

ASSIGNMENT OF INFRASTRUCTURE AGREEMENT

This Assignment of Infrastructure Agreement (“Assignment Agreement”), is entered into by and between GLK REAL ESTATE, LLC, a Florida limited liability company (“Developer” or “Assignor”), and WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT, a Florida local unit of special purpose government created and existing pursuant to Chapter 190, Florida Statutes (“District” or “Assignee”).

WITNESSETH:

WHEREAS, on or about November 2023, Developer and Polk County, Florida, a political subdivision of the State of Florida (“County”), entered in that certain Wynnstone, Cascades & Brentwood Infrastructure Agreement (“Infrastructure Agreement”) attached hereto as **Exhibit A** and incorporated herein by this reference; and

WHEREAS, pursuant to the Infrastructure Agreement, Developer agreed to undertake the design, engineering, permitting and construction of certain Infrastructure Improvements, Additional Improvements, and Holly Hill Grove Road 2 Improvements, all as defined therein (together, the “Improvements”); and

WHEREAS, Developer has completed the design of the Improvements and has obtained bids for the construction of the Improvements; and

WHEREAS, the District was established for the purposes of, among other things, providing for the planning, funding, and construction of facilities and other basic infrastructure all as authorized by Chapter 190, *Florida Statutes*, including infrastructure such as the Improvements; and

WHEREAS, the District is currently constructing similar public infrastructure improvements within and adjacent to the District and is capable of constructing the Improvements; and

WHEREAS, the Developer has requested that the District accept assignment of the Infrastructure Agreement and complete the construction of the Improvements in order to take advantage of certain cost savings associated with the construction of the Improvements by the District; and

WHEREAS, the District’s Board of Supervisors has agreed to accept assignment of the Infrastructure Agreement and to comply with the terms and conditions thereof; and

WHEREAS, pursuant to Section 4.6 of the Infrastructure Agreement, the Developer is required to provide notice to the County of the assignment; and

WHEREAS, the District and Developer desire to provide such notice of the assignment of the Infrastructure Agreement and to confirm that all impact fee credits, payments, and reimbursements remaining due and payable under the Infrastructure Agreement shall be paid directly to the District; and

WHEREAS, the Developer has entered into that certain Construction Funding Agreement dated April 22, 2024 (“Funding Agreement”), to fund all costs associated with the design, construction, and completion of the Improvements, including the payment of any bonds, warranties, or repairs arising therefrom.

Now therefore, in and for the good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor, does hereby transfer, assign and convey unto Assignee, all of the

rights, interests, benefits and privileges of Assignor under the Infrastructure Agreement, by and between Assignor and County, for the above-referenced Project. Further, Assignee does hereby assume all obligations of Assignor under the Infrastructure Agreement arising or accruing after the date hereof. County hereby consents to the assignment of the Infrastructure Agreement and all of Developer's rights, interests, benefits, privileges, and obligations to Assignee.

Executed in multiple counterparts to be effective the 23rd day of April, 2024.

GLK REAL ESTATE, LLC, a Florida limited liability company

By: 
Printed Name: Lauren O. Schwenk
Title: Manager

WESTSIDE HAINES CITY COMMUNITY DEVELOPMENT DISTRICT, a local unit of special purpose government

By: 
Printed Name: Warren K. "Rennie" Heath II
Title: Chairperson, Board of Supervisors

Acknowledged and consented to by:

BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, a Political subdivision of the State of Florida

By: Bill Braswell, Chairperson

Exhibit A: Infrastructure Agreement