

**MANATEE COUNTY ORDINANCE  
PDR-07-07(P)(R) – PARRISH PLANTATION DTS#20120343**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE NO. PDMU-07-07(Z)(P) AND THE PRELIMINARY SITE PLAN FOR THE PARRISH PLANTATION SUBDIVISION TO:

- REMOVE COMMUNITY SERVICE USES;
- ALLOW RETAIL OR OFFICE USES IN BUILDINGS F AND G (PREVIOUSLY SHOWN TO BE COMMUNITY SERVICE USE);
- ALLOW FOR THE DEVELOPMENT OF A MAXIMUM OF 488 RESIDENTIAL UNITS (266 SINGLE FAMILY DETACHED AND 222 SINGLE FAMILY ATTACHED RESIDENTIAL UNITS OR 488 SINGLE FAMILY DETACHED UNITS); 116,100 SQUARE FEET OF COMMERCIAL, AND 83,000 SQUARE FEET OF OFFICE;
- ALLOW FOR DESIGN MODIFICATION OPTIONS TO INCLUDE:
  - REMOVAL OF SINGLE FAMILY ATTACHED UNITS IN FAVOR OF SINGLE FAMILY DETACHED UNITS;
  - REMOVAL OF BUILDING G IN FAVOR OF SINGLE FAMILY DETACHED RESIDENTIAL DEVELOPMENT;
  - REDUCTION OF LOT SIZES FOR SINGLE FAMILY DETACHED UNITS IN THE SOUTHEASTERN CORNER OF THE PROJECT, FROM A MINIMUM OF 100'x120' ADJACENT TO SPENCER PARRISH, AND 80'x120' FOR THE REMAINDER OF THE LOTS, TO 65'x120' FOR ALL LOTS; AND
- AMEND STIPULATIONS FOR CONSISTENCY WITH THE LDC AND REVISED PSP.

IF APPROVED, THIS REQUEST WILL SUPERSEDE THE PREVIOUS APPROVAL [PDMU-07-07(Z)(P)] WHICH ALLOWS 488 RESIDENTIAL UNITS CONSISTING OF A MINIMUM OF 266 SINGLE FAMILY DETACHED AND 222 SINGLE FAMILY ATTACHED RESIDENTIAL UNITS; 86,100 SQUARE FEET OF COMMERCIAL (RETAIL, NEIGHBORHOOD CONVENIENCE); 53,000 SQUARE FEET OF OFFICE; AND COMMUNITY SERVICE USES CONSISTING OF A LIBRARY AND A YMCA.

THE SITE CONSISTS OF APPROXIMATELY 264.44 ACRES AND IS LOCATED AT THE SOUTHEAST INTERSECTION OF S.R. 62 AND U.S. 301, IN PARRISH; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Parrish Plantation LLC (the "Applicant") filed an application amending Ordinance PDMU-07-07(Z)(P) and the Preliminary Site Plan for the Parrish Plantation to:

- Remove community service uses;
- Allow retail or office uses in Building F and G (previously shown to be community services uses);
- Allow for the development of a maximum of 488 residential units (266 single-family detached and 222 single-family attached residential units or 488 single-family detached units); 116,100 square feet of commercial, and 83,000 square feet of office;

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DEPARTMENT OF STAFF  
TAMMISSEE, FLORIDA

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- Allow for design modification options to include:
  - Removal of single-family attached units in favor of single-family detached units;
  - Removal of Building G in favor of single family detached residential development;
  - Reduction of lot sizes for single family detached units in the southeastern corner of the project, from a minimum of 100'X120' adjacent to Spencer Parrish, and 80'X120' for the remainder of the lots, to 65'X120' for all lots; and
- Amend stipulations for consistency with the LDC and revised PSP;

consisting of approximately 264.44 acres described in Exhibit "A", attached hereto (the "Property") and

**WHEREAS**, the applicant also filed a request for Specific Approval of an alternative to Section 714.8.7 of the of the Land Development Code; and

**WHEREAS**, the applicant also filed a request for a project that was previously granted Special Approval for 1) a gross density exceeding 1.0 dwelling units per acre in the UF-3 FLUC, 2) exceeding 30,000 square feet of commercial uses in the UF-3 and RES-6 FLUCS, and 3) a mixed use project; and

