

**BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY**

ORDINANCE NO.: 00-16

AN ORDINANCE CONSENTING TO THE EXERCISE, BY THE HARMONY COMMUNITY DEVELOPMENT DISTRICT, OF CERTAIN SPECIAL POWERS GRANTED TO THE DISTRICT IN CHAPTER 190.012 (2), FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Harmony Community Development District (“Harmony District”) has been created by law and established pursuant to Osceola County Ordinance No. 00-05 on February 28, 2000, with an effective date of March 6, 2000; and

WHEREAS, the District is active and in good legal standing; and

WHEREAS, Section 190.012, Florida Statutes (1997), as amended, part of the District Charter, grants to the community development district numerous special powers and provides that the County must consent to the exercise by the District of those special powers in Section 190.012(2), Florida Statutes, before the District may exercise them; and

WHEREAS, on July 31, 2000, the District petitioned the Board of County Commissioners of Osceola County, Florida, (“Osceola County Board”) for consent to exercise the special powers granted by Section 190.012(2), Florida Statutes; and

WHEREAS, staff review of the operations and functions of the District and all related information confirms there is no change of circumstances or conditions since the District was established so that consent to the exercise of powers set forth in the petition by the District to authorize the exercise by the district of certain powers is appropriate; and

WHEREAS, the Board has confirmed that the District government has the capability of providing these additional powers; and

WHEREAS, the consent to exercise the powers is not inconsistent with, will always be subject to and will comply with the Osceola County Comprehensive Plan and all related regulations governing the use of land served by the District; and

WHEREAS, the Board desires to consent to the exercise by the District of these additional special powers.

NOW, THEREFORE, BE IT ORDAINED by the Board that:

SECTION ONE: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to Section 190.012 (2), Florida Statutes.

**SECTION TWO: CONSENT TO THE EXERCISE
OF OPTIONAL SPECIAL POWERS**

The Osceola County Board of County Commissioners hereby consents to the exercise by the Harmony Community Development District of all of the additional special powers granted in Section 190.012(2), Florida Statutes, as part of its statutory charter.

More specifically, the District is granted by its charter, so long as it is in compliance with and subject to the Osceola County Comprehensive Plan and subject to the regulatory jurisdiction and permitting authority of all applicable other ordinances and regulations of Osceola County, the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses, fire prevention and control, including related buildings and equipment, school buildings and related structures, security, including but not limited to personnel and equipment,

mosquito and arthropods of public health importance control, and waste collection and disposal.

**SECTION THREE: STATUTORY PROVISIONS
CONSTITUTING THE CHARTER DISTRICT**

The charter of the Harmony Community Development District is contained in Sections 190.006 - 190.041, Florida Statutes.

SECTION FOUR: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinances or resolutions of Osceola County or applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such hold shall not affect the validity of the remaining portion.

SECTION FIVE: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the office of the Secretary of State for Florida.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Osceola

County, Florida, this 11th day of September, 2000.

NOTICE THAT THIS ORDINANCE HAS BEEN FILED WITH THE FLORIDA STATE BUREAU OF ADMINISTRATIVE CODE.

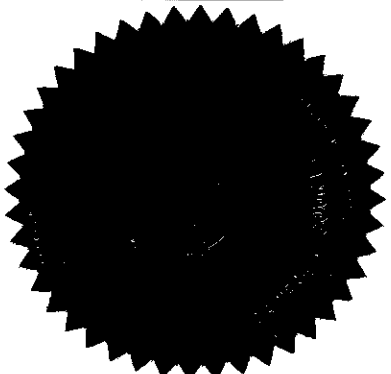
BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA

ON September 14, 2000 (Thursday)
BY Paula J. Carpenter
DEPUTY CLERK OF THE BOARD

By: My. Arrington
Chairman

ATTEST

By: Kelly A. Mueller
Clerk/Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OSCEOLA COUNTY, FLORIDA

RE: PROPOSED ORDINANCE OR RESOLUTION
PURSUANT TO SECTION 190.012(2),
FLORIDA STATUTES, TO CONSENT TO
THE EXERCISE BY THE HARMONY
COMMUNITY DEVELOPMENT DISTRICT
OF CERTAIN SPECIAL POWERS GRANTED
IN THE STATE-CREATED CHARTER

