

**MANATEE COUNTY ZONING ORDINANCE**  
**PDMU-07-07(Z)(P) – PARRISH PLANTATION, LLC/PARRISH PLANTATION** 2007 JUN -7 PM 2:10

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY 264.44 ACRES AT THE SOUTHEAST INTERSECTION OF S.R. 62 AND U.S. 301, PARRISH FROM A/NCO (GENERAL AGRICULTURE/NORTH CENTRAL OVERLAY DISTRICT), A-1/NCO (SUBURBAN AGRICULTURE/NORTH CENTRAL OVERLAY DISTRICT), AND VIL (VILLAGE-PARRISH), TO PDMU (PLANNED DEVELOPMENT MIXED-USE) ZONING DISTRICT, (RETAINING THE NORTH CENTRAL OVERLAY DISTRICT, WHERE APPROPRIATE); AND APPROVING A PRELIMINARY SITE PLAN FOR 488 RESIDENTIAL UNITS CONSISTING OF: 266 SINGLE-FAMILY DETACHED DWELLING UNITS AND 222 SINGLE-FAMILY ATTACHED; 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; 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") has filed a rezone application to rezone approximately 264.44 acres described in Exhibit "A", attached hereto, (the "Property") from the A/NCO (General Agriculture/North Central Overlay District), A-1/NCO (Suburban Agriculture/North Central Overlay District), and VIL (Village-Parrish), to PDMU/NCO (Planned Development Mixed-Use) zoning district, (retaining the North Central Overlay District, where appropriate); and

**WHEREAS**, the Applicant has also filed a Preliminary Site Plan application for 488 residential units consisting of: 266 single-family detached dwelling units and 222 single-family attached; 86,100 square feet of commercial (retail, neighborhood convenience); 53,000 square feet of office; and community services uses consisting of: a library and a YMCA (the "Project") to be located upon the Property; and

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

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

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on May 10, 2007 to consider the rezone, Preliminary Site Plan, and Special Approval applications, received the Planning Staff's recommendations 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 rezone and Preliminary Site Plan 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 Planning staff report, the granting of the Special Approval for: 1) a gross density over 1.0 dwelling units per acre in the UF-3 FLUC, 2) exceeding 30,000 square feet of commercial uses in the UF-3 FLUC and RES-6 FLUC, and 3) a mixed use project.

**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 of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, 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 Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from the A/NCO (General Agriculture/North Central Overlay District), A-1/NCO (Suburban Agriculture/North Central Overlay District), and VIL (Village-Parrish), to PDMU/NCO (Planned Development Mixed-Use) zoning district, (retaining the North Central Overlay District, where appropriate).

B. The Board of County Commissioners held duly noticed a public hearing on May 24, 2007, regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas 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.

**Section 2. PRELIMINARY SITE PLAN** The Preliminary Site Plan is hereby approved for 488 residential units consisting of: 266 single-family detached dwelling units and 222 single-family attached; 86,100 square feet of commercial (retail, neighborhood convenience); 53,000 square feet of office; and community services uses consisting of: a library and a YMCA upon the Property subject to the Stipulations set out below. The Board hereby GRANTS Special Approval for: 1) a gross density over 1.0 dwelling units per acre in the UF-3 FLUC, 2) exceeding 30,000 square feet of commercial uses in the UF-3 FLUC and RES-6 FLUC, and 3) a mixed use project with the following Stipulations:

## **STIPULATIONS**

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

1. Prior to Final Site Plan (FSP) approval, the applicant shall provide a noise analysis to the Planning Department to document how traffic noise impacts from S.R. 62 for the single-family attached phase adjacent to S.R. 62 will be mitigated. This analysis shall be based on projected 2025 traffic volumes. Noise mitigation measures shall be installed as required by the approved analysis within the roadway buffers. Also, if walls, fencing, berms, or any combination of these is required, the fence or wall shall be placed within the 50' roadway buffer in locations as specified by the noise study. All required landscaping within this buffer shall be placed on the outside or roadway side of the fence or wall.
2. 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.
3. 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.
4. Where Streets A and B intersect, the roadway into the single-family attached component shall be constructed as a 4-lane boulevard design up to the first intersection in the single-family attached component the final design shall be approved by the Transportation Department. As an alternative, the cul-de-sac shall be extended to connect to the intersection of streets A and B.
5. Right-of-way for an interneighborhood tie shall be provided to extend to the south, connecting to the pending Paschal project site, in the location shown on the Preliminary Site Plan (PSP).
6. Street "D" shall extend to connect to Spencer Parrish Road.
7. The final design for this project shall incorporate traffic calming measures along internal streets, to be approved by the Transportation Department with the FSP. Such measures may include roundabouts, reduced pavement width, raised tables, or pedestrian signs.
8. This project shall provide a cross access connection along the south property line adjacent to the library site in the location shown on the PSP.
9. 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. Dedication of the public library site as shown on the PSP, which library site will help mitigate transportation impacts by alleviating the need for residents in the Parrish area to drive to sites to the west; and
- D. 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.

