

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

**REGULAR MEETING
AGENDA**

March 18, 2010

Moody River Estates Community Development District

6131 Lyons Road, Suite 100 • Coconut Creek, Florida 33073

Phone (954) 426-2105 • Fax (954) 426-2147 • Toll-free: (877) 276-0889

March 10, 2010

Board of Supervisors
Moody River Estates Community Development District

Dear Board Members:

A Regular Meeting of the Moody River Estates Community Development District's Board of Supervisors will be held on **Thursday, March 18, 2010 at 1:00 p.m.**, at the **Candlewood Suites, 3626 Colonial Court, Fort Myers, Florida 33913**. The agenda is as follows:

1. Call to Order/Roll Call
2. Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2009, Prepared by Grau & Associates
3. Consideration of **Resolution 2010-2**, Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2009
4. Approval of **January 21, 2010** Regular Meeting Minutes
5. Other Business
6. Staff Reports
 - a. Attorney
 - b. Manager
 - i. Unaudited Financial Statements as of January 31, 2010
 - ii. **NEXT MEETING DATE: May 20, 2010 at 1:00 P.M.**
7. Audience Comments/Supervisors' Requests
8. Adjournment

The second and third orders of business deal with the Audited Financial Report for the fiscal year ended September 30, 2009, prepared by Grau & Associates, as well as the resolution accepting this report for the District's records. These items will be discussed at the meeting.

Should you have any questions and/or concerns, please contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.
District Manager

CA:dg

For Board Members and Staff unable to attend in person, a toll-free call-in number of **1-888-354-0094** has been established.

Please input the conference ID of **8593810#**. You will be placed on hold until the moderator calls in and all parties are joined on the same line.

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2009**

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA**

TABLE OF CONTENTS

	<u>Page</u>
INDEPENDENT AUDITOR'S REPORT	1
MANAGEMENT'S DISCUSSION AND ANALYSIS	2-5
BASIC FINANCIAL STATEMENTS	
Government-Wide Financial Statements:	
Statement of Net Assets	6
Statement of Activities	7
Fund Financial Statements:	
Balance Sheet – Governmental Funds	8
Reconciliation of the Balance Sheet – Governmental Funds to the Statement of Net Assets	9
Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds	10
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities	11
Notes to the Financial Statements	12-20
REQUIRED SUPPLEMENTARY INFORMATION	
Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – General Fund	21
Notes to Required Supplementary Information	22
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	23-24
MANAGEMENT LETTER REQUIRED BY CHAPTER 10.550 OF THE RULES OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA	25-27

INDEPENDENT AUDITOR'S REPORT

To the Board of Supervisors
Moody River Estates Community Development District
Lee County, Florida

We have audited the accompanying financial statements of the governmental activities and each major fund of Moody River Estates Community Development District, Lee County, Florida (the "District") as of and for the fiscal year ended September 30, 2009, which collectively comprise the District's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the District's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the District as of September 30, 2009, and the respective changes in financial position thereof for the fiscal year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated February 23, 2010, on our consideration of the District's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, and contracts, and agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and important for assessing the results of our audit.

The management's discussion and analysis and budgetary comparison information are not a required part of the basic financial statements but are supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

February 23, 2010

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of Moody River Estates Community Development District, Lee County, Florida ("District") provides a narrative overview of the District's financial activities for the fiscal year ended September 30, 2009. Please read it in conjunction with the District's Independent Auditor's Report, basic financial statements, accompanying notes and supplementary information to the basic financial statements.

FINANCIAL HIGHLIGHTS

- The liabilities of the District exceeded its assets at the close of the most recent fiscal year resulting in a net asset deficit balance of (\$3,114,582).
- The change in the District's total net assets in comparison with the prior year was \$155,052, an increase. The key components of the District's net assets and change in net assets are reflected in the table in the government-wide financial analysis section.
- At September 30, 2009, the District's governmental funds reported combined ending fund balances of \$1,186,466, a decrease of (\$1,435,798) in comparison with the prior year. A portion of fund balance is reserved for debt service and capital projects and the remainder is unreserved fund balance which is available for spending at the District's discretion.

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis are intended to serve as the introduction to the District's basic financial statements. The District's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net assets presents information on all the District's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the government's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements include all governmental activities that are principally supported by special assessments. The District does not have any business-type activities. The governmental activities of the District include the general government (management) and maintenance functions.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District has one fund category: governmental funds.

OVERVIEW OF FINANCIAL STATEMENTS (Continued)

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a District's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the District's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The District maintains three individual governmental funds. Information is presented separately in the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, debt service fund and capital projects fund, all of which are considered to be major funds.

The District adopts an annual appropriated budget for its general fund. A budgetary comparison schedule has been provided for the general fund to demonstrate compliance with the budget.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net assets may serve over time as a useful indicator of an entity's financial position. In the case of the District, liabilities exceeded assets at the close of the fiscal year ended September 30, 2009.

Key components of the District's net assets are reflected in the following table:

NET ASSETS		
SEPTEMBER 30,		
	2009	2008
Assets, excluding capital assets	\$ 1,415,009	\$ 2,851,726
Capital assets, net of depreciation	5,925,830	4,499,598
Total assets	<u>7,340,839</u>	<u>7,351,324</u>
Liabilities, excluding long-term liabilities	244,514	240,943
Long-term liabilities	10,210,907	10,380,015
Total liabilities	<u>10,455,421</u>	<u>10,620,958</u>
Net Assets		
Invested in capital assets, net of related debt	(4,072,602)	(4,120,245)
Restricted for debt service	897,262	823,772
Unrestricted	60,758	26,839
Total net assets (deficit)	<u>\$ (3,114,582)</u>	<u>\$ (3,269,634)</u>

A portion of the District's net assets reflects its investment in capital assets (e.g. land, land improvements, and infrastructure); less any related debt used to acquire those assets that is still outstanding. These assets are used to provide services to residents; consequently, these assets are not available for future spending. Although the District's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

GOVERNMENT-WIDE FINANCIAL ANALYSIS (Continued)

The restricted portion of the District's net assets represents resources that are subject to external restrictions on how they may be used. They are funds set aside for debt service under the Bond Indenture. The remaining balance of unrestricted net assets may be used to meet the District's other obligations.