**PETITION FOR CONSENT TO EXERCISE
CERTAIN SPECIAL STATE-GRANTED CHARTER POWERS**

The HARMONY COMMUNITY DEVELOPMENT DISTRICT (“Petitioner” or “District”), by and through its undersigned attorney, petitions the BOARD OF COUNTY COMMISSIONERS, OSCEOLA COUNTY, FLORIDA (“County”) to adopt an ordinance or resolution consenting to the exercise of certain special powers granted to the District as authorized by the District’s charter and as expressed in the Uniform Community Development District Act of Florida, chapter 190, Florida Statutes (1999 and hereafter). In support thereof, Petitioner submits:

1. Petitioner has its District offices located at 610 Sycamore Street, Suite 140, Celebration, Florida 34747, and its Chairman of the Board of Supervisors is Gregory S. Butterfield and its Manager is Severn Trent Environmental Services.
2. The land area within which the special powers herein petitioned for are to be exercised is within the boundaries and jurisdiction of the County as provided in County Ordinance No. 00-05, establishing the District, as adopted by the County on the 28th day of February, 2000, and attached hereto as Exhibit “1.”
3. The Petition for Establishment, attachments, “white papers” and workshop information as well as county staff and commission review addressed the potential exercise by the

District of all special powers granted in 190.012(2), Florida Statutes as of the date the District was established, as evidenced at paragraph nine of Exhibit "1."

4. Attached as Exhibit "2" is that certain portion of the minutes of the District Board of Supervisor's meeting on the 25th of March, 2000 wherein the Board approved the exercise by the District of those special powers herein petitioned for pursuant to section 190.012(2), Florida Statutes.

5. There have been no substantive changes since the passage of County Ordinance No. 00-05 in facts, circumstances, or conditions that would affect the determination of the County regarding the District exercising certain special powers. Attached as Exhibit "3" are affidavits by the District; Manager, Planner, Engineer, and Financial Consultants, attesting to the fact that no substantive changes have occurred since the establishment of the District and that the consent to the exercise of certain powers granted by the state in section 190.012 (2), Florida Statutes, is applicable and appropriate.

WHEREFORE, Petitioner respectfully requests the County to:

A. Direct its staff to do the things necessary to provide statutory notice with respect to the adoption of an ordinance or resolution by the County to consent for the District to exercise its certain special powers granted by the District's state law charter contained at sections 190.006 - 190.041, Florida Statutes, said special powers specifically being, to plan, establish, acquire, operate, and maintain additional systems and facilities for:

Parks and facilities for indoor and outdoor recreational, cultural, and educational uses.

Security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by property governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general purpose government agencies for an increased level of such services within the district boundaries.

as according to subsections (a & d) of section 190.012(2), Florida Statutes.

B. Thereafter, to grant this Petition and adopt an ordinance or resolution consenting to the exercise of the certain special powers as petitioned by the District.

RESPECTFULLY SUBMITTED to County this the 31 day of July, 2000.

Tim Franklin
FOR

KEN VAN ASSENDERP, ESQ.
Florida Bar I.D. No.: 158829

TIM FRANKIN, ESQ.
Florida Bar I.D. No.: 172464

Attorneys for Petitioner:
Young, van Assenderp, Varnadoe & Anderson, P.A.
225 South Adams Street
Suite 200
Tallahassee, Florida 32302-1833
(850) 222-7206

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that one original and nine (10) true and correct copies of the foregoing Petition for Consent to Exercise Certain Special State-Granted Charter Powers were served by express courier service this 31 day of July, 2000, for delivery the following day to: Ms. Jo Thacker, Osceola County Attorney, with a copy to Ms. Kate Payne, Osceola County Assistant Attorney, at the Osceola County Attorney's Offices located at 17 South Vernon Avenue, Kissimmee, Florida 34741, and a copy to to Mr. Michael Kloehn, Osceola County Planning Department, One Courthouse Square, Suite 1400, Kissimmee, Florida 34741.

TIM FRANKLIN, ESQ.

BOARD OF COUNTY COMMISSIONERS OF
OSCEOLA COUNTY, FLORIDA

ORDINANCE NO.00-05

AN ORDINANCE ESTABLISHING HARMONY COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; NAMING THE DISTRICT; PROVIDING THAT THE COUNTY MAY NOT AND SHALL NOT MODIFY OR DELETE ANY PROVISION OF THE DISTRICT CHARTER SET FORTH IN SECTIONS 190.006 - 190.041, FLORIDA STATUTES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Birchwood Acres Limited Partners, ("Petitioner") has petitioned the Osceola County Board of County Commissioners ("Board") to establish, by non-emergency ordinance, the Harmony Community Development District ("District"); and

WHEREAS, the Board, after proper published notice, conducted a local, public, legislative and information-gathering ordinance hearing as required by law and hereby finds as follows:

1. The Petition is complete in that it meets the requirements of section 190.005(1)(a), Florida Statutes (1999 as amended and hereafter); and, all statements contained within the petition are true and correct;

2. The appropriate administrative and legislative staff persons of Osceola County have reviewed and approved the petition for establishment of the District on the proposed land and it is complete and sufficient;

3. The costs to Osceola County and government agencies from establishment of the District are nominal. There is no adverse impact on competition or employment from District establishment.

