BURR:FORMANLLP

results matter

**External Memorandum** 

To:

Chair and Members of the Board of Supervisors

From:

Scott I. Steady, Esq., District Counsel

Date:

**April 5, 2023** 

Re:

Community Development District ownership of roads/sidewalks and

restrictions on limiting access

I am writing to explain why the entrances to the Wesbridge Community cannot be secured to the point of excluding others from entering the community. The Wesbridge Community Development District issued its Special Assessment Bonds, Series 2019 in August 2019 to finance the construction of infrastructure within the Community. The infrastructure included the roadways, sidewalks and drainage. The District's bonds are basically the same as those issued by municipalities and therefore the interest rate on the District's bonds are less that what a private entity would pay. The improvements financed by the District are considered public and if the District overly restricts access, then the District would lose its favorable bond interest rate and the resident's assessments would go up significantly to pay the increased financing costs. Unlike in some other districts, the developer of Wesbridge did not finance the Amenity Center through the District, so the Amenity Center can restrict access to HOA members only.

SIS