The District's net assets increased during the most recent fiscal year. The majority of the increase represents the extent to which program revenues exceeded the cost of operations and depreciation expense.

Key elements of the change in net assets are reflected in the following table:

CHANGES IN NET ASSETS FOR THE FISCAL YEAR END SEPTEMBER 30,		
	2009	2008
Revenues:		
Program revenues		
Charges for services	\$ 1,068,706	\$ 932,218
Operating grants and contributions	4,839	27,944
Capital grants and contributions	6,912	64,264
General revenues		
Unrestricted investment earnings	484	3,054
Total revenues	<u>1,080,941</u>	<u>1,027,480</u>
Expenses:		
General government	132,910	238,351
Infrastructure and maintenance costs	231,063	1,105,440
Interest	561,916	570,677
Total expenses	<u>925,889</u>	<u>1,914,468</u>
Change in net assets	155,052	(886,988)
Net assets (deficit) beginning	(3,269,634)	(2,382,646)
Net assets (deficit) ending	<u>\$ (3,114,582)</u>	<u>\$ (3,269,634)</u>

Program revenues, comprised primarily of assessments, increased during the fiscal year as a result of an increase in budgeted and levied fiscal year 2009 assessments. In addition, the District also received funds from a Developer to pay assessments on land which was under assessed in previous fiscal years. See Note 7 – Developer Transactions. As noted above and in the statement of activities, the cost of all governmental activities during the fiscal year ended September 30, 2009 was \$925,889. In total, expenses, including depreciation, decreased in comparison with the prior fiscal year. The majority of the decrease was the result of the conveyance of completed infrastructure to another entity in the prior year, which was non-recurring in the current year.

FINANCIAL ANALYSIS OF GOVERNMENTAL FUNDS

The District uses fund accounting to ensure and demonstrate compliance with finance related legal requirements. The focus of the District's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

The general fund is the operating fund of the District and includes all activities related to providing management and operating services.

FINANCIAL ANALYSIS OF GOVERNMENTAL FUNDS (Continued)

In the table below, we have presented the cost of the largest functions/programs as a percentage of total governmental funds.

FOR THE FISCAL YEAR END SEPTEMBER 30,

	2009		2008	
General government	\$ 132,910	5%	\$ 238,351	12%
Maintenance and operations	110,935	4%	-	0%
Capital outlay	1,546,360	62%	990,761	51%
Principal and interest on long-term debt	726,534	29%	719,960	37%
Total	<u>\$ 2,516,739</u>	<u>100%</u>	<u>\$ 1,949,072</u>	<u>100%</u>

As noted above, capital outlay and debt service comprise the majority of expenditures for total governmental activities for both the current and prior fiscal years.

GENERAL BUDGETING HIGHLIGHTS

An operating budget was adopted and maintained by the governing board for the District pursuant to the requirements of Florida Statutes. The budget is adopted using the same basis of accounting that is used in preparation of the fund financial statements. The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2009.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

At September 30, 2009, the District had \$6,360,397 invested in land and infrastructure. In the government-wide financial statements, depreciation of \$434,567 has been taken, which resulted in a net book value of \$5,925,830. More detailed information about the District's capital assets is presented in the notes of the financial statements.

Capital Debt

At September 30, 2009, the District had \$10,235,000 in Bonds outstanding for its governmental activities, a decrease of approximately 1.6% from the prior year. No new debt was issued during the current year, and the District had no immediate need to issue additional debt. More detailed information about the District's capital debt is presented in the notes of the financial statements.

Contacting the District's Financial Management

This financial report is designed to provide our citizens, land owners, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the financial resources it manages and the stewardship of the facilities it maintains. If you have questions about this report or need additional financial information, contact the Moody River Estates Community Development District's Finance Department at 6131 Lyons Road, Suite 100, Coconut Creek, Florida, 33073.

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
STATEMENT OF NET ASSETS
SEPTEMBER 30, 2009**

	Governmental Activities
ASSETS	
Cash	\$ 76,802
Assessments receivable	9,200
Restricted assets:	
Investments	1,116,823
Deferred charges	212,184
Capital assets:	
Nondepreciable	1,801,489
Depreciable, net	4,124,341
Total assets	7,340,839
 LIABILITIES	
Accounts payable	16,359
Accrued interest payable	228,155
Non-current liabilities:	
Due within one year	175,000
Due in more than one year	10,035,907
Total liabilities	10,455,421
 NET ASSETS	
Invested in capital assets, net of related debt	(4,072,602)
Restricted for debt service	897,262
Unrestricted	60,758
Total net assets (deficit)	\$ (3,114,582)

See notes to the financial statements

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009**

	Program Revenues			Capital Grants and Contributions	Governmental Activities	Net (Expense) Revenue and Changes in Net Assets
	Charges for Services	Operating Grants and Contributions				
Expenses	\$ 132,910	\$ -	\$ -	-	\$ -	
General government	231,063	-	6,912		(79,781)	
Maintenance and operations	561,916	4,839	-		234,349	
Interest on long-term debt						
Total governmental activities	925,889	1,068,706	4,839	6,912	154,568	

Functions/Programs

Primary government:

Governmental activities:

General government
Maintenance and operations
Interest on long-term debt
Total governmental activities

General revenues:

Unrestricted investment earnings	484
Total general revenues	484
Change in net assets	155,052
Net assets - beginning	(3,269,634)
Net assets - ending	\$ (3,114,582)

See notes to the financial statements

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2009**

	Major Funds			Total Governmental Funds
	General	Debt Service	Capital Projects	
ASSETS				
Cash	\$ 76,802	\$ -	\$ -	\$ 76,802
Investments	-	1,116,532	291	1,116,823
Assessments receivable	315	8,885	-	9,200
Total assets	<u>\$ 77,117</u>	<u>\$ 1,125,417</u>	<u>\$ 291</u>	<u>\$ 1,202,825</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 16,359	\$ -	\$ -	\$ 16,359
Total liabilities	<u>16,359</u>	<u>-</u>	<u>-</u>	<u>16,359</u>
Fund balances:				
Reserved for:				
Debt service	-	1,125,417	-	1,125,417
Capital projects	-	-	291	291
Unreserved, reported in:				
General fund	60,758	-	-	60,758
Total fund balances	<u>60,758</u>	<u>1,125,417</u>	<u>291</u>	<u>1,186,466</u>
Total liabilities and fund balances	<u>\$ 77,117</u>	<u>\$ 1,125,417</u>	<u>\$ 291</u>	<u>\$ 1,202,825</u>