**WHEREAS**, the Building and Development Services Department staff recommended approval of the revised Preliminary Site Plan, Specific Approval and Special Approval applications 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 May 9, 2013 to consider the amended Preliminary Site Plan, Special Approval and Specific Approval applications, 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 amended Preliminary Site Plan, Special Approval and Specific Approval applications consistent with the Manatee County Comprehensive Plan, and the Manatee County Land Development Code, recommended approval 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 an amended

Preliminary Site Plan, Special Approval and Specific Approval 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 June 6, 2013 regarding the proposed amended Ordinance 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 revised Ordinance regarding the property described in Exhibit “A” herein is found to be consistent with the requirements of Manatee County Ordinance 89-01, the 2020 Manatee County Comprehensive Plan.
- D. For the purposes of granting Special Approval, the Board finds that the project, as detailed on the Preliminary Site Plan and as conditioned herein, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.
- C. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

**Section 2. REVISED PRELIMINARY SITE PLAN.** The amended Zoning Ordinance is hereby approved subject to the following Stipulations:

## **STIPULATIONS**

### **A. TRANSPORTATION CONDITIONS:**

- 1. The applicant shall provide drainage easements in favor of Manatee County over all storm water ponds to facilitate their use for additional capacity. The developer and future Home Owners Association(s) shall consent to permit applications by the County to modify these storm water ponds. Manatee County shall be responsible for any and all permitting or modification of outfall structures.
- 2. Prior to or in conjunction with the first FSP, the applicant shall dedicate right-of-way to Manatee County, as shown on the right-of-way dedication exhibit dated March 20, 2007 and prepared by Heidt and Associates. [Completed pursuant to terms of LDA-08-05]
- 3. Two means of access shall be provided for the single-family attached component (consisting of greater than 100 units) shown on Master Site Plan Version “A”. The applicant shall have the option to provide second means of access to Street “B” or S.R. 62. Any other portions of the project that utilize Street “D” for access, consisting of more than 100 units, shall include two means of access. The location of any proposed second means of access shall be approved with the Final Site Plan/Construction Plan submittal through the Public Works Department, Building and Development Services Department, and Public Safety Department.

4. The access to Spencer Parrish Road shall be open to the public not an emergency only access. For the residential development that has been approved pursuant to CLOS 09-001, improvements to Spencer Parrish Road shall be limited to those required to create the access point and shall include a culvert crossing for access and turn lanes at the access location if warranted by traffic conditions at the time the access is constructed and the right of way necessary to construct such turn lanes without piping the existing ditch is available. Improvements associated with development that has not been approved pursuant to CLOS 09-001 may be required to ensure no degradation of the adopted level of service occurs to the public roadway network, based on approval of a new Traffic Study by the Public Works Department.
5. At present, the area of the County in which the project is located lacks sufficient public transportation infrastructure to support the majority of proposed new development projects. This project, however, is queued in the County's concurrency management system to use available road capacity that, according to the traffic analysis, is sufficient to support the project, so long as the Developer undertakes the following mitigation measures:
  - A. Dedication of right of way to the County for U.S. 301, dedication of right-of-way for both the realignment and widening of State Road 62 and dedication of right-of-way for Spencer Parrish Road, all as shown on the right-of-way dedication exhibit dated March 20, 2007 and prepared by Heidt and Associates;
  - B. Posting a bond, letter of credit, or other similar surety acceptable to the County to assure the prepayment of transportation impact fees for the residential portion of the project with the first Final Plat, which amount has been determined to be sufficient to cover the costs of roadway improvements required to satisfy the concurrency improvements triggered by the current capacity reservation of this Project. At the request of the County, the actual payment shall be made with each Final Plat for the lots platted with each such Final Plat, provided the roadway improvements are being constructed by the County or others;
  - C. Waiver of impact fee credits for such dedications except to the extent of the projected carrying costs of prepaying the impact fees. In return developer shall be entitled to a Certificate of Level of Service (CLOS) for seven years from the date of the posting of the surety.

