia Avenue, Suite 201, Tampa, Florida 33607.

WITNESSETH, that Grantor has granted, bargained, sold, and conveyed to Grantee, its successors and assigns forever, all of the following described land in Hillsborough County, Florida ("**Property**") described in Exhibit "A", which is attached hereto and incorporated herein by this reference.

TOGETHER, with all appurtenances thereunto appertaining, and all fixtures and improvements located thereon. The Property consists of governmental common area tracts.

TO HAVE AND TO HOLD, the same in fee simple forever.

Subject to and except for (a) governmental requirements and restrictions, and (b) easements, covenants, conditions, restrictions and other matters of record, Grantors warrant that Grantors are seized of the Property in fee simple; the Property is free from all monetary encumbrances made by Grantor; and Grantor will warrant and defend title to the Property against the lawful claims and demands of all persons claiming by, through or under Grantor, but not against the claims of any others.

This deed has been prepared without the benefit of a title search.

THIS DEED IS GIVEN TO CORRECT AN ERROR OR MISTAKE IN THE LEGAL DESCRIPTION OF THE LANDS CONVEYED TO THE GRANTOR HEREIN IN INSTRUMENT NUMBERS 2021189095 AND 2022057804. NO CONSIDERATION HAS BEEN DELIVERED FOR THIS TRANSFER; THEREFORE, ONLY MINIMUM DOCUMENTARY STAMP TAXES ARE DUE.

IN WITNESS WHEREOF, Grantor has executed this Deed as of the date first above written.

Signed, Sealed and Delivered in the
Presence of:

**BERRY BAY COMMUNITY
DEVELOPMENT DISTRICT**

(Witness 1 – Signature)

By: _____
Chair/Vice Chair of the Board of Supervisors

(Witness 1 – Printed Name)

(Witness 2 – Signature)

(Witness 2 – Printed Name)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or
☐ online notarization, this ____ day of _____, 2022, by _____, as Chair/Vice Chair of the
Board of Supervisors of the Berry Bay Community Development District, on behalf of the District,
who is personally known to me or produced _____ as identification.

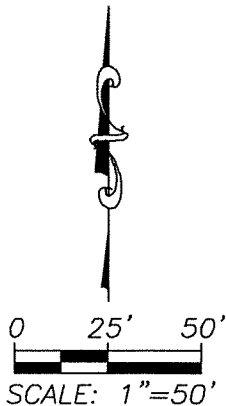
Public Notary Signature

Notary Stamp

EXHIBIT "A"

THIS IS NOT A SURVEY

SECTION 29, TOWNSHIP 32 SOUTH, RANGE 20 EAST HILLSBOROUGH COUNTY, FLORIDA



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S57°53'46"E	113.15'
L2	N72°41'17"W	238.25'
L3	N60°27'27"E	151.37'
L4	S00°03'13"W	85.40'

PARCEL 403
PRIVATE DEVELOPMENT AREA
BERRY BAY SUBDIVISION VILLAGES E, G, AND L
PB 142, PG 76

LOT 235
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 236
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 237
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 238
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 239
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

GUMBO LIMBO DRIVE
(50.00' PUBLIC RIGHT-OF-WAY)

POINT OF
BEGINNING
SW CORNER
OF LOT 238

BERRY GROVE BOULEVARD
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

SUBJECT PROPERTY

CONTAINING 0.208 ACRES
PORTION OF TRACT 306
BERRY BAY SUBDIVISION VILLAGES E, G, AND L
PB 142, PG 76

LEGEND:

PB = PLAT BOOK
PG = PAGE
PUE = PUBLIC UTILITY EASEMENT

BERRY BAY CDD

PORTION OF TRACT 306

SCALE 1"=50'	DATE 11/22/2022	JOB No. 00083-2020-0981		
DRAWN RBC	CHECKED RBC	SECTION 29	TOWNSHIP 32S	RANGE 20E



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
Sketch and Legal Description not valid without the original
signature and seal of a Florida licensed Surveyor and Mapper.