See notes to the financial statements

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
RECONCILIATION OF THE BALANCE SHEET - GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET ASSETS
SEPTEMBER 30, 2009**

Fund balance - governmental funds		\$ 1,186,466
Amounts reported for governmental activities in the statement of net assets are different because:		
Capital assets used in governmental activities are not financial resources and therefore, are not reported as assets in the governmental funds. The statement of net assets includes those capital assets, net of any accumulated depreciation, in the net assets of the government as a whole.		
Cost of capital assets	6,360,397	
Accumulated depreciation	<u>(434,567)</u>	5,925,830
Bond issuance costs are not financial resources and, therefore are not reported as assets in the governmental funds. The statements of net assets includes these costs, net of amortization.		
Bond issuance costs	248,392	
Accumulated amortization	<u>(36,208)</u>	212,184
Liabilities not due and payable from current available resources are not reported as liabilities in the governmental fund statements. All liabilities, both current and long-term, are reported in the government-wide financial statements.		
Accrued interest payable	(228,155)	
Bonds payable	(10,235,000)	
Bond discount, net of accumulated amortization	<u>24,093</u>	<u>(10,439,062)</u>
Net assets of governmental activities		<u>\$ (3,114,582)</u>

See notes to the financial statements

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009**

	Major Funds			Total Governmental Funds
	General	Debt Service	Capital Projects	
REVENUES				
Assessments	\$ 277,280	\$ 791,426	\$ -	\$ 1,068,706
Interest and other revenue	484	4,839	6,912	12,235
Total revenues	277,764	796,265	6,912	1,080,941
EXPENDITURES				
Current:				
General government	132,910	-	-	132,910
Maintenance and operations	110,935	-	-	110,935
Debt Service:				
Principal	-	170,000	-	170,000
Interest	-	556,534	-	556,534
Capital outlay	-	-	1,546,360	1,546,360
Total expenditures	243,845	726,534	1,546,360	2,516,739
Excess (deficiency) of revenues over (under) expenditures	33,919	69,731	(1,539,448)	(1,435,798)
OTHER FINANCING SOURCES (USES)				
Transfer in	-	-	31	31
Transfer out	-	(31)	-	(31)
Total other financing sources (uses)	-	(31)	31	-
Net change in fund balances	33,919	69,700	(1,539,417)	(1,435,798)
Fund balances - beginning	26,839	1,055,717	1,539,708	2,622,264
Fund balances - ending	\$ 60,758	\$ 1,125,417	\$ 291	\$ 1,186,466

See notes to the financial statements

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009**

Net change in fund balances - total governmental funds	\$ (1,435,798)
Amounts reported for governmental activities in the statement of activities are different because:	
Governmental funds report capital outlays as expenditures, however, the cost of capital assets is eliminated in the statement of activities and capitalized in the statement of net assets.	1,546,360
Depreciation of capital assets is not recognized in the governmental fund statements but is reported as an expense in the statement of activities.	(120,128)
Amortization of deferred charges is not recognized in the governmental fund statement but is reported as an expense in the statement of activities.	(9,172)
Repayments of long-term liabilities are reported as expenditures in the governmental fund statement but such repayments reduce liabilities in the statement of net assets and are eliminated in the statement of activities.	170,000
The change in accrued interest on long-term liabilities between the current and prior fiscal year is recorded in the statement of activities but not in the fund financial statements.	3,790
Change in net assets of governmental activities	<u>\$ 155,052</u>

See notes to the financial statements

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
NOTES TO FINANCIAL STATEMENTS**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity

Moody River Estates Community Development District ("District") was created on November 15, 2004 by Ordinance 04-20 of the Lee County, Florida, pursuant to the Uniform Community Development District Act of 1980, otherwise known as Chapter 190, Florida Statutes. The Act provides among other things, the power to manage basic services for community development, power to borrow money and issue bonds, and to levy and assess non-ad valorem assessments for the financing and delivery of capital infrastructure.

The District was established for the purposes of financing and managing the acquisition, construction, maintenance and operation of a portion of the infrastructure necessary for community development within the District.

The District is governed by the Board of Supervisors ("Board"), which is composed of five members. The Supervisors are elected by the owners of the property within the District. The Board of Supervisors of the District exercise all powers granted to the District pursuant to Chapter 190, Florida Statutes. As of September 30, 2009, Colonial Homes, Inc. and Meritage Homes of Florida, Inc (the "Developers") own a significant portion of the land within the District and the District was economically dependent on the Developers.

The Board has the responsibility for:

1. Assessing and levying assessments.
2. Approving budgets.
3. Exercising control over facilities and properties.
4. Controlling the use of funds generated by the District.
5. Approving the hiring and firing of key personnel.
6. Financing improvements.

The financial statements were prepared in accordance with Governmental Accounting Standards Board ("GASB") Statement 14, and Statement 39, an amendment of GASB Statement 14. Under the provisions of those standards, the financial reporting entity consists of the primary government, organizations for which the District Board of Supervisors is considered to be financially accountable, and other organizations for which the nature and significance of their relationship with the District are such that, if excluded, the financial statements of the District would be considered incomplete or misleading. There are no entities considered to be component units of the District; therefore, the financial statements include only the operations of the District.

Government-Wide and Fund Financial Statements

The basic financial statements include both government-wide and fund financial statements.

The government-wide financial statements (i.e., the statement of net assets and the statement of activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment (Operating-type special assessments for maintenance and debt service are treated as charges for services.) and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other items not included among program revenues are reported instead as *general revenues*.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement* focus and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments are recognized as revenues in the year for which they are levied. Grants and similar items are to be recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures are recorded only when payment is due.

Assessments

Assessments are non-ad valorem assessments on benefited property within the District. Operating and maintenance assessments are based upon the adopted budget and levied annually at a public hearing of the District. Debt service assessments are levied when Bonds are issued and assessed and collected on an annual basis. The District may collect assessments directly or utilize the uniform method of collection under Florida Statutes. Direct collected assessments are due as determined by annual assessment resolution adopted by the Board of Supervisors. Assessments collected under the uniform method are mailed by the County Tax Collector on November 1 and due on or before March 31 of each year. Property owners may prepay a portion or all of the debt service assessments on their property subject to various provisions in the Bond documents.