2000 MAR -6 AM 10:41
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

The persons affected by establishment are the future landowners, present landowners, Osceola County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons from District establishment as the state law created government entity to manage and finance the statutory services identified. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the District. Methodology is as set forth in the Statement of Estimated Regulatory Costs ("SERC") on file with the County. The SERC of the Petitioner on District establishment is complete and adequate in that it meets the requirements of section 120.541, Florida Statutes;

4. Establishment of the District by this Ordinance, whose uniform general law charter is sections 190.006 - 190.041, Florida Statutes, created by general law, is subject to and not inconsistent with the local Comprehensive Plan of Osceola County and with the State Comprehensive Plan;

5. That the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community;

6. The District is the best alternative available for delivering community development services and facilities to the

area proposed to be serviced by the District;

7. The community development systems, facilities and services of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities;

8. The area that is proposed to be served by the District is amenable to separate special district government;

9. The District, once established, may petition the Board for consent to exercise one or more of the special powers granted by charter in section 190.012(2), Florida Statutes, and the county in reaching its conclusions, has considered the potential exercise by the District of all the powers set forth in section 190.012(1-3), Florida Statutes.

10. Upon the effective date of this establishing Ordinance, the Harmony Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law; and, has the right to seek consent from Osceola County for the grant of authorization to exercise special powers in accordance with, and granted by, charter section 190.012(2), Florida Statutes, without question as to the District's establishment and its continued rights, authority and power to exercise its limited powers under law.

11. All notice requirements of law were met and complete notice was timely given.

NOW, THEREFORE, BE IT ORDAINED by the Board that:

SECTION ONE: DISTRICT NAME

The Community Development District herein established will be known as the "Harmony Community Development District."

SECTION TWO: AUTHORITY FOR ORDINANCE

This Ordinance is adopted pursuant to section 190.005(2), Florida Statutes, and other applicable provisions of law governing county ordinances.

SECTION THREE: ESTABLISHMENT OF DISTRICT

The Harmony Community Development District, as created by general law, is hereby established within the boundaries of the real property described in Exhibit "2" attached hereto and incorporated by reference herein.

SECTION FOUR: DESIGNATION OF INITIAL BOARD MEMBERS

The following five persons are herewith designated to be the initial members of the Board of Supervisors of the District:

- (1) whose address is: Mrs. Martha E. Lentz
3233 Tindall Acres Road
Kissimmee, Florida 32804
- (2) whose address is: Mr. James O'Keefe
940 Douglas Avenue, Apt. #196
Altamonte Springs, Florida 32714
- (3) whose address is: Mr. William "Billy" Johnson
Post Office Box 420843
Kissimmee, Florida 34742
- (4) whose address is: Mr. Kenneth Peach
7146 Shady Wood Lane
Orlando, Florida 32835
- (5) whose address is: Mr. Gregory Scott Butterfield
6861 N. W. 104th Lane
Parkland, Florida 33076

SECTION FIVE: STATUTORY PROVISIONS CONSTITUTING
THE UNIFORM CHARTER DISTRICT

Harmony Community Development District shall be governed by the provision of chapter 190, Florida Statutes, specifically sections 190.006 - 190.041, Florida Statutes, which constitutes its uniform charter created by general law.

SECTION SIX: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance or resolution of Osceola County or other applicable law, the more restrictive shall apply. If any phase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION SEVEN. EFFECTIVE DATE

This Ordinance becomes effective upon filing with the Florida Secretary of State.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote was as follows:

ROBERT GUEVARA

MARY JO ARRINGTON

KEN SHIPLEY

KEN SMITH

CHUCK DUNNICK

DULY PASSED AND ADOPTED this 28 day of February, 2000.

ATTEST:

PAULA CARPENTER, CLERK

By: Paula J. Carpenter
Paula Carpenter, Clerk

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: Kenneth Y. Smith
Kenneth Y. Smith, Chairman

APPROVED AS TO FORM

By: Kate Payne
Kate Payne, Deputy Co. Attorney



(STATE OF FLORIDA)
(COUNTY OF OSCEOLA)

I, Paula Carpenter, Clerk to the Osceola County Board of County Commissioners, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 00-05
which was adopted by the Osceola County Board of County Commissioners during Regular Session on the 28 day of February, 2000.