Robert B Curtis
2022.11.22 12:39:59
-05'00'

ROBERT B. CURTIS
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA # LS6051
CERTIFICATE OF AUTHORIZATION No. LB 2610

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: (BY ARDURRA)

A PORTION OF TRACT 306, BERRY BAY SUBDIVISION VILLAGES E, G, AND L, ACCORDING TO PLAT BOOK 142, PAGE 76 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 32 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 238, BERRY BAY SUBDIVISION VILLAGES E, G, AND L, ACCORDING TO PLAT BOOK 142, PAGE 76 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE, ALONG THE SOUTH LINE OF SAID LOT 238, SOUTH 57°53'46" EAST, A DISTANCE OF 113.15 FEET; THENCE, DEPARTING SAID SOUTH LINE, NORTH 72°41'17" WEST, A DISTANCE OF 238.25 FEET TO THE SOUTH BOUNDARY LINE OF PARCEL 403, SAID BERRY BAY SUBDIVISION VILLAGES E, G, AND L; THENCE, ALONG SAID SOUTH BOUNDARY LINE, NORTH 60°27'27" EAST, A DISTANCE OF 151.37 FEET TO THE WEST LINE OF LOT 237, SAID BERRY BAY SUBDIVISION VILLAGES E, G, AND L; THENCE, ALONG SAID WEST LINE, SOUTH 00°03'13" WEST, A DISTANCE OF 85.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.208 ACRES.

SURVEYOR'S NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED.
2. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
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5. DISTANCES SHOWN HEREON ARE IN U.S. FEET.

BERRY BAY CDD

PORTION OF TRACT 306



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

Q:\SURVEY\00083\2020\0981\Production\Drawings\BB-PORION OF TRACT 306 -S&L.dwg, November 22, 2022 12:37 PM, ARDURRA GROUP, Inc.

Consideration; \$10.00
Documentary Stamp Tax: \$0.70

Prepared by and
when recorded return to:
Dana Crosby Collier
Straley Robin Vericker
1510 W. Cleveland Street
Tampa, Florida 33606

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TOGETHER, with all appurtenances thereunto appertaining, and all fixtures and improvements located thereon. The Property consists of governmental common area tracts.

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IN WITNESS WHEREOF, Grantor has executed this Deed as of the date first above written.

Signed, Sealed and Delivered in the
Presence of:

**BERRY BAY COMMUNITY
DEVELOPMENT DISTRICT**

(Witness 1 – Signature)

By: _____
Chair/Vice Chair of the Board of Supervisors

(Witness 1 – Printed Name)

(Witness 2 – Signature)

(Witness 2 – Printed Name)

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or
☐ online notarization, this ____ day of _____, 2022, by _____, as Chair/Vice Chair of the
Board of Supervisors of the Berry Bay Community Development District, on behalf of the District,
who is personally known to me or produced _____ as identification.

Public Notary Signature

Notary Stamp

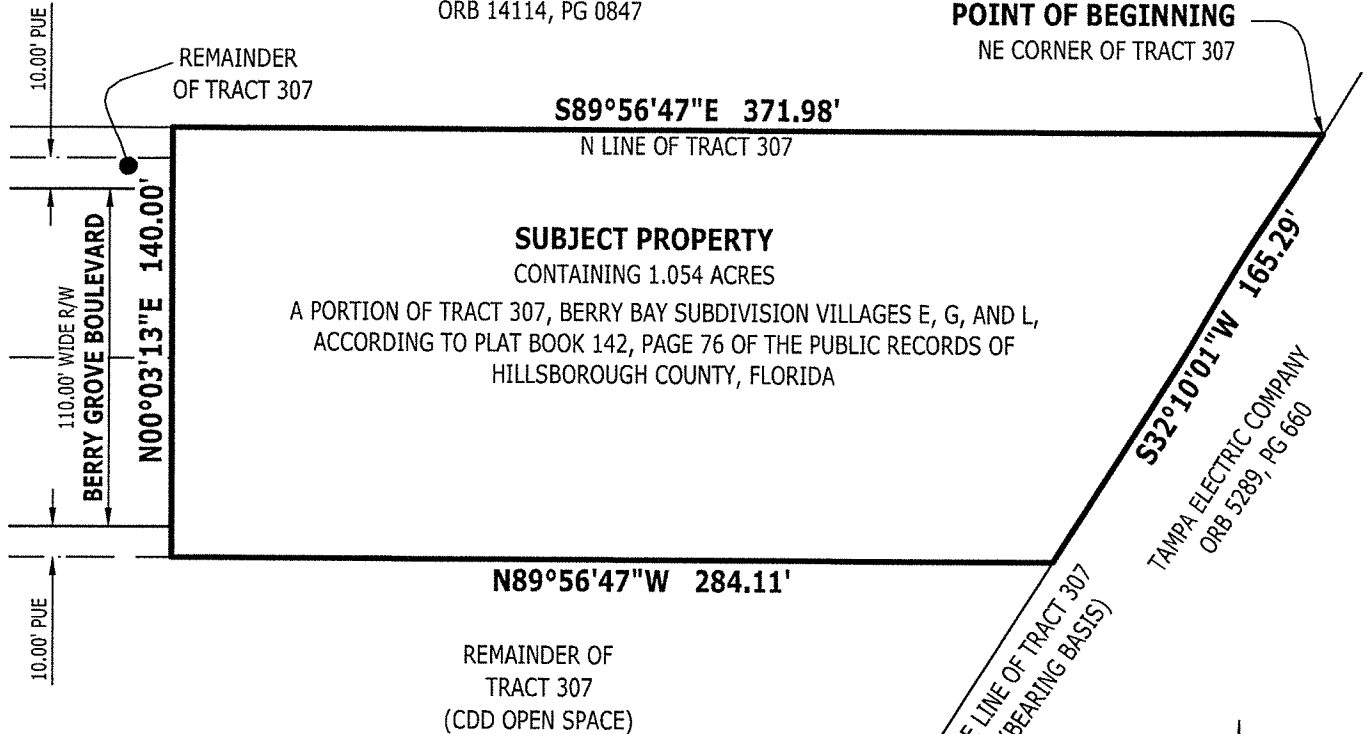
EXHIBIT "A"