Assessments and interest associated with the current fiscal period are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. The portion of assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The District reports the following major governmental funds:

General Fund

The general fund is the general operating fund of the District. It is used to account for all financial resources except those required to be accounted for in another fund.

Debt Service Fund

The debt service fund is used to account for the accumulation of resources for the annual payment of principal and interest on long-term debt.

Capital Projects Fund

This fund accounts for the financial resources to be used for the acquisition or construction of major infrastructure within the District.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements.

When both restricted and unrestricted resources are available for use, it is the government's policy to use restricted resources first for qualifying expenditures, then unrestricted resources as they are needed.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Assets or Equity

Restricted Assets

These assets represent cash and investments set aside pursuant to Bond covenants.

Deposits and Investments

The District's cash and cash equivalents are considered to be cash on hand and demand deposits.

The District has elected to proceed under the Alternative Investment Guidelines as set forth in Section 218.415 (17) Florida Statutes. The District may invest any surplus public funds in the following:

- a) The Local Government Surplus Trust Funds, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act;
- b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- c) Interest bearing time deposits or savings accounts in qualified public depositories;
- d) Direct obligations of the U.S. Treasury.

Securities listed in paragraph c and d shall be invested to provide sufficient liquidity to pay obligations as they come due. In addition, surplus funds may be deposited into certificates of deposit which are insured and any unspent Bond proceeds are required to be held in investments allowed in the Bond Indenture.

The District records all interest revenue related to investment activities in the respective funds and reports investments at fair value.

Inventories and Prepaid Items

Inventories are recorded as expenditures when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

Capital Assets

Capital assets, which include property, plant and equipment, and infrastructure assets (e.g., roads, sidewalks and similar items) are reported in the government activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 (amount not rounded) and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant and equipment of the District are depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Infrastructure	20 - 40

In the governmental fund financial statements, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported in the governmental fund financial statements.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, Liabilities and Net Assets or Equity (Continued)

Deferred Charges

In a prior year, in connection with the issuance of certain debt, the District incurred costs totaling \$248,392. In the government-wide financial statements, that amount has been capitalized and amortized over the estimated life of the Bonds.

Deferred Revenue

Governmental funds report deferred revenue in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period. Governmental funds also defer revenue recognition in connection with resources that have been received, but not yet earned.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the statement of net assets. Bond premiums and discounts, as well as issuance costs, are deferred and amortized ratably over the life of the Bonds using the straight-line method, which does not result in a material difference from the effective interest method. Bonds payable are reported net of applicable premiums or discounts.

In the fund financial statements, governmental fund types recognize premiums and discounts, as well as issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Fund Equity/Net Assets

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent tentative management plans that are subject to change.

Net assets in the government-wide financial statements are categorized as invested in capital assets, net of related debt, restricted or unrestricted. Invested in capital assets, net of related debt represents net assets related to infrastructure and property, plant and equipment, net of any related debt. Restricted net assets represent the assets restricted by the District's Bond covenants.

Other Disclosures

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

NOTE 2 – STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

Budgetary Information

The District is required to establish a budgetary system and an approved Annual Budget. Annual Budgets are adopted on a basis consistent with generally accepted accounting principles for the general fund. All annual appropriations lapse at fiscal year end.

NOTE 2 – STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY (Continued)

Budgetary Information (Continued)

The District follows these procedures in establishing the budgetary data reflected in the financial statements.

- a) Each year, the District Manager submits to the District Board a proposed operating budget for the fiscal year commencing the following October 1.
- b) Public hearings are conducted to obtain public comments.
- c) Prior to October 1, the budget is legally adopted by the District Board.
- d) All budget changes must be approved by the District Board.
- e) The budgets are adopted on a basis consistent with generally accepted accounting principles.
- f) Unused appropriation for annually budgeted funds lapse at the end of the year.

NOTE 3 – DEPOSITS AND INVESTMENTS

Deposits

The District's cash balances were entirely covered by federal depository insurance or by a collateral pool pledged to the State Treasurer. Florida Statutes Chapter 280, "Florida Security for Public Deposits Act", requires all qualified depositories to deposit with the Treasurer or another banking institution eligible collateral equal to various percentages of the average daily balance for each month of all public deposits in excess of any applicable deposit insurance held. The percentage of eligible collateral (generally, U.S. Governmental and agency securities, state or local government debt, or corporate bonds) to public deposits is dependent upon the depository's financial history and its compliance with Chapter 280. In the event of a failure of a qualified public depository, the remaining public depositories would be responsible for covering any resulting losses.

Investments

The District's investments were held as follows at September 30, 2009:

	<u>Fair Value</u>	<u>Credit Risk</u>	<u>Maturities</u>
Money Market Mutual Funds - First American Government Obligations	\$ 1,116,823	S&P AAAM	Weighted average of the fund portfolio: 45 days
Total Investments	<u>\$ 1,116,823</u>		

Custodial risk – For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the District will not be able to recover the value of the investments or collateral securities that are in the possession of an outside party. The District has no formal policy for custodial risk. The money market mutual funds are not evidenced by securities that exist in physical or book entry form.

Credit risk – For investments, credit risk is generally the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investment ratings by investment type are included in the preceding summary of investments.

Concentration risk – The District places no limit on the amount the District may invest in any one issuer.

Interest rate risk – The District does not have a formal policy that limits investment maturities as a means of managing exposure to fair value losses arising from increasing interest rates.

However, the Bond Indenture limits the type of investments held using unspent proceeds.

