

RESOLUTION NO. 2025-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, APPROVING A PLAN OF FINANCE CONCERNING THE ISSUANCE BY THE POLK COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY OF THE AUTHORITY'S INDUSTRIAL DEVELOPMENT REVENUE BONDS (VICTORY RIDGE ACADEMY PROJECT), IN A PRINCIPAL AMOUNT NOT EXCEEDING \$40,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO MAKE A LOAN TO VICTORY RIDGE ACADEMY, INC. AND VICTORY RIDGE CHARITABLE FUND, INC., OR RELATED ENTITY TO FINANCE OR REFINANCE THE COSTS OF RENOVATION, EXPANSION, DESIGN, CONSTRUCTION, EQUIPPING AND/OR FURNISHING OF EDUCATIONAL FACILITIES TO BE LOCATED IN POLK COUNTY, FLORIDA, WHICH FACILITY IS TO BE OWNED AND OPERATED TO THE EXTENT OF ITS INTERESTS THEREIN BY VICTORY RIDGE ACADEMY, INC.

WHEREAS, the Polk County Industrial Development Authority (the "Authority") previously adopted on October 9, 2025, its Resolution approving the issuance of the Authority's Industrial Development Revenue Bonds (Victory Ridge Academy Project) in a principal amount not to exceed \$40,000,000 (the "Bonds"), to provide funds to make a loan to Victory Ridge Academy, Inc. ("VRA") and Victory Ridge Charitable Fund, Inc., each a Florida not-for-profit corporation (together with VRA, the "Borrowers") to finance or refinance (i) the renovation, expansion, design, construction, equipping and/or furnishing of educational facilities, serving grades PK-12, including, but not limited to, an approximately 18,936 square foot classroom building, an approximately 11,330 square foot cafeteria, an approximately 3,447 square foot living skills center, an approximately 6,610 square foot covered play area, playground equipment and related site work to be located at 1991 Davenport Blvd., in Davenport, Florida, 33837 (the "Davenport Property"), and other improvements related thereto, (ii) acquisition of additional property adjacent to the Davenport Property located on Davenport Blvd. between US 27 and Holly Hill Road in Davenport, Florida to be used initially for parking and other educational purposes, the maximum stated principal amount of 2025 Bonds to be issued for the purposes described in clauses (i) and (ii) shall not exceed \$15,000,000, (iii) refinancing Borrowers' obligations with respect to the outstanding Polk County Industrial Development Authority Industrial Development Revenue Bond (Victory Ridge Academy Project), Series 2024, which financed site work of an approximately 50,000 square foot educational facility serving grades PK-12 to be located at the Davenport Property, in a maximum stated principal amount not to exceed \$15,725,000, and (iv) refinancing Borrower's obligations with respect to the Promissory Note from the Borrowers to SouthState Bank, N.A. which financed the renovation, expansion, design, construction, equipping and/or furnishing of an educational facility located at 427 and 501 Burns Avenue, Lake Wales, Florida 33853 (the "Lake Wales Property"), in a maximum stated principal amount not to exceed \$1,000,000 (collectively, the "Project"), all of such facilities which are or will be owned by the Borrowers or a limited liability company of which one of the Borrowers will be the sole member and operated by VRA; and

WHEREAS, the Authority has recommended that the Board of County Commissioners (the "Board") of Polk County, Florida (the "County") approve the issuance of the Bonds in a principal amount not to exceed \$40,000,000, to finance the Project; and

WHEREAS, the Borrowers have requested that the Board approve the issuance of the Bonds to finance the cost of the Project;

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THAT:

SECTION 1. Authority. This Resolution is adopted pursuant to the laws of the State of Florida, including, in particular, Chapter 69-1510, Laws of Florida, as amended, Parts II and III of Chapter 159, Florida Statutes, and other applicable provisions of law.

SECTION 2. Findings. The Board hereby finds, determines and declares as follows:

A. Notice of a public hearing to be held by the Authority at 330 West Church Street, Bartow, Florida, inviting comments and discussions concerning the plan of finance for issuance of the Bonds by the Authority to finance the Project was published in *The Ledger*, a newspaper of general circulation in Polk County, Florida, at least seven (7) days prior to the Authority's meeting on October 9, 2025, and an affidavit of publication with respect to such notice is attached hereto as Exhibit "A."

B. Following such notice, a public hearing was held by the Authority on such date, during which comments and discussions concerning the plan of finance concerning issuance of the Bonds by the Authority to finance the Project were requested and heard.

C. The Project and the issuance of the Bonds to finance the Project will have a substantial public benefit.

D. The Board is the elected legislative body of the County, and the County has jurisdiction over the entire area in which the Project is located.

E. The Bonds shall not be deemed to constitute a debt, liability or obligation, or a pledge of the faith and credit or taxing power, of the Authority, of the County or of the State of Florida or of any political subdivision thereof, but the Bonds shall be payable solely from the revenues and proceeds to be derived from the sale, operating or leasing of the Project, including payments received under the financing agreements entered into between the Authority and the Borrowers.

F. The Board on September 2, 2025 previously adopted Resolution No. 2025-100 which authorized the Bonds for a portion of the Project, and in order to expand the definition of the Project the Board has been requested by the Borrower to adopt this Resolution in order to approve the issuance of the Bonds for the purposes described herein.