By: Paula J. Carpenter

Clerk, Board of County Commissioners, Osceola County.

STATE OF FLORIDA
COUNTY OF OSCEOLA

2000 MAR - 6 AM 10:41
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

FILED

I, PAULA J. CARPENTER, Deputy Clerk of the Board of County Commissioners, Osceola, Florida, DO HEREBY CERTIFY that attached and foregoing is a true and correct copy of Ordinance #00-05. Ordinance #00-05 establishes the Harmony Community Development District; describing the external boundaries of the District; naming the initial members of the Board of Supervisors; naming the district; providing that the County may not and shall not modify or delete any provision of the district Charter set forth in Sections 190.006 - 190.041, Florida Statutes; providing for conflict and severability; and providing an effective date. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Kissimmee, Florida, this the 02 day of March A.D. 2000.

By: Paula J. Carpenter

Paula J. Carpenter, Recording
Secretary Manager, and Deputy Clerk of
the Board of County Commissioners of
Osceola County, State of Florida.



STATE OF FLORIDA DEPARTMENT OF STATE

Division of Elections

I, KATHERINE HARRIS, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Osceola County Ordinance No. 00-05, which was filed in this office on March 6, 2000, pursuant to the provisions of Section 125.66, Florida Statutes, as shown by the records of this office.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
15th., day of March, A.D., 2000.



Katherine Harris

Secretary of State

DSDE 99 (1-99)

March 24, 2000

Harmony C.D.D.

future if the Board so chooses. This at least gets us started. I ask that the Board adopt it initially.

On MOTION by Mr. Peach seconded by Mr. O'Keefe with all in favor Resolution 2000-11, Adopting an Investment Policy was adopted.

FOURTEEN ORDER OF BUSINESS

Authorization to Petition the County For Additional Powers

Mr. van Assenderp stated this is a petition that we are asking you to consider adopting that would be sent to the Board of County Commissioners. This petition asks the Board of County Commissioners to consent to this Board exercising the ability to manage and finance parks and recreation facilities, and the ability to provide for security for the property within this District--access, security, guardhouses. If you look to the third page of the Resolution you will see that listed. These two powers--the power to provide for parks and recreation and the power to provide for security--are already in your Charter, but the legislature says that even though you have this power granted to you, the legislature does not want it exercised until the County Commission where your land is located gives its consent to the exercise. They are not granting you this power; they are just giving you their consent.

With Doug Miller's help, we had the County review everything as though this District were already able to exercise these powers. We will file with this petition affidavits from the engineer and planner along with other information to say that since the 28th of February, when your District was established until now, there has been no change in the land area that would justify any reason not to give consent to exercise these powers. Most of the work has already been done and the County staff, Attorney and Commissioners know this information is coming.

Mr. Peach stated this shows Mrs. Lentz as the Chairman. That will have to be changed.

On MOTION by Mrs. Lentz seconded by Mr. Butterfield with all in favor staff was authorized to file the Petition for consent to Exercise Certain Special State-Granted Charter Powers.

**AFFIDAVIT OF GARY MOYER
FOR SEVERN TRENT ENVIRONMENTAL SERVICES
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is Gary Moyer. I am employed by the Manager of the Harmony Community Development District ("District"), Severn Trent Environmental Services ("Manager"). In my capacity as an employee to Manager, I am chiefly responsible for the District.
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as an employee to the District Manager, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e)1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.

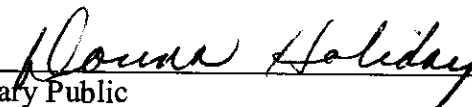


Gary Moyer, for District Manager

STATE OF FLORIDA
Broward COUNTY

SWORN TO AND SUBSCRIBED before me this 24 day of July, 2000, by Gary Moyer, for District Manager.

Personally known ✓
Produced Identification _____
Type of Identification Produced _____

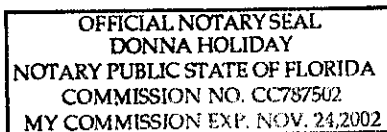


Notary Public

My commission expires:

Donna Holiday

(Printed Name of Notary Public)



**AFFIDAVIT OF GARY MOYER
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is Gary Moyer. I am a Financial Co-Consultant for the Harmony Community Development District ("District")
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as Financial Co-Consultant, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e) 1.- 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.