THIS IS NOT A SURVEY

SECTION 29, TOWNSHIP 32 SOUTH, RANGE 20 EAST
HILLSBOROUGH COUNTY, FLORIDA

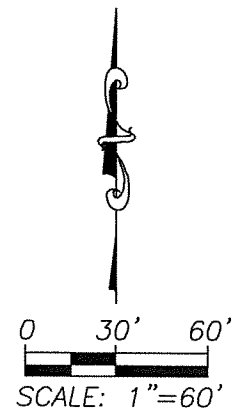
RIVERVIEW FLOWER FARM PARTNERSHIP
ORB 14114, PG 0847

POINT OF BEGINNING
NE CORNER OF TRACT 307



LEGEND:

ORB = OFFICIAL RECORDS BOOK
PB = PLAT BOOK
PG = PAGE
PUE = PUBLIC UTILITY EASEMENT
R/W = RIGHT-OF-WAY



BERRY BAY CDD

PORTION OF TRACT 307

SCALE 1"=60'	DATE 11/22/2022	JOB No. 00083-2020-0981
DRAWN RBC	CHECKED RBC	SECTION 29
		TOWNSHIP 32S
		RANGE 20E



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
Sketch and Legal Description not valid without the original
signature and seal of a Florida licensed Surveyor and Mapper.

Robert B. Curtis, State of Florida,
Professional Surveyor and Mapper,
License No. LS6051. This seal has
been electronically signed and sealed
by Robert B. Curtis, PLS, using a
SHA-1 authentication code.
Printed copies of this document are
not considered signed and sealed
and the State's authentication code
must be verified on any electronic
copies.

Robert B Curtis
2022.11.22 13:51:25
-05'00'

ROBERT B. CURTIS
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA # LS6051
CERTIFICATE OF AUTHORIZATION No. LB 2610

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: (BY ARDURRA)

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BEGINNING AT THE NORTHWEST CORNER OF TRACT 307, BERRY BAY SUBDIVISION VILLAGES E, G, AND L, ACCORDING TO PLAT BOOK 142, PAGE 76 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA; THENCE, ALONG THE EAST LINE OF SAID TRACT 307, SOUTH 32°10'01" WEST, A DISTANCE OF 165.29 FEET; THENCE, LEAVING SAID EAST LINE, NORTH 89°56'47" WEST, A DISTANCE OF 284.11 FEET; THENCE NORTH 00°03'13" EAST, A DISTANCE OF 140.00 FEET TO THE NORTH LINE OF SAID TRACT 307; THENCE, ALONG SAID NORTH LINE, SOUTH 89°56'47" EAST, A DISTANCE OF 371.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.054 ACRES.

SURVEYOR'S NOTES:

1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND OR OWNERSHIP WERE FURNISHED TO OR PURSUED BY THE UNDERSIGNED.
2. UNLESS IT BEARS THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.
3. THIS IS A SKETCH AND LEGAL DESCRIPTION ONLY, NOT A FIELD SURVEY.
4. BEARINGS ARE BASED ON EAST LINE OF TRACT 307, BEING SOUTH 32°10'01" WEST, AS SHOWN HEREON.
5. DISTANCES SHOWN HEREON ARE IN U.S. FEET.

BERRY BAY CDD

PORTION OF TRACT 307



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

RESOLUTION 2023- 04

A RESOLUTION BY THE BOARD OF SUPERVISORS OF THE BERRY BAY COMMUNITY DEVELOPMENT AUTHORIZING CERTAIN PROPERTY ERRONEOUSLY CONVEYED TO THE DISTRICT TO BE CONVEYED BACK TO OWNER.

