

FILED FOR RECORD
R. B. SHORE

2008 AUG 20 PM 1:37
MANATEE COUNTY ZONING ORDINANCE
PDC-07-02(P) – UNIVERSITY COMMONS/CENTRE AT UNIVERSITY PARKWAY/WAL-
MART SUPERCENTER

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A NEW PRELIMINARY SITE PLAN FOR THE CENTRE AT UNIVERSITY PARKWAY, WHICH IS PART OF THE UNIVERSITY COMMONS DRI, TO DEMOLISH 32,835 SQUARE FEET AND ADD 55,684 SQUARE FEET OF RETAIL SALES AREA (FOR WALMART AND WALGREENS); A NET GAIN OF 22,849 SQUARE FEET (INCLUDING CANOPY AREA); RECONFIGURE PORTIONS OF THE PARKING LOT; AND SHOW EXISTING FACILITIES AND STRUCTURES ON THIS SITE WHICH WERE APPROVED UNDER PDC-87-04(P) ON ± 30 ACRES AT THE NORTHWEST CORNER OF THE INTERSECTION OF LOCKWOOD RIDGE ROAD AND UNIVERSITY PARKWAY AT 8320 & 8324 LOCKWOOD RIDGE ROAD, SARASOTA; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Wal-Mart Stores, East, LP and University Parkway Associates (the "Applicants") filed an application for a Preliminary Site Plan for approximately 30 acres described in Exhibit "A", attached hereto, (the "Property") to demolish 32,835 square feet and add 55,684 square feet of retail sales area (for Wal-mart and Walgreens); a net gain of 22,849 square feet (including canopy area); reconfigure portions of the parking lot; and show existing facilities and structures on this site which were approved under PDC-87-04(P); and

WHEREAS, the Applicant filed a request for Special Approval for a commercial project that exceeds 50,000 square feet in the R/O/R Future Land Use Category; and

WHEREAS, the Applicant filed a request for Specific Approval for alternatives to Sections 710.1.6, 710.1.5.5.3.1, 710.1.5.5.10.1, 715.3.1.d, and 715.3.2 of the Land Development Code; and

WHEREAS, Planning staff recommended approval of the Preliminary Site Plan, Special Approval, and Specific Approval, subject to the stipulations contained in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on July 10, 2008 to consider the Preliminary Site Plan application, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code, and recommended approval of the applications, subject to the stipulations contained in the staff report.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.
- B. The Board of County Commissioners held a duly noticed public hearing on August 5, 2008 regarding the proposed Preliminary Site Plan described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, (the Manatee County Land Development Code), and has further considered the information received at the public hearing.
- C. The proposed Preliminary Site Plan regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.
- D. Notwithstanding the failure of the site plan to comply with LDC Section 710.1.6, the Board finds that the purpose and intent of Section 710.1.6 has been met based on the parking study performed by the applicant.
- E. Notwithstanding the failure of the site plan to comply with LDC Section 710.1.5.5.3.1, the Board finds that the purpose and intent of Section 710.1.5.5.3.1 has been satisfied to an equal degree because there are no rear access doors for pedestrians in this area. In addition, the staff recommends a stipulation requiring bollards to provide a barrier between vehicles and the building.
- F. Notwithstanding the failure of the site plan to comply with LDC Section 710.1.5.5.10.1, the Board finds that the purpose and intent of Section 710.1.5.5.10.1 has been satisfied to an equal degree because an alternative route around the drive-through is available.
- G. Notwithstanding the failure of the site plan to comply with LDC Section 715.3.1.d, the Board finds that the purpose and intent of Section 715.3.1.d has been satisfied to an equal degree because the design provides considerably more parking lot landscaping than required by strict compliance with the LDC.
- H. Notwithstanding the failure of the site plan to comply with LDC Section 715.3.2, the Board finds that the purpose and intent of Section 715.3.2 has been satisfied to an equal degree because the intent to provide screening is met.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved to demolish 32,835 square feet and add 55,684 square feet of retail sales area (for Wal-mart and Walgreens); a net gain of 22,849 square feet (including canopy area); reconfigure portions of the parking lot; and show existing facilities and structures on this site which were approved under PDC-87-04(P) upon the Property subject to the following Stipulations:

STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. Deliveries by tractor trailers or semi-trucks, or any running of truck or trailer motors or other refrigeration devices on tractor trailers or semi-trucks, shall be prohibited between the hours of 11 p.m. and 6 a.m. All trucks shall be connected to A/C power if possible and all trucks shall not run their generators or permit engine idling during unloading.
2. No outdoor speakers shall be allowed on this site.
3. No outdoor storage or sales shall be allowed on site unless the Preliminary Site Plan is revised and approved by the Board of County Commission at a public hearing.
4. No vehicle (including tire changes or repairs) or motor repairs are permitted on this site.
5. Parking spaces behind the existing shopping center and those south of Walmart and south of the signalized entrance from Lockwood Ridge Road, shall be designated as "employee only parking spaces." Signs shall be posted at these locations. The signs (location and content) shall be shown on the Final Site Plan for review and approval by staff. Employees shall be required to park in these designated areas.
6. No additional pole signs shall be permitted for the ±30 acre site. Signs for the Walgreens shall be limited to one ground sign, with a maximum height of 8 feet. Elevations of the sign shall be provided to the Planning Department at time Final Site Plan submittal for review and approval.
7. All existing dumpsters for the main shopping center (excluding the outparcels) shall be moved to the rear of the shopping center. This shall be verified with the Final Site Plan and prior to Certificate of Occupancy for the new building.
8. HVAC equipment and mechanical equipment (including roof mounted) shall be screened from view from Lockwood Ridge Road, University Parkway, and Lake Ridge Falls. Screening shall be provided by materials and color consistent with the construction of the exterior finish of the main building. Compliance shall be determined with the building elevations prior to Final Site Plan approval and field verified prior to issuance of C.O.
9. All HVAC equipment shall be screened with sound deflecting materials from the residences in Lake Ridge Falls.
10. Dumpster enclosures shall be constructed of similar materials as the main building. The enclosure and gate or fence shall be painted a similar color to the main building. Elevations

of the dumpster enclosure and gate or fence shall be submitted to the Planning Department for review and approval prior to Final Site Plan approval.

11. The dumpster area for Walgreens shall be screened from view from University Parkway.
12. The rear facade of Walgreens shall be finished similar to the front facade. Elevations and details of the building finishes shall be submitted with the FSP.
13. Building elevations for the new Walmart and Walgreens and renovation of the existing shopping center shall be in substantial conformance with the elevations entered into the record at the public hearing. Final building elevations shall be provided with the Final Site Plan to ensure compliance.
14. Light poles within the parking lot shall not be placed in landscape islands unless the width of the island is over 8' wide. Islands with light poles shall be limited to one pole with two fixtures. The applicant shall demonstrate that placement of poles and fixtures will not conflict with the required landscaping. This shall be demonstrated with the Final Site Plan.
15. All new lighting shall comply with LDC Section 709. This shall be demonstrated with the Final Site Plan.
16. Two bollards shall be placed near the rear of the Walmart where a 5' separation between the building and drive-aisle is not provided.

B. TRANSPORTATION CONDITIONS:

1. All traffic concurrency-related transportation improvements and required traffic safety and operational improvements shall be shown on the Final Site Plans(s) and Construction Plan(s).
2. At the time of Final Site Plan and Construction Plan approval for the project, the developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this project, as determined by the Public Works Department, and in accordance with LDC Section 722.1.3.4, as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.

C. INFRASTRUCTURE CONDITIONS:

1. All on-site water and wastewater facilities shall be privately owned and maintained.

D. STORMWATER CONDITIONS:

1. Existing storage volume in existing ponds that are proposed to be permanently impacted shall be compensated with equal or greater volume in the proposed stormwater retention pond. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan.
2. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing,

grading, and runoff.

E. BUFFERS:

1. The Applicant shall perform one of the following actions: (a) Prior to the issuance of the first building permit provide an updated noise study to the Planning Department for review and approval showing compliance with the County noise ordinance and (b) make any necessary noise attenuation improvements, which may include a solid wall at least 6 feet in height to replace the existing shadow box fence atop the berm adjacent to the shared property line between Lakeridge Falls and the Centre at University Commons, prior to the issuance of the first C.O. OR (c) In lieu of submitting the above described noise study, proceed with constructing the solid wall described in (b) above prior to the issuance of the first C.O.