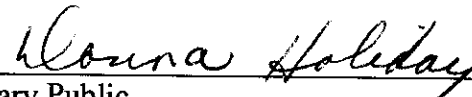


Gary Moyer, as District Financial Co-Consultant

STATE OF FLORIDA
Broward COUNTY

SWORN TO AND SUBSCRIBED before me this 24 day of July, 2000, by Gary Moyer, as District Financial Co-consultant.

Personally known ✓
Produced Identification _____
Type of Identification Produced _____

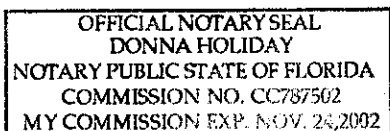


Notary Public

My commission expires:

Donna Holiday

(Printed Name of Notary Public)



**AFFIDAVIT OF RHONDA ARCHER
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is Rhonda Archer. I am a Financial Co-Consultant for the Harmony Community Development District ("District").
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as Financial Co-Consultant, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e)1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.



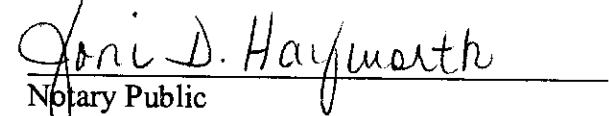
Rhonda Archer, as District Financial Co-Consultant

STATE OF FLORIDA
BADWAAD COUNTY

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2000, by Rhonda Archer, as Financial Co-Consultant for the District.

Personally known
Produced Identification _____
Type of Identification Produced _____

My commission expires: _____

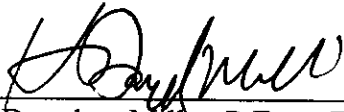

Notary Public

JONI D. HAYWORTH
(Printed Name of Notary Public)



**AFFIDAVIT OF H. DOUGLAS MILLER, P.E.
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is H. Douglas Miller, P.E.. I am the Planner for the Harmony Community Development District ("District").
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my capacity as District Planner, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e) 1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.




H. Douglass Miller, P.E., as District Planner

STATE OF FLORIDA
Orange COUNTY

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2000, by Doug Miller, P.E., as District Planner.

Personally known X
Produced Identification _____
Type of Identification Produced _____

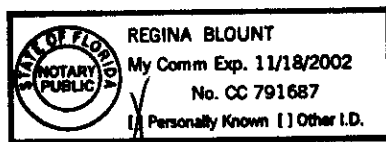
My commission expires: 11/18/2002



Notary Public


Regina Blount

(Printed Name of Notary Public)



**AFFIDAVIT OF H. DOUGLAS MILLER, P.E.
FOR MILLER, EINHOUSE, RYMER & ASSOCIATES, INC.
AS TO THE CURRENT STATUS OF
THE HARMONY COMMUNITY DEVELOPMENT DISTRICT**

1. My name is H. Douglas Miller and I am a Professional Engineer licensed under chapter 471, Florida Statutes. I practice engineering with the firm of Miller, Einhouse, Rymer & Associates, Inc. ("Engineer") and the firm is currently employed as Engineer for the Harmony Community Development District ("District") project for which I am chiefly responsible.
2. I was involved in the creation and establishment of the District.
3. I reviewed the potential exercise by the District of all of its charter powers, including the special powers in section 190.012(2), Florida Statutes, during the District establishment process.
4. I have seen the property within the jurisdiction and have reviewed the activities of the District to date in my professional capacity with the District Engineer, and have noted no change in fact, circumstances or conditions that would change my conclusions in light of the six factors in section 190.005(1)(e)1. - 6., Florida Statutes. Therefore, I am of the opinion that consent to the exercise of these charter powers is appropriate.
5. The foregoing is true to the best of my knowledge and belief.
6. FURTHER AFFIANT SAYETH NOT.

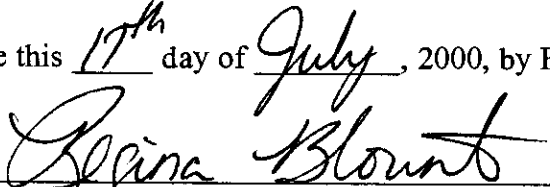



H. Douglas Miller, P.E., for District Engineer

STATE OF FLORIDA
Orange COUNTY

SWORN TO AND SUBSCRIBED before me this 17th day of July, 2000, by H. Douglas Miller, P.E., for District Engineer.

Personally known X
Produced Identification _____
Type of Identification Produced _____



Notary Public


(Printed Name of Notary Public)

My commission expires: 11/18/2002