WHEREAS, the Board of Supervisors of the Berry Bay Community Development District (the “**District**”) owns certain real property located in Hillsborough County, described in Exhibit “A” and Exhibit “B”, both of which is attached hereto and incorporated herein by this reference (together the “**Property**”); and

WHEREAS, the Property was erroneously conveyed to the District by former owner, EPG1, LLC, a Florida limited liability company (“**EPG1**”); and

WHEREAS, EPG1 has contacted the District and requested that the Property be conveyed from the District to EPG1 to correct the error; and

WHEREAS, the District Engineer has determined that the Property is not necessary for the District’s completion of the District’s capital improvements project or other plan; and

WHEREAS, in accordance with Section 190.011 (1), Florida Statutes, the District may dispose of real property; and

WHEREAS, the District is amenable to conveying the Property to EPG1 and EPG1 desires to accept ownership of Property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BERRY BAY COMMUNITY DEVELOPMENT DISTRICT:

Section 1. The above recitals are true and correct and incorporated herein as if set forth in full herein.

Section 2. The District hereby finds that it is in the best interests of the District to convey Property to the EPG1.

Section 3. The District hereby authorizes and directs the Chair or Vice Chair of the Board of Supervisors to execute a Special Warranty Deed conveying Property to EPG1.

Section 4. All sections or parts thereof which conflict herewith are, to the extent of such conflict, superseded and repealed. In the event any portion of this Resolution is found to be unconstitutional or improper, it shall be severed herein and shall not affect the validity of the remaining portions of this Resolution.

Section 5. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 1st day of December 2022 by the Board of Supervisors of the Berry Bay Community Development District.

Attest:

**Berry Bay
Community Development District**

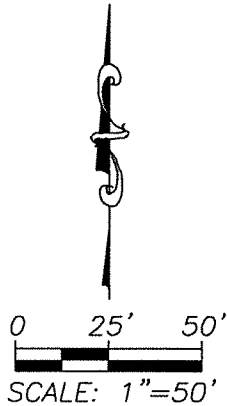
Secretary

Chair/Vice Chair of the Board of Supervisors

EXHIBIT "A"

THIS IS NOT A SURVEY

SECTION 29, TOWNSHIP 32 SOUTH, RANGE 20 EAST HILLSBOROUGH COUNTY, FLORIDA



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S57°53'46"E	113.15'
L2	N72°41'17"W	238.25'
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PARCEL 403
PRIVATE DEVELOPMENT AREA
BERRY BAY SUBDIVISION VILLAGES E, G, AND L
PB 142, PG 76

GUMBO LIMBO DRIVE
(50.00' PUBLIC RIGHT-OF-WAY)

LOT 235
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 236
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 237
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 238
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

LOT 239
BERRY BAY SUBDIVISION
VILLAGES E, G, AND L
PB 142, PG 76

POINT OF
BEGINNING
SW CORNER
OF LOT 238

10.00' PUE

REMAINDER OF TRACT 306
CDD OPEN SPACE
BERRY BAY SUBDIVISION VILLAGES E, G, AND L
PB 142, PG 76

BERRY GROVE BOULEVARD
(VARIABLE WIDTH PUBLIC RIGHT-OF-WAY)

SUBJECT PROPERTY

CONTAINING 0.208 ACRES
PORTION OF TRACT 306
BERRY BAY SUBDIVISION VILLAGES E, G, AND L
PB 142, PG 76

LEGEND:

PB = PLAT BOOK
PG = PAGE
PUE = PUBLIC UTILITY EASEMENT

BERRY BAY CDD

PORTION OF TRACT 306

SCALE 1"=50'	DATE 11/22/2022	JOB No. 00083-2020-0981		
DRAWN RBC	CHECKED RBC	SECTION 29	TOWNSHIP 32S	RANGE 20E

CERTIFIED AS TO SKETCH AND LEGAL DESCRIPTION
Sketch and Legal Description not valid without the original
signature and seal of a Florida licensed Surveyor and Mapper.

Robert B Curtis
2022.11.22 12:39:59
-05'00'



4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone: (813) 880-8881
www.Ardurra.com
License #2610

Robert B Curtis, State of Florida
Professional Surveyor and Mapper,
License No. 130453. This certificate
has been electronically signed and sealed
by Robert B Curtis, PLS, using a
PKI CA authorized by the State of
Florida. If the signature or seal
is not properly signed and sealed
and the State of Florida's electronic
signature is not properly signed
and sealed, the signature and seal
are invalid.