The Developer shall file an application for a Local Development Agreement (LDA) in order to obtain an extended CLOS for the project and detail the terms under which the above mitigation measures will be performed. Such LDA shall be entered into with the County prior to approval of the first Final Site Plan.

By adopting this zoning ordinance, the Board of County Commissioners does not confer upon the Developer any entitlement to an extended CLOS beyond the term that is allowed without an LDA pursuant to Section 510 of the Code. The Board reserves the discretion to approve, approve with modifications, or deny approval of the LDA. The Developer, in turn, reserves the right to withhold performance of the above mitigation

measures unless and until a mutually satisfactory LDA is approved. In the event no such LDA is approved, no development may proceed, and none of the mitigation measures shall be performed, unless and until the Developer applies for and receives a modification to this zoning ordinance.

Based upon the traffic analysis, the Developer and County anticipate that a CLOS may be issued for the proposed 488 residential units and the library, this amount having been determined to be sufficiently mitigated through the measures detailed above. Such mitigation measures exceed the mitigation requirements for the residential portion of the project (though the Developer has nonetheless agreed to perform such measures).

However, the Developer's reservation of trips may or may not allow for capacity for the YMCA or the commercial uses included within the project at the County's request. Accordingly, the CLOS may include some or all of such non-residential development; or alternatively, the County and Developer may pursue a separate CLOS for one or more of those non-residential uses that require additional traffic impact mitigation. [Completed pursuant to LDA-08-05; Applicant has applied for an amendment to LDA-08-05 to be consistent with this Zoning Ordinance and Preliminary Site Plan.]

**B. INFRASTRUCTURE CONDITIONS:**

1. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.
2. As an alternative to the required sidewalk adjacent to the thoroughfare roadways for residential development,, the applicant shall provide payment to the County in the amount of \$62,700.00 (the estimated cost of installation of a five foot sidewalk located (1) on the south side of S.R. 62 from the proposed entrance east to the intersection with Spencer Parrish Road, a distance of approximately 3,000 linear feet, and (2) on the west side of Spencer Parrish Road from the intersection with S.R. 62 south to the property boundary, a distance of approximately 2,700 linear feet). Such payment shall be made the later of (1) approval of the first final plat within the project or (2) upon request from the county in preparation for roadway improvements which will include construction of such sidewalks but in no event shall the payment be made later than the approval of the final plat for the last phase of the project. However, should sidewalks be installed by others prior to the developer seeking final plat approval, the amount of such payment shall be proportionately reduced.
3. The Developer shall be responsible for all costs to extend to the Property water, sewer and reclaimed water lines, and other associated facilities including permitting, engineering, design, construction and installation and any easement or right of way, if needed, to ensure that the public facilities needed to support this development are available concurrent with the impacts of such development.

The provisions of the Manatee County Comprehensive Plan and Land Development Code require that adequate capacity exist with respect to sewer line collection capacity, sewer plant treatment capacity, potable water distribution line capacity and potable water

treatment plant capacity to obtain concurrency approvals for wastewater and potable water. By the adoption of this ordinance, the County has not assumed the obligation, either expressly or by implication, to bear any of the expenses to provide water, sewer or reclaimed water to the Property. Any new water or wastewater facilities shall be located and constructed in accordance with the most recent version of the applicable Master Plan in effect at the time of such design however, this shall not require the developer to size any water, wastewater or reclaimed mains greater than necessary to serve the development unless requested to do so by Manatee County, in which event any cost associated with such oversize shall require participation or reimbursement by the County as further detailed in a written agreement. The Developer shall notify Manatee County prior to undertaking design of potable water and wastewater infrastructure in preparation of submitting a Final Site Plan/Construction Drawings. Within 30 days of providing such notice Manatee County shall determine whether there exists a need to oversize such infrastructure to provide additional capacity for future development of the area.

