

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2024-009177-CA-01

SECTION: CA32

JUDGE: Ariana Fajardo Orshan

**Black Creek Community Development District**

Plaintiff(s)

vs.

**State of Florida (The)**

Defendant(s)

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**ORDER TO SHOW CAUSE**

TO: The State of Florida and the several taxpayers, property owners and citizens of Black Creek Community Development District, including non-residents owning property or subject to taxation therein, and others having or claiming any right, title or interest in property to be affected by the issuance of Black Creek Community Development District Special Assessment Bonds or to be affected in any way thereby:

The above cause comes to be heard upon the Complaint filed herein by Black Creek Community Development District (the “**District**”) located in unincorporated Miami-Dade County, State of Florida, seeking to determine the authority of said District to issue its Black Creek Community Development District Special Assessment Bonds (2<sup>nd</sup> Expansion Area Project), in one or more series, in an aggregate principal amount not to exceed **\$4,000,000** (the “**Bonds**”), to determine the legality of the proceedings had and taken in connection therewith, and the legality of the provisions, covenants and agreements therein contained, and seeking a judgment of this Court that: (a) the District has power to issue the Bonds and to incur the bonded debt as set forth in the Complaint and has properly approved the issuance of the Bonds; (b) the proceedings essential to the Bonds, the Special Assessments (as defined in the Complaint) pledged for the payment of the principal of, redemption premium, if any, and interest on the Bonds, and the Bond Resolution (as such term is defined in the Complaint) are valid and in conformity with law; (c) upon due issuance of the Bonds in conformance with the Bond Resolution and the Indenture (as defined in the

Complaint), the Bonds will constitute valid and binding obligations of the District and will be enforceable by their terms as established by the Bond Resolution and the Indenture; (d) the District has the power to plan, finance, acquire, construct, reconstruct, equip and install, in one or more stages, the Project (as defined in the Complaint); (e) the District has the power and authority pursuant to the Act to carry out the covenants and obligations of the District under the Indenture; and that (f) this Court grant such other relief as is just and appropriate. The aforesaid Complaint having been presented to this Court, and this Court being fully advised in the premises:

IT IS ORDERED AND ADJUDGED that the State of Florida, through the State Attorney of this Circuit, and the several taxpayers, property owners and citizens of the Black Creek Community Development District, including non-residents owning property or subject to taxation therein, and others having or claiming any right, title or interest in property to be affected by the issuance of the Bonds or to be affected in any way thereby, be and they are each required to show cause, if any there be, before the **Honorable Ariana Fajardo Orshan, Circuit Court Judge, at a hearing to be held via ZOOM on the 18<sup>th</sup> day of July, 2024 at 10:00 o'clock A.M.** at the Miami-Dade County Courthouse, 73 West Flagler Street, Courtroom/Room DCC 416, Miami, Florida 33130, why said Complaint should not be granted and a final judgment entered by this Court as prayed for in said Complaint. Due to the COVID-19 pandemic, Florida state courts have taken measures to mitigate the effects of this public health emergency upon the judicial branch and its participants and have authorized that certain hearings may be conducted remotely through communication equipment without in-person court appearances. Pursuant to the authority granted under Administrative Orders of the Supreme Court of Florida and of the Eleventh Judicial Circuit, this final bond validation hearing will be conducted through the use of communications equipment for conducting proceedings by remote electronic means. This final hearing will be conducted as a ZOOM hearing. Instructions to attend this final hearing via ZOOM can be obtained by calling Plaintiff's Counsel, Michael J. Pawelczyk at (954) 764-7150.

AND IT IS FURTHER ORDERED AND ADJUDGED, that the Clerk of this Court or Plaintiff, be and is hereby required to give notice of such hearing by publishing a copy of this Order in a newspaper of general circulation in Miami-Dade County, Florida, once each week for two (2) consecutive weeks prior to said hearing, the first publication to be at least twenty (20) days prior to said hearing date.

AND IT IS FURTHER ORDERED AND ADJUDGED, that by such publication of this Order, the State of Florida, and the several taxpayers, property owners and citizens of Black Creek Community Development District, including non-residents owning property or subject to taxation therein, and others having or claiming any right, title or interest in the Black Creek Community Development District, or any taxable, assessable or affected property therein or to be affected in any way thereby, shall be and are made party defendants to this proceeding, and that this Court shall have jurisdiction of them to the same extent as if specifically and personally named as defendants in said Complaint and personally served with process in this cause.

**DONE** and **ORDERED** in Chambers at Miami-Dade County, Florida on this 23rd day of May, 2024.

  
2024-009177-CA-01 05-23-2024 2:35 PM

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Hon. Ariana Fajardo Orshan

**CIRCUIT COURT JUDGE**

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Alean Simpkins, the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2400, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355, Email: ADA@jud11.flcourts.org at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.**

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