ROBERT B. CURTIS
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA # LS6051
CERTIFICATE OF AUTHORIZATION No. LB 2610

14

THIS IS NOT A SURVEY

LEGAL DESCRIPTION: (BY ARDURRA)

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SURVEYOR'S NOTES:

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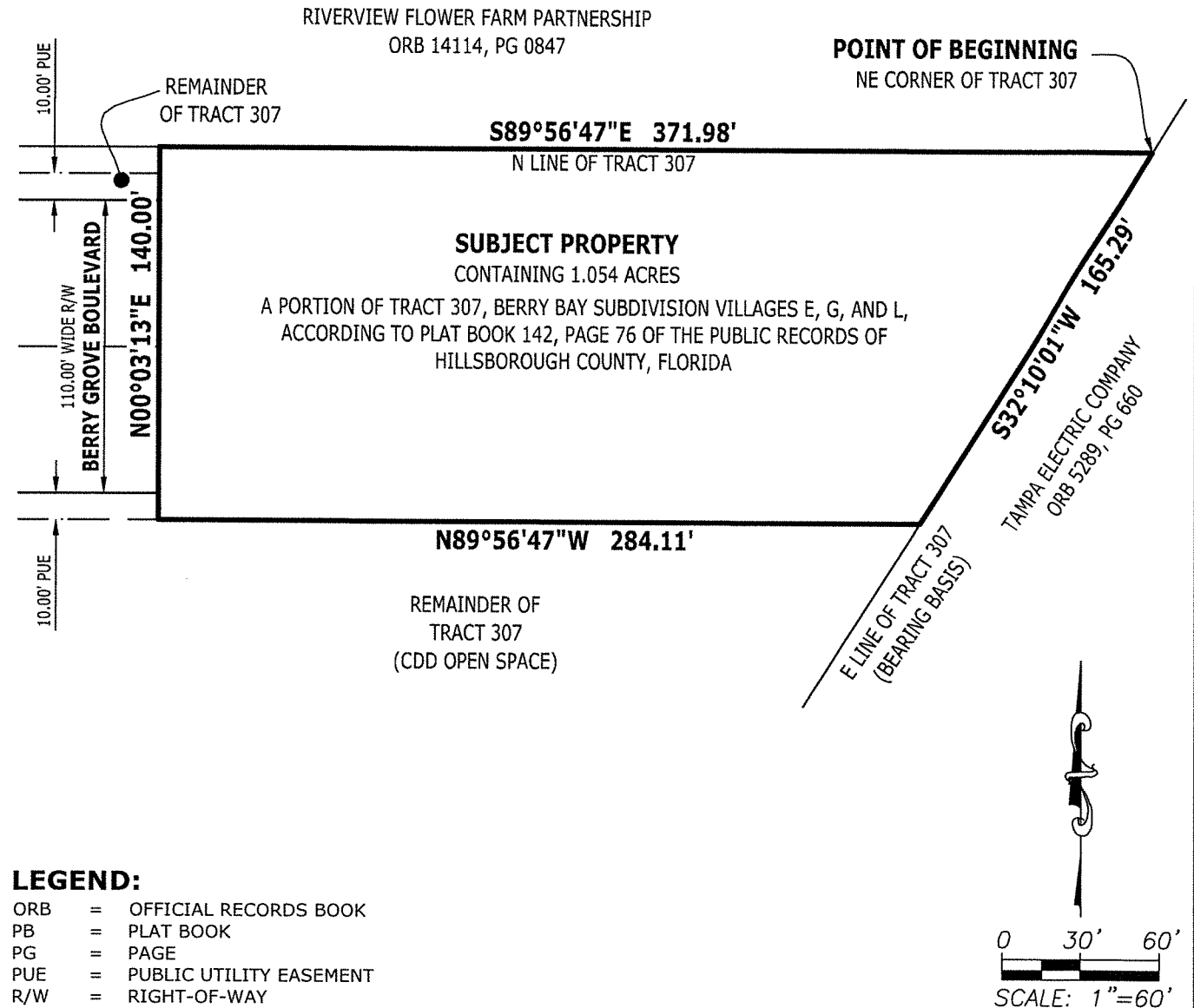
BERRY BAY CDD

PORTION OF TRACT 306



4921 Memorial Highway
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Phone: (813) 880-8881
www.Ardurra.com
License #2610

Q:\SURVEY\00083\2020\0981\Production\Drawings\BB-PORION OF TRACT 306 -S&L.dwg, November 22, 2022 12:37 PM, ARDURRA GROUP, Inc.

THIS IS NOT A SURVEYSECTION 29, TOWNSHIP 32 SOUTH, RANGE 20 EAST
HILLSBOROUGH COUNTY, FLORIDA

THIS IS NOT A SURVEY

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BERRY BAY CDD

PORTION OF TRACT 307



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