

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT
DISTRICT**

**LANDOWNERS' MEETING
AGENDA**

November 7, 2012

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

October 30, 2012

ATTENDEES:

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

Landowner(s)

Moody River Estates Community Development District

Dear Landowner(s):

The Landowners' Meeting of the Moody River Estates Community Development District will be held on **Wednesday, November 7, 2012 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. Affidavit of Publication
3. Election of a Chairperson to Conduct Landowners' Meeting
4. Election of Supervisor (Seat 4)
 - a. Determine Number of Voting Units Represented or Assigned by Proxy
 - b. Nominations for Supervisors
 - c. Casting of Ballots
 - d. Ballot Tabulations and Results
5. Landowners' Questions/Comments
6. Adjournment

A landowner may vote in person at the Landowners' Meeting or the landowner may nominate a proxy holder to vote at the meeting in place of the landowner. Whether in person or by proxy, each landowner shall be entitled to cast one (1) vote per acre of land owned by him/her and located within the District, for each person that the landowner desires to elect to a position on the Board of Supervisors that is open for election for the upcoming term (three (3) seats on the Board will be up for election). A fraction of an acre shall be treated as one (1) acre, entitling the landowner to one (1) vote with respect thereto. **Please note that a particular real property is entitled to only one (1) vote for each eligible acre of land or fraction thereof; therefore, two (2) or more people who own real property in common, that is one (1) acre or less, are together entitled to only one (1) vote for that real property.**

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

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

Should you have any questions and/or concerns, please do not hesitate to contact me directly at 239-464-7114.

Sincerely,



Chesley E. Adams, Jr.
District Manager

TO ATTEND BY TELEPHONE:

Call-in number: 1-888-354-0094

Conference ID: 8593810#

CA:dg

THE NEWS-PRESS
Published every morning
Daily and Sunday
Fort Myers, Florida
Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared **Shari Terrell** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

NOTICE OF MEETING

In the matter of: **Landowners' Election of the Moody River Estates Community Devel. Dist., November 7, 2012**

In the court was published in said newspaper in the issues of

October 16, 23, 2012

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Shari Terrell

Sworn to and subscribed before me this 23rd day of October, 2012.

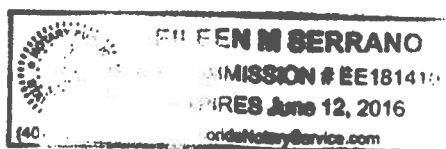
by **Shari Terrell**
personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public

Eileen M. Serrano

Print Name: **Eileen M. Serrano**
My commission Expires: **June 12, 2016**



NOTICE OF LANDOWNERS' ELECTION OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT

Notice is hereby given to the public and all landowners within Moody River Estates Community Development District in Lee County, Florida advising that a meeting of landowners will be held for the purpose of electing one (1) person to the District Board of Supervisors.

DATE: Wednesday, November 7, 2012

TIME: 1:00 p.m.

PLACE: Candlewood Suites
3626 Colonial Court
Fort Myers, Florida
33913

Each landowner may vote in person or by written proxy.

Proxy forms may be obtained upon request at the office of the District Manager, Wrathell, Hunt and Associates, LLC, 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073, (954) 426-2105. At said meeting, each

landowner or his or her proxy shall be entitled to nominate persons for the position of Supervisor and cast one vote per acre of land or fractional portion thereof, owned by him or her and located within the District for each person nominated for the position of Supervisor. A fraction of an acre shall be treated as one acre, entitling the landowner to one vote with respect thereto. Platted lots shall be counted individually and rounded up to the nearest whole acre. The acreage of platted lots shall not be aggregated for determining the number of voting units held by a landowner or a landowner's proxy. At the landowners' meeting, the landowners shall select a person to serve as the meeting chair and who shall conduct the meeting.