**C. STORMWATER CONDITIONS:**

1. This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Gamble Creek. Modeling shall be used to determine pre- and post-development flows.
2. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along all drainage conveyance ditches within the project boundaries. In addition, a twenty (20) foot Drainage-Maintenance Access Easement shall be provided along all drainage conveyance ditches. Drainage-Maintenance Access Easements shall be on clear and level ground and free of obstructions, including landscaping. Manatee County is responsible for maintaining only the free flow of drainage through these systems.
3. Landscaping shall not be installed within drainage ditch systems or Drainage Maintenance and Access Easements.
4. The applicant shall provide floodplain compensation for impact to the 100-year floodplain as delineated by the Gamble Creek Watershed Study (SWFWMD adoption June, 2012).

D. RESIDENTIAL DESIGN AND LAND USE CONDITIONS:

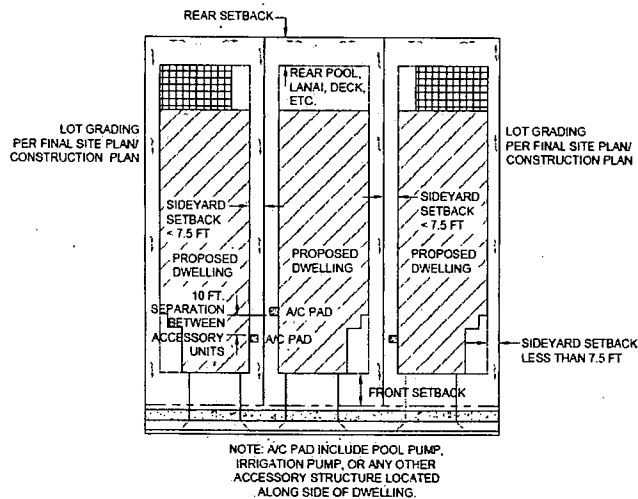
1. Residential Setbacks shall be as follows:

Minimum Lot Width	Front	Side	Rear
45 feet*	20/25**	5***	15
55 feet	20/25**	7.5	15
65 feet	20/25**	7.5	15
80 feet	20/25**	7.5	15
100 feet	20/25**	7.5	15
SFA (24' end /16' interior)	25'	7.5' (15' between buildings)	15'

\* Lots with a width of 54 feet or less shall be permitted to have a side yard setback of 5 feet

\*\*20 feet to structure, 25 feet to the garage.

\*\*\*Minimum 10' separation between structures



2. All structures shall meet the required 30' waterfront setback.
3. At time of Final Site Plan approval, signs shall be shown to be posted indicating the location of future inter-neighborhood ties to the property to the south.
4. Development of single family attached units shall be limited to the area shown on Master Site Plan A, unless otherwise approved by the Board of County Commissioners.
5. At time of Final Site Plan, the applicant shall select from the development options provided on the Preliminary Site Plan for residential development and submit a tracking chart showing the total number of units approved with each Final Site Plan to assure Manatee County that the total number of residential dwelling units approved (488) will not be exceeded as this project is developed. Any changes which are consistent with the development options presented within this Preliminary Site Plan shall be reviewed and approved administratively with the Final Site Plan and shall not require further approval from the Board of County Commissioners.

6. Additional off-street parking shall be provided in the single-family attached component of the project at a ratio of one space per 10 units. The design and location shall be approved with the FSP.

**E. COMMERCIAL AND OFFICE DESIGN AND LAND USE CONDITIONS:**

1. The applicant has agreed to comply with the requirements of the Parrish Commercial Village Overlay District, LDC Sect. 604.11, with the exception to the following sections – 604.11.4.3.3 – Building Footprint, and 604.11.4.3.4 Setbacks. Building footprint and setbacks shall be governed by the site plan and the Development Order. The applicant shall demonstrate compliance with PCV Overlay requirements at time of Final Site Plan approval for commercial development.
2. Setbacks are as follows for non-residential development:

Non Res.	U.S. 301	S.R. 62	Front	Side	Rear
Building A	25'/10'*	25'	N.A.	N.A.	N.A.
Building B	25'/10'*	25'		8'	
Building C	25'/10'*		N.A.	N.A.	N.A.
Building D	N.A.	N.A.	15'	8'	15'
Building E	N.A.	25'	15'	8'	15'
Building F	25'/10'*	N.A.	15'	8'	15'
Building G	N.A.	N.A.	15'	8'	15'

