

**Lake Ashton Community  
Development District**

**Chapter II  
Fees for Lake Ashton Clubhouse  
Amenity Facility**

# AFFIDAVIT OF PUBLICATION

## THE LEDGER

### Lakeland, Polk County, Florida

Case No's:

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Paula Freeman, who on oath says that she is Inside Classified Sales Manager The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being  
A

#### Notice of Proposed Rule

in the matter of Fees and Policies

Concerning Lake Ashton Community Development District

was published in said newspaper in the issues of 1-25; 2007

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he 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.

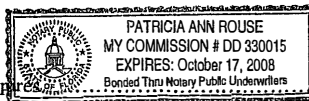
Signed.....  
Paula Freeman  
Inside Classified Sales Manager  
Who is personally known to me.

Sworn to and subscribed before me this 25<sup>TH</sup>.....

day of January..... A.D. 2007  
Patricia Ann Rouse  
Notary Public

(Seal)

My Commission Expires.....



T984 L060G03VQC

**NOTICE OF PROPOSED RULE  
DEVELOPMENT BY THE  
LAKE ASHTON COMMUNITY  
DEVELOPMENT DISTRICT**

In accordance with Chapters 120 and 190, Florida Statutes, the Lake Ashton Community Development District (the "District") hereby gives notice of its intent to develop rules establishing: 1) a fee for the use of the District's recreational amenity facilities (the "Amenity Facilities") by members of the public who do not live within the District; 2) policies and procedures regarding the everyday use of the Amenity Facilities; and 3) such other related rules and policies as may be necessary for the use of the District's Amenity Facilities.

Specific legal authority for the rule includes Sections 190.035, 190.011(5), 120.54 and 120.81 Florida Statutes (2005). A copy of the proposed rule may be obtained by contacting the District Manager, George S. Flint, c/o Lake Ashton Community Development District, at 5701 N. Pine Island Rd., Suite 370, Ft. Lauderdale, Florida 33321.

A public workshop will be conducted by the Board of Supervisors of the Lake Ashton Community Development District if requested in writing that is addressed to the contact person identified above and not deemed unnecessary by the District.

Lake Ashton Community Development District  
George S. Flint,  
District Manager  
T984 1-25; 2007

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#### Notice of Rule Making

in the matter of Rate Setting

Concerning Lake Ashton Community Development District

was published in said newspaper in the issues of 1-26; 2007

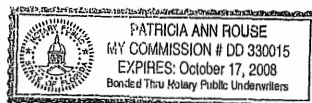
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Signature: *Paula Freeman*  
Paula Freeman  
Inside Classified Sales Manager  
Who is personally known to me.

Sworn to and subscribed before me this 26<sup>TH</sup>  
day of January, A.D. 2007

*Patricia Ann Rouse*  
Notary Public

(Seal)



My Commission Expires.....

T982 L060G03VQB

#### NOTICE OF RULE MAKING FOR RATE SETTING LAKE ASHTON COMMUNITY DEVELOPMENT DISTRICT

A public hearing will be conducted by the Board of Supervisors of the Lake Ashton Community Development District (the "District") on February 26, 2007, at 9:30 AM at the Lake Ashton Clubhouse Ballroom, 4141 Ashton Club Drive, Lake Wales, Florida.

The public hearing will provide an opportunity for the public to address a proposed rule establishing 1) a fee for the use of the District's recreational amenity facilities (the "Amenity Facilities") by members of the public who do not live within the District; 2) policies and procedures regarding the everyday use of the Amenity Facilities; and 3) such other related rules and policies as may be necessary for the use of the District's Amenity Facilities. The proposed annual fee for members of the public who do not reside within the District to use the Amenity Facilities is \$2,400.00 per household.

The proposed rules, policies and rules may be adjusted at the public hearing pursuant to discussion by the Board of Supervisors and public comment. The purpose of this proposed rule is to establish and/or modify rules and policies for the utilization of the Amenity Facilities, and to create a rate structure for use of such facilities, pursuant to the provisions of Chapters 190 and 120, Florida Statutes (2005). Specific legal authority for the proposed rule includes Sections 190.035, 190.01(5) and 120.54, Florida Statutes (2005). Prior notice of rule development was published in The Ledger on January 25, 2007.

Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by Section 120.54(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice. This public hearing may be continued to a date, time and place to be specified on the record of the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which such appeal is to be based. Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Manager at the address and number provided below. A copy of the proposed rule may be obtained by contacting the District Manager, c/o Lake Ashton Community Development District, at 5701 N. Pine Island Rd., Suite 370, Ft. Lauderdale Florida 33321.