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the fiscal year ended September 30, 2009 was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance
Governmental activities				
Capital assets, not being depreciated				
Land	\$ 1,801,489	\$ -	\$ -	\$ 1,801,489
Total capital assets, not being depreciated	1,801,489	-	-	1,801,489
Capital assets, being depreciated				
Infrastructure - water control and other	3,012,548	1,546,360	-	4,558,908
Total capital assets, being depreciated	3,012,548	1,546,360	-	4,558,908
Less accumulated depreciation for:				
Infrastructure - water control and other	314,439	120,128	-	434,567
Total accumulated depreciation	314,439	120,128	-	434,567
Total capital assets, being depreciated, net	2,698,109	1,426,232	-	4,124,341
Governmental activities capital assets	\$ 4,499,598	\$ 1,426,232	\$ -	\$ 5,925,830

The total cost of infrastructure intended to serve the District was originally estimated at approximately \$13,400,000. Of that amount, approximately \$8,600,000 was funded from Series 2005 Bonds and the remainder was to be funded by future bond proceeds and the Developer. In the current year, it was determined that future debt will not be issued; and, as a result, the project was modified and has not been completed. The infrastructure includes stormwater management, sanitary sewer, water distribution systems, and land improvements. In prior years, water and sewer infrastructure was completed and conveyed to the Lee County Utilities Department. In the current year, the District acquired a component of the stormwater management system from Colonial Homes, Inc. (a "Developer") for \$1,545,144. The system will be owned and maintained by the District.

In connection with the 2005 project, the District established a deferred cost investment account reported in the capital projects fund. In the event there are excess 2005 reserves, they are to be transferred from the debt service to the capital projects fund and used to repay funds advanced for the project or for the purchase of additional components. However, if funds in the account are not needed for that purpose they are to be transferred to the debt service fund and used to redeem outstanding related debt. At September 30, 2009, there is a balance of \$28,306 in the deferred cost account. The District has not yet determined if a liability exists for deferred costs.

NOTE 5 – LONG-TERM LIABILITIES

On July 1, 2005, the District issued \$10,710,000 of Capital Improvement Revenue Bonds, Series 2005 due on May 1, 2036 with a fixed interest rate of 5.350%. The Bonds were issued to finance the acquisition and construction of certain improvements for the benefit of the District. Interest is to be paid semiannually on each May 1 and November 1.

The Series 2005 Bonds are subject to redemption at the option of the District prior to their maturity. The Bonds are also subject to extraordinary mandatory redemption prior to their selected maturity in the manner determined by the Bond Registrar if certain events occurred as outlined in the Bond Indenture.

This occurred during the current fiscal year as the District collected assessments from lot closings and prepaid \$5,000 of the Series 2005 Bonds. See Subsequent Events note for additional call amount subsequent to the fiscal year end.

NOTE 5 – LONG-TERM LIABILITIES (Continued)

The Bond Indenture established a debt service reserve requirement as well as other restrictions and requirements relating principally to the use of proceeds to pay for the infrastructure improvements and the procedures to be followed by the District on assessments to property owners. The District agrees to levy special assessments in annual amounts adequate to provide payment of debt service and to meet the reserve requirements. The District incurred unscheduled draws on Series 2005 Debt Service Reserves of \$29,688 in November 2008 and \$35,582 in May 2009, which resulted in a deficit in the reserve account. In July 2009, the balance in the debt service reserve account was replenished by the District, which satisfied the reserve requirement. The District was in compliance with the requirements of the Bond Indenture at September 30, 2009.

Changes in long-term liability activity for the fiscal year ended September 30, 2009 were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
<u>Governmental activities</u>					
Bonds payable:					
Series 2005	\$ 10,405,000	\$ -	\$ (170,000)	\$ 10,235,000	\$ 175,000
Less: Original Issue Discount	(24,985)	-	892	(24,093)	-
Total	<u>\$ 10,380,015</u>	<u>\$ -</u>	<u>\$ (169,108)</u>	<u>\$ 10,210,907</u>	<u>\$ 175,000</u>

At September 30, 2009, the scheduled debt service requirements on the long-term debt were as follows:

Year ending September 30:	Governmental Activities		
	Principal	Interest	Total
2010	\$ 175,000	\$ 547,573	\$ 722,573
2011	185,000	538,210	723,210
2012	195,000	528,313	723,313
2013	205,000	517,880	722,880
2014	215,000	506,913	721,913
2015-2019	1,265,000	2,348,918	3,613,918
2020-2024	1,655,000	1,970,940	3,625,940
2025-2029	2,160,000	1,477,403	3,637,403
2030-2034	2,825,000	831,925	3,656,925
2035-2036	1,355,000	109,675	1,464,675
Total	<u>\$ 10,235,000</u>	<u>\$ 9,377,750</u>	<u>\$ 19,612,750</u>

NOTE 6 – NET ASSET (DEFICIT)

The District has a government-wide net asset deficit of (\$3,114,582) as of September 30, 2009. There is no such deficit reflected in the governmental fund financial statements. The deficit in the government-wide statement of net assets primarily relates to the excess of the amount of long-term debt outstanding over the amount of capital assets, net of accumulated depreciation. In prior years, various infrastructure improvements necessary to complete the District were financed through the issuance of long-term debt and conveyed to other entities for maintenance. Those capital assets are not included in the assets of the District; however, the long-term debt associated with those assets remains a liability of the District.

NOTE 7 – DEVELOPER TRANSACTIONS

Assessments

Colonial Homes, Inc. and Meritage Homes of Florida, Inc. (the “Developers”) own a portion of land within the District; therefore, assessment revenues in the general and debt service funds include the assessments levied on those lots owned by the Developers.

Assessment Adjustments

During the fiscal year ended September 30, 2009, the District adopted a Revised Special Assessment Methodology in which the District made necessary corrections for assessment billings due to previous under and over assessments for particular parcels and due to the changed circumstances resulting from the lack of a second bond sale for infrastructure to serve the Moody East Parcels. The District concluded that approximately \$121,000 was under assessed to lands owned by the Developers and other land owners and that the parcels related to Moody East had been over assessed by approximately \$65,000. As a result of this, the District has adjusted the assessments related to the Moody East parcels for 2010 and future periods to adjust the amount previously over assessed. In addition, to adjust amounts previously under assessed on lands owned by Meritage Homes & land owners, the District has levied a one-time increase in fiscal year 2010 assessments of approximately \$116,000. The remaining \$25,000 due on under assessed land was paid in full by Colonial Homes during the current fiscal year; therefore, no adjustments have been made to their fiscal year 2010 assessments.