F. ENVIRONMENTAL CONDITIONS:

1. The live oak species to be used with this project shall be the "high rise" variety, to be shown as such with the Final Site Plan.
2. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Planning Department for review prior to Final Site Plan approval.
3. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the Planning Department.
4. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 508.3.34.7(j) of the LDC.
5. A Well Management Plan shall be submitted to the Environmental Management Department for review and approval prior to Final Site Plan approval. The Well Management Plan shall include identification of which wells are to be retained and abandoned; the timing of abandonment; wellhead protection details for those wells to remain and a copy of all Water Use Permits, if applicable.
6. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
7. No burn permits will be issued for this site.

Section 3. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a commercial project that exceeds 50,000 square feet in the R/O/R Future Land Use Category. The Special Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for alternatives to Sections 710.1.6, 710.1.5.5.3.1, 710.1.5.5.10.1, 715.3.1.d, and 715.3.2 of the Land Development Code. This Specific Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

Section 4. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, the ordinance if not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 5th day of August, 2008.

BY: BOARD OF COUNTY
COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: 

Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BY: 

Deputy Clerk



EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1 (PER COMMITMENT FILE NO.: 20060148)

From the S.W. corner of Section 33, Township 35 South, Range 18 East, run S 89°15' 10"E, along the South line of said Section 33, a distance of 1532.62 feet; thence NOO°44'50"E, a distance of 173.00 feet to the Northerly right of way line of University Parkway (State Road 610 F.D.O.T. Section 13001-2502) for the point of beginning; thence continue NOO°44'50"E, a distance of 1017.53 feet; thence N50° 31 '00" E, a distance of 538.04 feet; thence S89°15'10"E, a distance of 652.60 feet to the West maintained right of way line of Lockwood Ridge Road; thence along said right of way line the following four courses: S01°27'01"W, a distance of 38.00 feet; thence SOO°52'38"W, a distance of 400.00 feet; thence SOO°35'27"W, a distance of 400.00 feet; thence SOO°52'38"W, a distance of 339.06 feet to the aforesaid Northerly right of way line of University Parkway; thence along said right of way line the following nine courses: N89°19'40"W, a distance of 37.43 feet; thence SOO°40'20"W, a distance of 169.30 feet; thence S57°47'43"W, a distance of 35.71 feet to a point on the arc of a curve to the left whose radius point bears S01°41'47"W, at a distance of 5832.58 feet; thence Westerly along the arc of said curve through a central angle of 00°56'58" a distance of 96.65 feet to the P.T. of said curve; thence N89°15'10"W, a distance of 482.50 feet; thence NOO°44'50"E, a distance of 27.00 feet; thence N89°15'10"W, a distance of 310.00 feet; thence SOO°44'50"W, a distance of 27.00 feet; thence N89°15'10"W, a distance of 106.00 feet to the Point of Beginning. Lying and being in Section 33, Township 35 South, Range 18 East, Manatee County, Florida.

Less the following described property deeded to Wal-Mart Stores, Inc., in Official Records Book 1201, Page 234, of the Public Records of Manatee County, Florida.

From the S.W. corner of Section 33, Township 35 South, Range 18 East, run S89°15'10"E, along the South line of said Section 33, a distance of 2614.20 feet to the SE corner of the SW 1/4 of said Section 33; thence NOO°52'38"E, along the East line of the said SW 1/4, a distance of 695.59 feet; thence N89°07'22"W, a distance of 20.00 feet to the West maintained right of way line of Lockwood Ridge Road for the point of beginning; thence continue N89°07'22"W, a distance of 552.00 feet; thence NOO°52'38"E, a distance of 415.28 feet; thence S89°07'22"E, a distance of 36.00 feet; thence NOO°52'38"E, a distance of 405.32 feet; thence N50°31'00"E, a distance of 31.96 feet; thence S89° 15' 10"E, a distance of 490.03 feet to the aforesaid West maintained right of way line of Lockwood Ridge Road; thence along said right of way line the following four courses; thence S01°27'01"W, a distance of 38.00 feet; thence SOO°52'38"W, a distance of 400.00 feet; thence SOO°35'27"W, a distance of 400.00 feet; thence SOO°52'38"W, a distance of 4,41 feet to the point of beginning. Lying and being in Section 33, Township 35 South, Range 18 East, Manatee County, Florida.