Lake Ashton Community  
Development District  
George S. Flint,  
District Manager  
T982 1-26; 2007

**RULES ● OF THE  
LAKE ASHTON COMMUNITY DEVELOPMENT DISTRICT**

**CHAPTER II**

**FEES FOR USE OF LAKE ASHTON CLUBHOUSE AMENITY FACILITY**

**PURPOSE.** The purpose of this Rule is to establish a fee schedule for the use of the Lake Ashton Clubhouse amenities and facilities (generally referred to as the “Clubhouse”) by members of the public who do not reside in nor own property within the Lake Ashton Community Development District (the “CDD”); providing definitions; providing procedures for payment of such fees; and providing an effective date.

**SECTION 1.** The Lake Ashton Community Development District does hereby establish the uniform policies and comprehensive fee schedule for the use of the Clubhouse by members of the public who do not reside in nor own property within the CDD.

1.1 The CDD property owners have, through the payment of assessments and maintenance fees, made a long-term commitment to financing the construction and operation of the Clubhouse, as well as the ongoing maintenance and operations of the Clubhouse and all related CDD facilities.

1.2 An additional class of users of the Clubhouse are those families and individuals who do not reside in nor own property within the CDD. The fee schedule set forth in Section 1.3 herein has been established by the CDD for payment by such families and individuals for use of the Clubhouse. This fee schedule has been promulgated based upon the actual costs paid or to be paid by property owners within the CDD, to allow such “non-CDD” users to use the Clubhouse on the same basis as CDD members.

1.3 Fee Schedule.

(a) Annual Membership. The annual membership fee to be paid by those families or individuals who do not reside in nor own property within the CDD shall be \$2,400.00, to be paid in full at the time of application for membership. Membership shall include up to four (4) members per household. Each subsequent annual membership fee shall be paid in full on the anniversary date of application for membership.

(b) Increases, Fee Non-Refundable. Such fee may be increased, not more than once per year, by action of the Board of Supervisors, to reflect increased costs of operation of the Clubhouse; such increase may not exceed ten percent (10%) per year. All fees shall be non-refundable after receipt by the CDD. Yearly increases, if any, will be due at renewal anniversary date.

1.4 CDD staff, or agent of the CDD, shall prepare an information sheet consisting of name, address and other pertinent information for the “non-CDD” families or individuals who desire to pay for usage of the Clubhouse, and the staff shall develop and maintain such records and/or perform such ministerial tasks as are necessary to manage the collection and documentation of such fees and Clubhouse usage. CDD staff may also require the “non-CDD” families or individuals to execute a “Non-Resident User Agreement” or similar document, as well as a waiver and indemnification form, prior to using the Clubhouse.

1.5 In addition to this Rule, “non-CDD” families or individuals desiring to utilize the Clubhouse will be required to comply with all regulations, policies and procedures set forth in the CDD’s Amenity Facilities Policies, as adopted by the Board of Supervisors and amended from time to time.

## SECTION 2 -- DEFINITIONS.

2.1 “CDD” -- The Lake Ashton Community Development District, as defined in Section 2.3 herein.

2.2 “Fee Schedule” -- A fee established to defray the cost of construction, operation and maintenance of the Clubhouse property by those families and individuals who do not reside in nor own property within the CDD.

2.3 “Lake Ashton Community Development District” -- A political subdivision of the State of Florida, created pursuant to Chapter 190 of the Florida Statutes.

2.4 “Guest” -- Any Non-Resident who is invited for the day by a Resident to participate in or use the Clubhouse Facilities.

2.5 “House Guest” -- Non-Resident who is temporarily residing in a Resident’s home for one night or longer.

2.6 “Resident” -- Person or persons owning a home or lot in the Lake Ashton Community.

2.7 Terms “May” and “Shall” -- As used herein, the word “may” is permissive, and the word “shall” is mandatory.

2.8 “Clubhouse” -- Real property and improvements owned by the CDD consisting of the Lake Ashton Clubhouse, pool, tennis courts, shuffleboard court, pavillion and other amenities related to the Clubhouse.

2.9 “Renter” -- shall mean any tenant residing in a resident’s home pursuant to a valid rental or lease agreement.

PASSED AND ADOPTED THIS 26TH DAY OF FEBRUARY, 2007.

Specific Authority: Chapter 190.035(1); 120.54, Florida Statutes

Law Implemented: Chapter 190.031, 190.035(1), 190.036, 190.037, 190.041,  
190.012(1), Florida Statutes