Developer Related Legal Matters

The land owner of the Moody East parcels (“Mood Development Corp.”) threatened to sue the District based on the accusation that land was improperly included within the District and that the benefit allocated to the land was not appropriate. If it is determined in a court of law that the Moody East parcels did not benefit from the improvements or were included erroneously as part of the District then the assessment methodology may have to be corrected and the remaining land owners, including the Developers, may have their assessments increased in order to make up the difference. In addition, the District may have to refund assessments collected from the sale of tax certificates which amounted to approximately \$90,000.

NOTE 8 – MANAGEMENT COMPANY

The District has contracted with Wrathell, Hart, Hunt and Associates to perform management advisory services, which include financial and accounting services. Certain employees of the management company also serve as officers of the District. Under the agreement, the District compensates the management company for management, accounting, financial reporting, computer and other administrative costs.

NOTE 9 – RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters. The District has obtained commercial insurance from independent third parties to mitigate the costs of these risks; coverage may not extend to all situations. Settled claims from these risks have not exceeded commercial insurance coverage over the past three years.

NOTE 10 – SUBSEQUENT EVENTS

Series 2005 Bonds

In November 2009, the District prepaid \$5,000 of the Series 2005 Bonds. The prepayment was an extraordinary mandatory redemption as outlined in the Bond Indenture.

Legal Matters

On October 22, 2009, Mood Development Corp. filed a complaint against the District in circuit court. The complaint sought a determination of declaratory judgment and supplemental relief. In addition, the complaint challenged: 1) whether land owned by Mood Development Corp. was properly included in the District, 2) the sufficiency of the Notice of Establishment, and 3) the appropriateness of the District's assessments levied against property owned by Mood Development Corp.

The District disputed the allegations contained in the complaint and have since filed a Motion to Dismiss the Complaint. As of the report date the case is still pending. The financial statements do not include any adjustments for this issue as the outcome is uncertain at this time.

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCE – BUDGET AND ACTUAL – GENERAL FUND
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009**

	<u>Budgeted Amounts Original & Final</u>	<u>Actual Amounts</u>	<u>Variance with Final Budget - Positive (Negative)</u>
REVENUES			
Assessments	\$ 268,472	\$ 277,280	\$ 8,808
Interest	7,753	484	(7,269)
Total revenues	<u>276,225</u>	<u>277,764</u>	<u>1,539</u>
EXPENDITURES			
Current:			
General government	181,225	132,910	48,315
Maintenance and operations	97,000	110,935	(13,935)
Total expenditures	<u>278,225</u>	<u>243,845</u>	<u>34,380</u>
Excess (deficiency) of revenues over (under) expenditures	<u>\$ (2,000)</u>	33,919	<u>\$ 35,919</u>
Fund balance - beginning		<u>26,839</u>	
Fund balance - ending		<u>\$ 60,758</u>	

See notes to required supplementary information

**MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
LEE COUNTY, FLORIDA
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

The District is required to establish a budgetary system and an approved Annual Budget for the general fund. The District's budgeting process is based on estimates of cash receipts and cash expenditures which are approved by the Board. The budget approximates a basis consistent with accounting principles generally accepted in the United States of America (generally accepted accounting principles).

The legal level of budgetary control, the level at which expenditures may not exceed budget, is in the aggregate. Any budget amendments that increase the aggregate budgeted appropriations must be approved by the Board of Supervisors. Actual general fund expenditures did not exceed appropriations for the fiscal year ended September 30, 2009.

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

To the Board of Supervisors
Moody River Estates Community Development District
Lee County, Florida

We have audited the financial statements of the governmental activities and each major fund and the aggregate remaining fund information of Moody River Estates Community Development District, Lee County, Florida ("District") as of and for the fiscal year ended September 30, 2009, which collectively comprise the District's basic financial statements and have issued our report thereon dated February 23, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the District's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the District's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the District's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the District's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the District's financial statements that is more than inconsequential will not be prevented or detected by the District's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the District's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the District's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, and contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended for the information of the management, Board of Supervisors of Moody River Estates Community Development District, Lee County, Florida and the Auditor General of the State of Florida and is not intended to be and should not be used by anyone other than these specified parties.

February 23, 2010

**MANAGEMENT LETTER PURSUANT TO THE RULES OF
THE AUDITOR GENERAL FOR THE STATE OF FLORIDA**

To the Board of Supervisors
Moody River Estates Community Development District
Lee County, Florida

We have audited the accompanying basic financial statements of Moody River Estates Community Development District, Lee County, Florida ("District") as of and for the fiscal year ended September 30, 2009, and have issued our report thereon dated February 23, 2010.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller General of the United State. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

In addition, we have issued our Report on Internal Control over Financial Reporting and Compliance and Other Matters dated February 23, 2010. Disclosures in that report should be considered in conjunction with this management letter.

The purpose of this letter is to comment on those matters required by Chapter 10.550 of the Rules of the Auditor General for the State of Florida. Accordingly, in connection with our audit of the financial statements of the District, as described in the first paragraph, we report the following:

- I. Current year findings and recommendations.**
- II. Status of prior year findings and recommendations.**
- III. Compliance with the Provisions of the Auditor General of the State of Florida**

This report is intended for the information of the management, Board of Supervisors of Moody River Estates Community Development District, Lee County, Florida and the Auditor General of the State of Florida and is not intended to be and should not be used by anyone other than these specified parties.

We wish to thank Moody River Estates Community Development District, Lee County, Florida and the personnel associated with it, for the opportunity to be of service to them in this endeavor as well as future engagements, and the courtesies extended to us.

February 23, 2010

REPORT TO MANAGEMENT

I. CURRENT YEAR FINDINGS AND RECOMMENDATIONS

None

II. PRIOR YEAR FINDINGS AND RECOMMENDATIONS

None

III. COMPLIANCE WITH THE PROVISIONS OF THE AUDITOR GENERAL OF THE STATE OF FLORIDA

Unless otherwise required to be reported in the auditor's report on compliance and internal controls, the management letter shall include, but not be limited to the following:

1. A statement as to whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report.

There were no significant findings and recommendations made in the preceding annual financial audit report for the fiscal year ended September 30, 2008.

2. A statement as to whether or not the local governmental entity complied with Section 218.415, Florida Statutes, regarding the investment of public funds.

The District complied with Section 218.415, Florida Statutes, regarding the investment of public funds.