The landowners' meeting is open to the public and will be conducted in accordance with the provisions of Florida Law. The meeting may be

continued without additional notice to a date, time, and place to be specified on the record at such meeting. A copy of the agenda for the meeting may be obtained from the District Manager, Wrathell Hunt & Associates, 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073, (877) 276-0889.

There may be an occasion where one or more supervisors will participate by telephone.

Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to contact the District Office at (877) 276-0889, at least 48 hours before the hearing. If you are hearing or speech impaired, please contact the Florida Relay Service at (800) 955-8770 for aid in contacting the District Office.

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

Community Development District
Oct. 16, 23 No. 1462595

**INSTRUCTIONS RELATING TO LANDOWNERS' MEETING
OF THE MOODY RIVER ESTATES COMMUNITY DEVELOPMENT DISTRICT
FOR THE ELECTION OF SUPERVISORS**

DATE OF LANDOWNERS' MEETING: Wednesday, November 7, 2012

TIME: 1:00 P.M.

LOCATION: Candlewood Suites
3626 Colonial Court
Fort Myers, Florida 33913

Pursuant to Chapter 190, Florida Statutes, after a Community Development District ("District") has been established and the landowners have held their initial election, there shall be a subsequent landowners' meeting for the purpose of electing members of the Board of Supervisors every two (2) years until the District qualifies to have its board members elected by the qualified electors of the district. The following instructions on how all landowners may participate in the election is intended to comply with Section 190.006(2)(b), Florida Statutes, as amended by Chapter 2004-353, Laws of Florida.

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

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

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

**LANDOWNER PROXY
LANDOWNERS' MEETING
NOVEMBER 7, 2012**

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

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, the fee simple owner of the lands described herein, hereby constitutes and appoints:

Proxy Holder

for and on behalf of the undersigned, to vote as proxy at the meeting of the landowners of the Moody River Estates Community Development District to be held at the Candlewood Suites, 3626 Colonial Court, Fort Myers, Florida 33913 at 1:00 p.m., and at any continuances or adjournments thereof, according to the number of acres of unplatted land and/or platted lots owned by the undersigned landowner which the undersigned would be entitled to vote if then personally present, upon any question, proposition, or resolution or any other matter or thing which may be considered at said meeting including, but not limited to, the election of members of the Board of Supervisors. Said Proxy Holder may vote in accordance with their discretion on all matters not known or determined at the time of solicitation of this proxy, which may legally be considered at said meeting.

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

Print or type name of Landowner
(or, if applicable, authorized representative of Landowner)

Date

Signature of Landowner, or Landowner Representative

<u>Parcel Description</u>	<u>Acreage</u>	<u>Authorized Votes*</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

(must be street address, tax parcel ID number, or Legal description attached)

Total Number of Authorized Votes: _____

* Pursuant to section 190.006(2)(b), Florida Statutes (2007), a fraction of an acre is treated as one (1) acre entitling the landowner to one (1) vote with respect thereto.

Please note that a particular real property is entitled to only one (1) vote for each eligible acre of lands or fraction thereof; two (2) or more persons who own real property in common that is one (1) acre or less are together entitled to only one (1) vote for that real property. If the fee simple landowner is not an individual, and is instead a corporation, limited liability company, limited partnership or other entity, evidence that the individual signing on behalf of the entity has the authority to do so should be attached hereto. (e.g., bylaws, corporate resolution, etc.). If more than one (1) parcel, each must be listed or described.

OFFICIAL BALLOT

**MOODY RIVER ESTATES
COMMUNITY DEVELOPMENT DISTRICT**

**LEE COUNTY, FLORIDA
LANDOWNERS' MEETING
November 7, 2012**

For Interval Elections (1 Supervisor): The candidate receiving the most votes will each receive a four (4)-year term.

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

Description	Acreage
_____	_____
_____	_____
_____	_____

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

or

Attach Proxy.

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

NAME OF CANDIDATE	NUMBER OF VOTES
1. _____	_____
2. _____	_____
3. _____	_____

Date: _____

Signed: _____

Printed Name: _____