- \* a) A porch or gallery is provided that extends across forty (40) percent or more of the building frontage and is at least ten (10) feet wide or deep, or
- b) An outdoor gathering space is provided between U.S. 301 and the building or on the side of the building that includes frontage along U.S. 301 equal to forty (40) percent of the building's frontage and is a minimum of ten (10) feet deep, and the design includes street furniture such as benches, tables, or resting area for customers or the general public or a fountain, public art, or other visual focal point for the enjoyment of customers and the general public.
3. All structures shall meet the required 30' waterfront setback.
4. At time of Final Site Plan, the applicant shall select from the development options provided on the Preliminary Site Plan for commercial development and submit a tracking chart showing the floor area approved with each Final Site Plan to assure Manatee County that total approved floor area (199,100 s.f.) will not be exceeded as this project is developed. Any changes which are consistent with the development options presented within this Preliminary Site Plan shall be reviewed and approved administratively with the Final Site Plan and shall not require further approval from the Board of County Commissioners.



5. All roof mounted HVAC and mechanical equipment shall be screened from view from surrounding residential property and rights-of-way. Screening shall be provided by materials consistent with the construction of the exterior finish materials of the buildings.
6. Loading areas, outdoor storage, dumpsters, and compactors shall not be in front of any building and shall meet all setback requirements, unless they are not visible from any collector or arterial roadway or residential property. For determining visibility of the loading areas, the height of the overhead doors and trucks shall be considered.
7. Commercial uses within this project shall be those allowed pursuant to Comprehensive Plan Policy 2.2.1.11.2.
8. No retail sales display areas shall be permitted outside any building.
9. Bicycle parking facilities with the inverted “U” style rack shall be provided for all commercial buildings and recreational areas. These racks shall be conveniently located to entrances of the primary structures and in clear view of the main entries.
10. Exhaust and other filtering systems in restaurants shall adhere to the Best Available Control Technology to eliminate or reduce the emission of smoke, grease, and odor from cooking facilities.
11. All outparcels shall provide internal cross access with adjacent outparcels. This shall be accomplished by the use of cross access easements, internal drive aisles, or frontage roads.
12. Access points for each outparcel shall be approved by the Public Works Department at time of Final Site Plan approval.
13. If residential units are developed adjacent to non-residential uses, as shown on Master Site Plan B, appropriate screening buffers, consistent with LDC requirements, shall be installed.

**F. ENVIRONMENTAL CONDITIONS:**

1. Prior to Final Site Plan approval, the site shall be reevaluated for the presence of listed species in accordance with Comprehensive Plan Policy 3.3.2.1(1).
2. The 50' roadway buffer adjacent to residential development shall be planted with a minimum of 3 canopy trees, 6 understory trees, and 33 shrubs per 100 linear feet. Landscape material shall be subject to the following criteria:
  - Minimum sizes for landscape planting shall be in accordance with LDC Section 715.4.B & C.
  - Plantings shall be with plant species that are native and/or naturalized to Florida. All required landscape areas shall retain existing native trees, shrubs, ground

cover, and grasses to the greatest extent possible. Existing trees and shrubs may be counted towards fulfilling planting requirements.

- In addition to prohibited plant species listed in Section LDC 715.4.D, the following coastal plant species shall not be planted in required landscape areas: beach sunflower; buttonwood; seagrape; and sea oxide daisy.
- A minimum of three (3) different species for each plant category (e.g., canopy tree, understory tree, and shrub) shall be planted.
- When palm trees are used as canopy trees, a minimum of two (2) palms in a grouping will serve as the equivalent of one (1) canopy tree pursuant to LDC Section 715. Use of palms as canopy trees shall be subject to limitations on total percentage of palms in LDC Section 715.
- In required landscape areas, tree plantings shall be staggered and clustered in natural arrangements rather than in long, straight formal arrangements.