3. Any recommendations to improve the local governmental entity's financial management.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported for the fiscal year ended September 30, 2009.

4. Violations of provisions of contracts or grant agreements, or abuse that have an effect on the financial statements that is less than material but more than inconsequential.

There were no such matters discovered by, or that came to the attention of, the auditor, to be reported, for the fiscal year ended September 30, 2009.

5. For matters that have an inconsequential effect on the financial statements, considering both quantitative and qualitative factors, the following may be reported based on professional judgment:

- a. Violations of provisions of contracts or grant agreements, fraud, illegal acts, or abuse.
- b. Control deficiencies that are not significant deficiencies.

There were no such matters discovered by, or that came to the attention of, the auditor, that, in our judgment, are required to be reported, for the fiscal year ended September 30, 2009.

REPORT TO MANAGEMENT (Continued)

6. The name or official title and legal authority of the District are disclosed in the notes to the financial statements.
7. The financial report filed with the Florida Department of Financial Services pursuant to Section 218.32(1)(a), Florida Statutes agrees with the September 30, 2009 financial audit report.
8. The District has not met one or more of the financial emergency conditions described in Section 218.503(1), Florida Statutes.
9. We applied financial condition assessment procedures pursuant to Rule 10.556(7) and no deteriorating financial conditions were noted. It is management's responsibility to monitor financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

RESOLUTION 2010-2

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT HEREBY ACCEPTING THE AUDITED FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2009

WHEREAS, the District's Auditor, Grau & Associates, has heretofore prepared and submitted to the Board, for accepting, the District's Audited Financial Report for Fiscal Year 2009;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT;

1. The Audited Financial Report for Fiscal Year 2009, heretofore submitted to the Board, is hereby accepted for Fiscal Year 2009, for the period ending September 30, 2009; and
2. A verified copy of said Audited Financial Report for Fiscal Year 2009 shall be attached hereto as an exhibit to this Resolution, in the District's "Official Record of Proceedings".

PASSED AND ADOPTED this ____ day of _____, 2010.

MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

1
2
3
4
5
6
7
8

**MINUTES OF MEETING
MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

9
10
11
12
13
14
15
16
17
18
19
20

A Regular Meeting of the Moody River Estates Community Development District's Board of Supervisors was held on **Thursday, January 21, 2010 at 12:30 p.m.**, at the **Candlewood Suites, 3626 Colonial Court, Fort Myers, Florida 33913.**

21
22
23
24
25

Present and constituting a quorum were:

26
27
28
29
30
31
32
33
34
35
36

Ilse Mayer	Chairperson
Kathy Shea	Vice Chairperson
Terry Pye	Assistant Secretary

Also present were:

Cleo Crismond	Assistant Regional Manager
Mike Eckert	District Counsel
Tracey Thompson	Court Reporter, Sclafani Williams

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Crismond called the meeting to order at 12:30 p.m., noting that Supervisors Mayer, Shea and Pye were in attendance, with Supervisors Harrell and Berry absent.

SECOND ORDER OF BUSINESS

Attorney-Client Session

Mr. Eckert explained that he requested the Session at their last meeting and this is reflected in the minutes. He advised that the Notice of Attorney-Client Session was published in the News-Press on January 11, 2010, and included Supervisors Ilse Mayer, Kathy Shea, Matt Harrell, Terry Pye and Jeff Berry, along with Counsel Mike Eckert, District Counsel Katie Buchanan and Doug Smith. Mr. Eckert noted that the District Manager Representative listed, Chesley Adams, was not able to attend today's meeting, nor were Katie Buchanan, Doug Smith, Supervisor Harrell or Supervisor Berry. He stated currently, Ilse Mayer, Kathy Shea, Terry Pye, Court Reporter Tracey Thompson and Mike Eckert would be attending the Attorney-Client Session.

37 Mr. Eckert explained that the Attorney-Client Session would be transcribed by a Court
38 Reporter, who will prepare the transcript and provide a sealed copy to the District Manager, who
39 will keep it sealed until the conclusion of the litigation.

40 Mr. Eckert stated, at the last meeting, he handed out some public documents that were
41 filed in the case, as of the date of that meeting. He noted the documents distributed today were
42 those filed since the last meeting. He then listed the documents, providing a brief explanation of
43 each.

44 Ms. Mayer announced the commencement of the Attorney-Client Session, indicating that
45 the estimated time would be 30 to 45 minutes.

46 *****The Attorney-Client Session convened at 12:36 p.m.*****

47 *****The Board Meeting reconvened at 12:50 p.m.*****

48

49 **THIRD ORDER OF BUSINESS**

**Return to Public Session: Consideration
of any Pertinent Actions Resulting from
Attorney-Client Session**

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

Mr. Eckert stated the conclusion of the Attorney-Client Session and the re-opening of the Board Meeting were announced and there are no items, under this Order of Business, to be discussed.

57 **FOURTH ORDER OF BUSINESS**

Approval of December 16, 2009 Regular Meeting Minutes

58

59

60

61

62

63

64

65

66

67

68

Ms. Crismond presented the December 16, 2009 Regular Meeting Minutes and asked if there were any additions, deletions or corrections.

The following changes were made:

Line 81: Replace "motions" with "allegations"

Line 139: Replace "1:00" with "12:30"

Lines 90 to 94 (Motion Box): List each attendee named in the Notice of Attorney-Client Session

Mr. Pye asked if Ms. Crismond could have attended the Session as Mr. Adams' representative. Mr. Eckert explained that she could have attended the meeting, had she been

69 specifically listed in the advertisement; the law states the individuals that will be appearing at the
70 meeting must be listed.

71

72 **On MOTION by Mr. Pye and seconded by Ms. Mayer, with all**
73 **in favor, the December 16, 2009 Regular Meeting Minutes, as**
74 **corrected, were approved.**

75

76

77 **FIFTH ORDER OF BUSINESS** **Other Business**

78

79 There being no Other Business, the next item followed.

80

81 **SIXTH ORDER OF BUSINESS** **Staff Reports**

82

83 **a. Attorney**

84 No report was given.

85 **b. Manager**

86 **i. Unaudited Financial Statements as of November 30, 2009**

87 Ms. Crismond presented the Unaudited Financial Statements as of November 30, 2009,
88 noting that, by the next meeting, more assessments should be received.