SECTION 3. Approval. For the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 159.47(1)(f), Florida Statutes, the Board hereby approves the plan of finance concerning the issuance of the Bonds by the Authority in an aggregate principal amount not exceeding \$40,000,000, in one or more series, to finance the cost of the Project.

SECTION 4. Repeal. Upon the adoption of this Resolution, Resolution No. 2025-100, adopted on September 2, 2025 is hereby repealed.

SECTION 5. Effective Date. This Resolution shall take effect immediately upon its passage.

Passed and duly adopted at a regular meeting of the Board of County Commissioners of Polk County, Florida on the 21st day of October, 2025.

BOARD OF COUNTY COMMISSIONERS OF
POLK COUNTY, FLORIDA

By: _____
Chairman

ATTEST:

Stacy M. Butterfield, CPA, Clerk of the
Circuit Court and Ex-Officio Clerk of
the Board of County Commissioners of
Polk County, Florida

By _____
Deputy Clerk

#527616263_v4

EXHIBIT "A"

Affidavit of Publication

(attached)



The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Lisa Myhrer
Holland & Knight LLP
100 N Tampa ST # 4100
Tampa FL 33602-3642

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

LKL The Ledger - News Chief 09/29/2025
LKL theledger.com 09/29/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 09/29/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$766.40	
Tax Amount:	\$0.00	
Payment Cost:	\$766.40	
Order No:	11699063	# of Copies:
Customer No:	1457021	0
PO #:	LSAR0377680	

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Polk County Industrial Development Authority (the "Authority"), on October 9, 2025, at 10:00 a.m., in the Commissioners Conference Room, Room 407, Neil Combee Administration Building, 330 West Church Street, Bartow, Florida. The public hearing will be held for the purpose of receiving comments and hearing discussion concerning the issuance of industrial development revenue bonds under state law in a maximum stated principal amount not exceeding \$40,000,000 (the "2025 Bonds") as part of a plan of financing in one or more series. Proceeds of the 2025 Bonds will be loaned by the Authority to Victory Ridge Academy, Inc. ("VRA") and Victory Ridge Charitable Fund, Inc. ("VRCF," and together with VRA, the "Borrowers"), each of which are Florida not-for-profit corporations qualifying under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and used for the purpose of providing funds, together with other available funds, for (i) financing or refinancing the renovation, expansion, design, construction, equipping and/or furnishing of educational facilities, serving grades PK-12, including, but not limited to, an approximately 18,936 square foot classroom building, an approximately 11,330 square foot cafeteria, an approximately 3,447 square foot living skills center, an approximately 6,610 square foot covered play area, playground equipment and related site work to be located at 1991 Davenport Blvd., in Davenport, Florida, 33837 (the "Davenport Property"), and other improvements related thereto, (ii) acquisition of additional property adjacent to the Davenport Property located on Davenport Blvd. between US 27 and Holly Hill Road in Davenport, Florida to be used initially for parking and other educational purposes, the maximum stated principal amount of 2025 Bonds to be issued for the purposes described in clauses (i) and (ii) shall not exceed \$15,000,000, (iii) refinancing Borrowers' obligations with respect to the outstanding Polk County Industrial Development Authority Industrial Development Revenue Bond (Victory Ridge Academy Project), Series 2024, which financed site work of an approximately 50,000 square foot educational facility serving grades PK-12 to be located at the Davenport Property, in a maximum stated principal amount not to exceed \$15,725,000, (iv) refinancing Borrower's obligations with respect to the Promissory Note from the Borrowers to SouthState Bank, N.A. which financed the renovation, expansion, design, construction, equipping and/or furnishing of an educational facility located at 427 and 501 Burns Avenue, Lake Wales, Florida 33853 (the "Lake Wales Property"), in a maximum stated principal amount not to exceed \$1,000,000, (v) funding a debt service reserve fund for the 2025 Bonds, if deemed necessary or desirable, (vi) funding capitalized interest for the 2025 Bonds, if deemed necessary or desirable; and (vii) paying costs related to the issuance of the 2025 Bonds. The 2025 Bonds will be issued as qualified 501(c)(3) bonds under Section 145 of the Code. All of the financed facilities described above are or will be owned by the Borrowers or a limited liability company of which one of the Borrowers will be the sole member and operated by VRA. The Borrower treats all such projects as one project that is used in an integrated operation of the Borrower.

The Authority shall not be obligated to pay the 2025 Bonds except from the proceeds derived from the repayment of a loan to the Borrowers and neither the faith and credit nor the taxing power of the State or any political subdivision thereof shall be pledged to the payment of the principal of or the interest, or premium, if any, on the Bonds. The Authority has no taxing power.

All interested or affected taxpayers, property owners and citizens of Polk County, Florida, are invited to attend this public hearing and, either personally or through their representatives, will be given an opportunity to express their views concerning the proposed project and the issuance of the proposed bonds. Anyone desiring to make written comments may file them with the Polk County Industrial Development Authority, c/o Peterson & Myers, P.A., P.O. Drawer 7608, Winter Haven, Florida 33883-7608, Attention: David G. Fisher, Esq. Comments made at the hearing are for the consideration of the Authority and will not bind the Authority to any action it may take.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Office of the Equal Opportunity Director no later than three days prior to the proceeding at the address given in this notice. Telephone: (863) 534-6000.

SHOULD ANY PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE AUTHORITY WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR THAT PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

This notice is given pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended.

POLK COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

September 29 2025

LSAR0377680