3. At time of Final Site Plan approval for the neighborhood adjacent to S.R. 62, if S.R. 62 has not been redesigned and relocated away from this project as shown in Manatee County's Future Traffic Circulation Map of the adopted Comprehensive Plan in effect at that time, the roadway buffer adjacent to S.R. 62 shall utilize noise mitigating features, such as a berm, a minimum six-foot high wall, or combination of both to reduce noise impacts to adjacent residential units. All required landscaping shall be planted on the exterior side of the wall. If S.R. 62 is redesigned and relocated away from this project to connect with Moccasin Wallow Road as shown in the Future Traffic Circulation Map of the adopted Comprehensive Plan in effect at that time, and if the section of road located adjacent to this project is not classified as a thoroughfare in the Comprehensive Plan, noise mitigating features (i.e. berm/wall) shall not be required.
4. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.
5. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with each Final Plat approval.
6. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on each Final Site Plan in accordance with Section 519 of the LDC.

#### **G. RECREATIONAL**

1. Parks shown on the site plan shall be developed concurrently with the platting of adjacent residential units.

#### **H. NOTICES**

1. The Notice to Buyer shall be included in the Declaration of Covenants and Restrictions and in a separate addendum to the sales contract, and in the FSP and shall include language informing prospective home buyers of:

- a. The presence of neighboring agricultural uses, including possible use of pesticides and herbicides and of odors and noises associated with agricultural uses.
- b. The presence of inter-neighborhood ties in the project which will connect to future roadways when development occurs on the adjacent property.
- c. The future realignment of S.R. 62 with Erie Road.
- d. Potential noise impacts from the future widening of U.S. 301 and S.R. 62.

**Section 3. 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, sentence, 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.

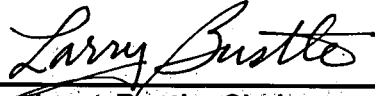
**Section 4. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 5. STATE AND FEDERAL PERMITTING.** The issuance of this local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**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 6<sup>th</sup> day of June, 2013.

**BY: BOARD OF COUNTY  
COMMISSIONERS  
MANATEE COUNTY, FLORIDA**

BY:   
Larry Bustle, Chairman

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



BY:   
Deputy Clerk

**EXHIBIT "A"**

**PARRISH PARCEL** (taken from Chicago Title Insurance Company, Commitment for Title Insurance, Commitment No. 04-370-L; dated April 28, 2004):

Beginning at a point found by measuring from the Southeast corner of the Northwest  $\frac{1}{4}$  of Section 28, Township 33 South, Range 19 East; North along the East line of said Northwest  $\frac{1}{4}$ , 330 feet more or less to the Northeast corner of Preston Parrish 10 acre tract; this being the above mentioned Point of Beginning; thence continue along said East line of the Northwest  $\frac{1}{4}$ , 660 feet; thence Westerly along a line parallel to the North line of Preston Parrish said 10 acre tract, 1320 feet; thence southerly 660 feet to the Northwest corner of said Preston Parrish tract; thence Easterly along the North line of said Preston Parrish tract 1320 feet more or less to the Point of Beginning, Less road right-of-way on East, all lying and being in Manatee County, Florida.

and

The South 330 feet of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; less Road right-of-way on East, Section 28, Township 33 South, Range 19 East, Manatee County, Florida.

**HYSMITH PARCEL** (taken from Chicago Title Company, Commitment for Title Insurance, Commitment No. 04-1493-L, dates May 13, 2004):

Parcel 1:

Commenced at the Northeast corner of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 29, Township 33 South, Range 19 East, Manatee County, Florida; thence S88°20'29"E, along the Easterly extension of the North line of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 29, a distance of 528.06 feet for a Point of Beginning; thence continue S88°20'29"E, along said North line 801.87 feet to the East line of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 28, Township 33 South, Range 19 East; thence S00°28'45"W, 921.92 feet to the Southeast corner of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 28; thence N89°24'00"W, along the South line of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 28, 803.13 feet; thence N00°34'00"E, 936.73 feet to the Point of Beginning.

Parcel 2:

Begin at the Northeast corner of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 29, Township 33 South, Range 19 East, Manatee County, Florida; thence S88°20'29"E, along the Easterly extension of the North line of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 29, a distance of 528.06 feet; thence S00°34'00"W, 468.37 feet; thence S88°52'14"W, 527.99 feet to the West line of Section 28, Township 33 South, Range 19 East, thence N00°34'00"E, along said West line 473.25 feet to the Point of Beginning.