89 **ii. NEXT MEETING DATE: March 18, 2010 at 1:00 P.M.**

90 Ms. Crismond reminded the Board that the next meeting date is March 18, 2010 at 1:00
91 p.m.

92

93 **SEVENTH ORDER OF BUSINESS** **Audience** **Comments/Supervisors'**
94 **Requests**

95

96 There being no Audience Comments, Ms. Crismond asked for any Supervisors'
97 Requests. There being none, the next item followed.

98

99 **EIGHTH ORDER OF BUSINESS** **Adjournment**

100

101 There being no further business, all were in agreement with adjournment.

102

103 **On MOTION by Ms. Mayer and seconded by Ms. Shea, with**
104 **all in favor, the meeting adjourned at 12:54 p.m.**

105
106
107
108
109
110
111
112

Secretary/Assistant Secretary

Chairperson/Vice Chairperson

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JANUARY 31, 2010**

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
JANUARY 31, 2010**

	Major Funds			Total Governmental Funds
	General	Debt Service	Capital Projects	
ASSETS				
Cash - SunTrust	\$ 104,494	\$ -	\$ -	\$ 104,494
Investments				
Revenue	-	451,600	-	451,600
Reserve	-	686,165	-	686,165
Prepayment	-	7,985	-	7,985
Deferred cost	-	28,987	-	28,987
Construction	-	-	291	291
Due from other funds				
Debt service fund	574	-	-	574
Total assets	<u>\$ 105,068</u>	<u>\$ 1,174,737</u>	<u>\$ 291</u>	<u>\$ 1,280,096</u>
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	\$ 2,400	\$ -	\$ -	\$ 2,400
Due to other funds				
General fund	-	574	-	574
Total liabilities	<u>2,400</u>	<u>574</u>	<u>-</u>	<u>2,974</u>
Fund Balances:				
Reserved for:				
Debt service	-	1,174,163	-	1,174,163
Capital projects	-	-	291	291
Unreserved, reported in:				
Unreserved, undesignated	102,668	-	-	102,668
Total fund balances	<u>102,668</u>	<u>1,174,163</u>	<u>291</u>	<u>1,277,122</u>
Total liabilities and fund balances	<u>\$ 105,068</u>	<u>\$ 1,174,737</u>	<u>\$ 291</u>	<u>\$ 1,280,096</u>

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JANUARY 31, 2010**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessment levy	\$ 4,190	\$ 101,557	\$ 251,186	40%
Interest and miscellaneous	36	146	1,500	10%
Total revenues	<u>4,226</u>	<u>101,703</u>	<u>252,686</u>	40%
EXPENDITURES				
Professional & administrative				
Management fees	3,734	14,934	44,802	33%
Accounting services	729	2,914	8,742	33%
Audit	-	-	6,000	0%
Assessment roll services	1,073	4,292	12,875	33%
Arbitrage rebate calculations	-	-	1,750	0%
Dissemination agent fees	-	-	5,305	0%
Trustee fees	-	-	6,000	0%
Supervisor fees	-	1,507	6,459	23%
Legal	-	13,325	15,000	89%
Engineering	-	-	5,000	0%
Postage	211	459	1,250	37%
Telephone	42	167	500	33%
Insurance	-	5,000	5,150	97%
Printing & binding	92	367	1,100	33%
Legal advertising	-	232	1,500	15%
Other current charges	79	631	1,100	57%
Office supplies	-	-	500	0%
Annual district filing fee	-	175	175	100%
Contingency	-	-	20,000	0%
Total professional & administrative	<u>5,960</u>	<u>44,003</u>	<u>143,208</u>	31%
Water management				
Other contractual	-	1,014	50,000	2%
Utilities	4,428	14,339	47,000	31%
Aquascaping	-	-	10,000	0%
Total water management	<u>4,428</u>	<u>15,353</u>	<u>107,000</u>	0%
Other fees and charges				
Property appraiser	(574)	177	991	18%
Tax collector	-	260	1,487	17%
Total other fees and charges	<u>(574)</u>	<u>437</u>	<u>2,478</u>	18%
Total expenditures	<u>9,814</u>	<u>59,793</u>	<u>252,686</u>	24%
Excess/(deficiency) of revenues over/(under) expenditures	(5,588)	41,910	-	
Fund balance - beginning	108,256	60,758	27,828	
Fund balance - ending	<u>\$ 102,668</u>	<u>\$ 102,668</u>	<u>\$ 27,828</u>	

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND SERIES 2005
FOR THE PERIOD ENDED JANUARY 31, 2010**

	<u>Current Month</u>	<u>Year to Date</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUES				
Assessment levy	\$ 13,572	\$ 328,952	\$ 814,498	40%
Total revenues	<u>13,572</u>	<u>328,952</u>	<u>814,498</u>	40%
EXPENDITURES				
Principal	-	-	175,000	0%
Principal prepayment	-	5,000	70,000	7%
Interest	-	273,786	547,573	50%
Total expenditures	<u>-</u>	<u>278,786</u>	<u>792,573</u>	35%
Other fees and charges				
Property appraiser	575	575	-	N/A
Tax collector	-	845	-	N/A
Total other fees and charges	<u>575</u>	<u>1,420</u>	<u>-</u>	N/A
Total expenditures	<u>575</u>	<u>280,206</u>	<u>792,573</u>	N/A
Excess/(deficiency) of revenues over/(under) expenditures	12,997	48,746	21,925	
Fund balance - beginning	<u>1,161,166</u>	<u>1,125,417</u>	<u>992,773</u>	
Fund balance - ending	<u><u>\$ 1,174,163</u></u>	<u><u>\$ 1,174,163</u></u>	<u><u>\$ 1,014,698</u></u>	

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND SERIES 2005
FOR THE PERIOD ENDED JANUARY 31, 2010**

	<u>Current Month</u>	<u>Year to Date</u>
REVENUES	<u>\$ -</u>	<u>\$ -</u>
Total revenues	<u>-</u>	<u>-</u>
 EXPENDITURES		
Total expenditures	<u>-</u>	<u>-</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 - -	 - -
 Fund balance - beginning	 291	 291
Fund balance - ending	<u><u>\$ 291</u></u>	<u><u>\$ 291</u></u>