Also less the following described property deeded to NCNB National Bank of Florida, Inc., in Official Records Book 1211, Page 3196, of the Public Records of Manatee County, Florida.

FROM THE S.W. CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, RUN S 89°15'10" E, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 2614.20 FEET TO THE S.E. CORNER OF THE S.W. 1/4 OF SAID SECTION 33; THENCE N 00°52'38" E, ALONG THE EAST LINE OF THE SAID S.W. 1/4, A DISTANCE OF 494.59 FEET; THENCE N 89°07'22" W, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 89°07'22" W, A DISTANCE OF 198.00 FEET; THENCE N 00°52'38" E, A DISTANCE OF 170.00 FEET; THENCE S 89°07'22" E, A DISTANCE OF 198.00 FEET; THENCE S 00°52'38" W, A DISTANCE OF 170.00 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

Also less the following described property deeded to County of Manatee, in Official • Records Book 1213, Page 1594, of the Public Records of Manatee County, Florida.

FROM THE S.W. CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, RUN S 89°15'10" E, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 2614.20 FEET TO THE S.E. CORNER OF THE S.W. 1/4 OF SAID SECTION 33; THENCE N 00°52'38" E, ALONG THE EAST LINE OF THE SAID S.W. 1/4, A DISTANCE OF 189.43 FEET; THENCE N 89°07'22" W, A DISTANCE OF 60.00 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF UNIVERSITY PARKWAY (STATE ROAD 610 F.D.O.T. SECTION 13001-2502) FOR THE POINT OF BEGINNING; THENCE N 00°52'38" E, A DISTANCE OF 506.16 FEET; THENCE S 89°07'22" E, A DISTANCE OF 40.00 FEET TO THE WEST MAINTAINED RIGHT OF WAY LINE OF LOCKWOOD RIDGE ROAD; THENCE S 00°52'38" W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 334.66 FEET TO THE AFORESAID NORTHERLY RIGHT OF WAY LINE OF UNIVERSITY PARKWAY; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING THREE COURSES; N 89°19'40" W, A DISTANCE OF 37.43 FEET; THENCE S 00°40'20" W, A DISTANCE OF 169.30 FEET; THENCE S 57°47'43" W, A DISTANCE OF 3.79 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

Also less the following described property deeded to Barnett Bank of Manatee County, N.A., in Official Records Book 1213, Page 2042, of the Public Records of Manatee County, Florida.

FROM THE S.W. CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, RUN S 89°15'10" E, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 2614.20 FEET TO THE S.E. CORNER OF THE S.W. 1/4 OF SAID SECTION 33; THENCE N 00°52'38" E, ALONG THE EAST LINE OF THE SAID S.W. 1/4, A DISTANCE OF 324.59 FEET; THENCE N 89°07'22" W, A DISTANCE OF 258.00 FEET TO THE POINT OF BEGINNING. THENCE S 00°52'38" W, A DISTANCE OF 47.00 FEET; THENCE N 89°07'22" W, A DISTANCE OF 225.00 FEET; THENCE N 00°52'38" E, A DISTANCE OF 170.00 FEET; THENCE S 89°07'22" E, A DISTANCE OF 225.00 FEET; THENCE S 00°52'38" W, A DISTANCE OF 123.00 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

Also less the following described property deeded to Barnett Bank of Manatee County, N.A., in Official Records Book 1248, Page 282, of the Public Records of Manatee County, Florida.

From the S.W. corner of Section 33, Township 35 South, Range 18 East, Run S 89° • 15'10" E, along the south line of said Section 33, a distance of 2614.20 feet to the S.E. corner of the S.W. 1/4 of said

Section 33; thence N 00°52'38" E, along the east line of said S.W. 1/4, a distance of 294.59 feet; thence N 89°07'22" W, a distance of 258.00 feet; thence S 00°52'38" W, a distance of 17.00 feet to the point of beginning; thence continue S 00°52'38" W, a distance of 105.17 feet to the north right of way line of University Parkway (S.R. 610); thence N 89°15'10" W, along said right of way line, a distance of 225.00 feet; thence N 00°52'38" E, a distance of 105.68 feet; thence S 89°07'22" E, a distance of 225.00 feet to the point of beginning. Lying and being in Section 33, Township 35 South, Range 18 East, Manatee County, Florida.

Also less Road Rights-of-Way.

