

Frequently asked questions about the Proposal for the sale of Coconut Park (“Park”) from the CDDs to The Commons Club (“TCC”)

The Brooks’ CDD’s appreciate the feedback and questions provided by the residents of The Brooks regarding the proposed sale of the Coconut Park complex to The Commons Club. Rather than try and respond to each resident individually, the Districts have decided to develop this Frequently Asked Questions (FAQ) document to serve as one consolidated location to post, and answer, all your questions. Answers to some questions might have to wait until the CDD Supervisors are able to meet and discuss at an authorized public meeting. Updates to this document will be issued periodically as more questions are raised and more information becomes available. You are encouraged to check back frequently to catch up on the latest additions.

If you have a question for the Community Development Districts that is not addressed in these FAQ’s, you may submit your question via email to feedback@brookscdds.net and we will add it to this list.

As a reminder, you are always welcome to attend any CDD meeting. The next meeting will be held on November 15th at The Commons Club Enrichment Center. This special meeting is being held specifically to consider and vote on the proposed sale of Coconut Park. The meeting will begin at 1 PM. If you are unable to attend in person, a toll-free call-in number of 1-888-354-0094 has been established (Participant Passcode 709 724 7992).

The District Supervisors Thank You for your continued interest in the Districts’ projects and activities.

Initial Release—11/6/23

1. Why have the CDDs decided to sell the Park?

The CDDs have not yet decided to sell the Park. The Proposal is a recommendation from a committee of two CDD Supervisors and members of the Commons Club leadership team. It represents the committee’s unanimous opinion of how a proposed sale should be structured.

2. What will the CDDs do with the proceeds from the sale of the Park?

Should a sale occur, the proceeds will be retained by the CDD for the benefit of the Brooks Owners to pay for needed expenditures and reduce future CDD assessments.

3. When will the CDDs and TCC meet to vote on the proposal?

The CDDs will meet at 1:00 pm on Wednesday, November 15, 2023, in the Enrichment Center of TCC. The meeting is open to the public. TCC will meet the following day on November 16th at a time and place to be announced by that organization.

4. Will TCC be able to sell the Park at some point in the future?

The Proposal prevents the sale of the Park for a period of 5 years post sale. After the 5-year period, the CDDs retain a right of first refusal to re-purchase the Park on the same terms as any proposed

sale. Finally, as long as the Commons Club owns the Park, it must be used for recreational and leisure purposes consistent with the goals and purposes of TCC.

5. I have questions about how TCC might operate the Park including future development plans, access to the Park's amenities as well as how the proposed purchase will be paid for. How do I get answers to those questions?

You will need to contact TCC; you may call their office or send an email to josepha@thecommonsclub.com.

6. What is the basis for the purchase price appearing in the Proposal?

The price is based on a combination of the appraised value of the Park plus compensation for additional items. The Park was appraised at a value of \$970,000 in 2022. The additional items mostly include the costs incurred by the CDDs in developing design plans, obtaining permits, as well as the cost of other items used to potentially enhance existing Park amenities.

7. Isn't this entire sale about Pickleball?

The sale is being considered for a number of reasons all of which are important to the CDDs, TCC and the Brooks Owners—including the cost of ongoing maintenance, restricting access to the Park and future Park development. Consistent feedback at CDD meetings reflects that Brooks Owners would like improved Park amenities, and if possible, to preserve Park access exclusively for themselves and their guests. Disagreement exists over the type of amenities best suited for the Park, how to pay for those amenities, and how to best restrict access. The Proposal seeks to address those concerns.

8. How does the sale of the Park benefit Brooks Owners who are not members of TCC?

There are numerous benefits to all Brooks Owners and some additional enticements for Owners who are not currently members of TCC including:

- The CDDs will no longer be responsible for the Park's ongoing operation, maintenance, and upkeep, relieving Brooks Owner taxpayers of that burden.
- The sale proceeds inure to the benefit of the Brooks Owners to pay for needed expenditures, reducing future CDD assessments.
- A sale will allow the Park to be more quickly developed to its full potential. TCC has extensive experience in managing amenities and is in a better position to develop and operate the Park.
- To entice non-club members to join, TCC has agreed to freeze Capital Contribution Rates (one-time membership joining fees) at current levels until March 1, 2024. TCC has also agreed that the Park and its amenities, including pickleball, will be a "Bronze" level membership benefit within the existing membership structure. Please direct further questions about membership benefits to TCC.

9. Can I continue to access the Park after the sale if I am not a member of TCC?

Probably not as TCC indicates that, for liability reasons, only its members and authorized guests can have access to the Park post sale. Please direct further inquiries on this topic to TCC.

Rev. 1 Release—11/13/23

10. Your budget last year contained a list of repairs to be made to the Park. Will those repairs be paid for by the CDDs or TCC?

Under the proposal the CDDs will complete any projects where a signed contract is in effect as well as repairs that are needed for safety concerns. Under the Proposal the CDDs would pay for the playground improvement, paver repair and replacement of the restroom roof. The CDDs would be responsible for up to \$19,000 of expenses associated fixing a potential trip hazard on one of the pickleball courts as well as getting the pickleball court lights into working condition at the time of closing. All other outlined expenses would be the responsibility of TCC including refreshing the restroom facility, repairing the interactive water park, installing a new shade “sail” on the playground, fence repairs at the pickleball courts, replacing certain electrical structures, providing ice/water, any necessary changes to the gravel parking lot (not currently compliant with Village code) and many other expenditures including additional pickleball courts.

11. What are the annual maintenance costs of the Park?

Annual expenses vary each year depending upon what amenities within the park need repair or replacement. Those costs are shared roughly 80/20 with TCC paying the larger share. The CDDs’ annual MRO expense over the last five years has been roughly \$80,000/year or \$22 per CDD assessed residential unit.

12. What happens if TCC decides to sell its entire operation to a development company, will we lose the Park?

The CDDs retain the right of first refusal to repurchase the property and would certainly consider doing so in this very unlikely event. Furthermore, the by-laws of TCC currently require a “super majority” vote of its members in order to effectuate such a sale. Please refer your question to TCC for further answers.

13. Will TCC build more pickleball courts and if so, how will they pay for the construction?

TCC has agreed to expand the Pickleball amenity. Please contact TCC for more information about their plans and financing.

14. How many residential units are in the CDDs and how many of those belong to TCC?

There are 3,552 residential units within The Brooks. You will need to check with TCC on membership totals, but we believe approximately 2,500 of the units are members of the club.

15. How many bronze memberships are currently active in TCC? What is the cost to join at that level? What is a Capital Contribution?

Please refer this question to TCC.

16. I own a unit within The Brooks but lease it. Will my tenants be able to use the park? What is the guest policy for Park usage?

You will need to check with TCC about their policies regarding tenant and guest usage of club facilities including the Park.

17. How will TCC restrict access to the Park post sale? Will they put a fence around it?

TCC has indicated that they will endeavor to secure the property. You will need to check with TCC on their plans.