Parcel 3:

Commence at the Northeast corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, thence S00°34'00"W, along the West line of Section 28, Township 33 South, Range 19 East, a distance of 473.25 feet for a Point of Beginning; thence continue S00°34'00"W, along the West line 473.25 feet to the Southwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 28; thence S89°24'00"E, along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 28, 527.97 feet; thence N00°34'00"E, 468.37 feet; thence N88°52'14"W, 527.99 feet to the Point of Beginning.

Together with an easement for ingress and egress lying and being in the Southeastern 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, more particularly described as follows: The East 20 feet of that portion of the Southeast 1/4 of Section 29, Township 33 South, Range 19 East, Lying North of S.R. 675.

LESS AND EXCEPT from above Parcels 1 and 3:

DESCRIPTION: A parcel of land lying in Southwest 1/4 of the Northwest 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 28, run thence along the West boundary of said Section 28, S.00°05'49"E., 2789.17 feet for a POINT OF BEGINNING; thence along a line lying 300.00 feet North of and parallel with the South boundary of the Southwest 1/4 of the Northwest 1/4 of said Section 28, N.89°50'49"E., 345.00 feet; thence along a line lying 345.00 feet East of and parallel with aforesaid West boundary of Section 28, S.00°05'49"E., 70.17 feet; thence S.89°39'54"E., 986.68 feet to the East boundary of aforesaid Southwest 1/4 of the Northwest 1/4 of Section 28; thence along said East boundary of said Southwest 1/4 of the Northwest 1/4 of Section 28, S.00°06'06"E., 221.43 feet to the Southeast corner thereof; thence along the South boundary of said Southwest 1/4 of Northwest 1/4 of Section 28, S.89°50'49"W., 1331.29 feet to the Southwest corner thereof; thence along the West boundary of aforesaid Section 28 the following two (2) courses: 1) N.00°11'27"W., 232.77 feet to the Southeast corner of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida; 2) N.00°05'49"W., 67.23 feet to the POINT OF BEGINNING.

Containing 7.486 acres, more or less.

CONE PARCEL (taken from Chicago Title Insurance Company, Commitment for Title Insurance, Commitment 04-371-L, dated September 15, 2004):

Parcel 1:

Lots 3, 6 and 7, Subdivision of a Tract 840 feet square in the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida.

Parcel 2:

The Northwest 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, less the South 330 feet of the Southeast 1/4 of the Northwest 1/4 less Parrish-Wauchula Road off the North and less 27 acres to King as described in O.R. Book 70, Page 313, less 20 acres to Parrish as described in O.R. Book 76, Page 54, Public Records of Manatee County, Florida, also subject to FPL easement as described in O.R. Book 829, Page 576, Public Records of Manatee County, Florida, all lying South of S.R. 62.

Parcel 4:

The East 1/2 of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, Less Lots 3, 4, 6 and 7 Subdivision of a Tract 840 feet square in the Northwest corner of the Northwest 1/4 of the Northeast 1/4, and Less begin 40 feet East and 30 feet North of the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, thence North 58.8 feet; thence East 120 feet; thence South 59 feet; thence West 120 feet to the Point of Beginning, Or Lots 19 and 20, Block 4, Parrish City Manor, vacated plat, also begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida; West 884.4 feet, South 42.4 feet, thence East 884.4 feet, North 41 feet, to Point of Beginning; and less the South 1/4 of the Southeast 1/4 of the Northeast 1/4 to King as described in O.R. Book 70, Page 313, Public Records of Manatee County, Florida, Less right-of-way for State Road 62.



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

June 13, 2013

R.B. SHORE  
Clerk of Circuit Court

By: [Signature] D.C.



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 18, 2013

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

Attention: Robin Liberty, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 13, 2013 and certified copies of Manatee County Ordinance Nos. PDC-12-15 (P) and PDR-07-07(P)(R), which were filed in this office on June 18, 2013.

As requested, a date stamped copy of the ordinance is being returned for your records.

Sincerely,

Liz Cloud  
Program Administrator

LC/elr

Enclosure