Also less any portion thereof taken by Manatee County, in Order of Taking, Case No. 2001-CA-3929, recorded in Official Records Book 1717, Page 933, of the Public Records of Manatee County, Florida.

also

PARCEL 2 (PER COMMITMENT FILE NO.: 20060260)

From the SW corner of Section 33, Township 35 South, Range 18 East, run S 89°15' 10"E, along the South line of said Section 33, a distance of 2614.20 feet to the SE corner of the SW 1/4 of said Section 33; thence N 00°52'38"E, along the East line of the said SW 1/4, a distance of 695.59 feet; thence N 89°07'22" W, a distance of 20.00 feet to the West maintained right of way line of Lockwood Ridge Road for the point of beginning; thence continue N 89°07' 22" W, a distance of 552.00 feet; thence N 00°52'38"E, a distance of 415.28 feet; thence S 89°07'22"E, a distance of 36.00 feet; thence N 00°52'38"E, a distance of 405.32 feet; thence N 50°31 WE, a distance of 31.96 feet; thence S 89°15'10"E, a distance of 490.03 feet to the aforesaid West maintained right of way line of Lockwood Ridge Road; thence along said right of way line the following four courses; thence S 01°27'01"W, a distance of 38.00 feet; thence S 00°52'38"W, a distance of 400.00 feet; thence S 00°35'27"W, a distance of 400.00 feet; thence S 00°52'38"W, a distance of 4.41 feet to the point of beginning. Lying and being in Section 33, Township 35 South, Range 18 East, Manatee County, Florida.

LESS following described property deeded to the County of Manatee, in Official Records Book 1249, Page 961, of the Public Records of Manatee County, Florida;

FROM THE S.W. CORNER OF SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, RUN S 89°15'10"E, ALONG THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 2614.20 FEET TO THE S.E. CORNER OF THE S.W. 1/4 OF SAID SECTION 33; THENCE N 00°52'38" E, ALONG THE EAST LINE OF THE SAID S.W. 1/4, A DISTANCE OF 695.59 FEET; THENCE N 89°07'22" W, A DISTANCE OF 20.00 FEET TO THE WEST MAINTAINED RIGHT OF WAY LINE OF LOCKWOOD RIDGE ROAD FOR THE POINT OF BEGINNING; THENCE CONTINUE N 89°07'22" W, A DISTANCE OF 40.00 FEET; THENCE N 00°52'38" E, A DISTANCE OF 842.32 FEET; THENCE S 89°15'10" E, A DISTANCE OF 38.38 FEET TO THE SAID WEST MAINTAINED RIGHT OF WAY LINE OF LOCKWOOD RIDGE ROAD; THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING FOUR COURSES; S 01°27'01" W, A DISTANCE OF 38.00 FEET; THENCE S 00°52' 38"W, A DISTANCE OF 400.00 FEET; THENCE S 00°35'27"W, A DISTANCE OF 400.00 FEET; THENCE S 00°52'38"W, A DISTANCE OF 4.41 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

Page 10 PDC-07-02(P) – University Commons/Centre at University Parkway/Wal-Mart Supercenter

Also less any portion thereof taken by Manatee County, in Order of Taking, Case No. 2001-CA-3929, recorded in, Official Records Book 1717, Page 933 and Official Records Book 1938, Page 2968, of the Public Records of Manatee County, Florida.

CONTAINING 1,208,867 SQ. FT. BEING 27.75 ACRES MORE OR LESS



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 13TH day of AUGUST, 2008

H.B. SHORE
Clerk of Circuit Court

By: Nancy Harris D.C.



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

FILED FOR RECORD
R. B. SHORE
2008 AUG 20 PM 1:36
CLERK OF THE CIRCUIT COURT
MANATEE COUNTY
KURT S. BROWNING
Secretary of State

August 15, 2008

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Ms. Diane E. Vollmer, D.C.

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 13, 2008 and certified copies of Manatee County Ordinance Nos. PDO-08-06(Z) (P), PDMU-08-15(G), PDMU-07-36, PDC 07-32 (P), PDR-04-27 (Z) (P), 08-57, Z-89-46 (G) (R-11), PDC 07-02 (P), 08-28, 08-13 and PDMU-06-30 (Z) (G), which were filed in this office on August 15, 2008.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
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RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282