**B. INFRASTRUCTURE CONDITIONS:**

1. The applicant shall be responsible for bringing County water and sewer to the site. This approval is contingent upon the site being served by public utilities.
2. 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.

**C. STORMWATER CONDITIONS:**

1. The developer shall dedicate to Manatee County a storm water pond site for the future library as shown on the PSP.
2. The Drainage Model and Construction Plans shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site in respect to drainage routing, grading, and runoff.
3. 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.
4. 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.
5. The applicant shall obtain SWFWMD permit approval for clearing blockages from existing drainage ditches that flow through the site, except for those areas which are classified as jurisdictional wetlands. Existing drainage ditches shall be cleared during construction.
6. Landscaping shall not be installed within drainage ditch systems or Drainage Maintenance and Access Easements.

**D. DESIGN AND LAND USE CONDITIONS:**

1. Setbacks are as follows:

	Front	Side	Rear
Single-Family Detached	25'	7.5'	15'
Single-Family Attached	25'	7.5' (15' between buildings)	15'

Non Res.	U.S. 301	S.R. 62	Front	Side	Rear
Building A	50'	50'	N.A.	N.A.	N.A.
Building B	50'	50'		60'	
Building C	50'		N.A.	N.A.	N.A.
Building D	N.A.	N.A.	50'	10'	10'
Building E	N.A.	50'	50'	10'	10'
Library	50'	N.A.	50'	10'	10'
YMCA	N.A.	N.A.	50'	10'	10'

2. All structures shall meet the required 30' waterfront setback.
3. All structures shall have a maximum height of 35', except for non-residential structures facing U.S. 301 and S.R. 62, which are subject to LDC 604.10.3.3 (4), "Design Standards" (4).
4. A 5' sidewalk shall be installed on both sides of local streets within this project.
5. A 10' wide paved multi-purpose path, as shown on the PSP, shall be constructed within the 25' greenway easement along S.R. 62 and Spencer Parrish Road. It is recognized that some portions of the perimeter contain wetlands and site plan indicates that such areas will contain boardwalks, rather than the paved multi-purpose path, in conformance with Manatee County rules for wetland areas. The final design shall be approved with the FSP.
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. BUFFERS:**

1. 50' roadway buffers shall be provided along S.R. 62 (east of Road B) and Spencer Parrish Road and shall be landscaped in accordance with the requirements of the North Central Overlay District, except for the buffers adjacent to the commercial and community service areas. The required buffers adjacent to these areas are detailed in Stipulation E. 2 below.
2. 50' roadway buffers shall be provided along U.S. 301 and S.R. 62 adjacent to the commercial and community service parcels. Buffers shall be landscaped to provide for the aesthetic enhancement of the proposed buildings rather than meet opacity requirements for same. The landscape in this area is for the purpose of framing views and highlighting pedestrian connectivity corridors to the structures. Palm trees may be substituted for some of the required canopy and understory trees; shrubs may reach a height of 3'-4' rather than the required 6', all as itemized by the following:

- |  |  |
|--|--|
| • NCO Requirement – Section 604.10.3.4   | Parrish Plantation Buffer  |
| • 3 canopy trees at 3 inch caliper per 100 feet of buffer                                | Up to 40 percent of canopy tree may be palm trees  |
| • 6 evergreen understory trees at 2" caliper per 100 feet of buffer                      | Up to 40 percent of understory trees may be palm trees   |
| • 33 shrubs at 30 inches at time of planting to provide 85% opacity at 6 feet in 3 years | 33 shrubs at 18" – 24" at time of planting to be maintained less formally to a height of 3' – 4' |

Buffers shall be planted to achieve an informal arrangement to emulate the look of vegetation found in natural areas. Plant material shall be maintained in its natural characteristic form. Palm trees shall be planted in informal clusters with each group spaced as needed to provide views to the buildings.

An alternative planting plan to the requirements listed above may be approved administratively at the time of FSP approval, provided such plan is in accordance with an approved concept for roadway buffer landscaping along U.S. 301 within the Parrish Village. If such a concept for Parrish is not in place at the time of FSP approval, then the above requirements apply.

3. A 20' roadway buffer shall be provided along both sides of Street A. This buffer shall be planted with canopy trees (2.5" caliper, 10 feet in height, and 5' spread) spaced 40' on-center.

Remaining perimeter buffers in the non-residential component of the project shall comply with the North Central Overlay requirements for perimeter buffers.

4. A 20' perimeter buffer shall be provided on the south side of the reuse pumping station, as shown on the PSP, and be planted in accordance with the North Central Overlay

requirements.

5. A 20' wide roadway buffer is required along Street B. Landscaping in this buffer shall conform to the type and quantity standards specified in LDC Section 715.3.2 and shall be planted outside of the right-of-way.
6. Annual reports by a Landscape Architect shall be submitted to the Planning Department to demonstrate that the required canopy trees and hedges are growing at rate to achieve the required height and opacity requirements. If an annual report identifies that required landscaping has died or will not achieve the required height and opacity requirements, additional plantings shall be added as approved by the Planning Department. Annual reports shall be provided until the turnover of the subdivision to Homeowner's Association. Also, a private improvement bond shall be provided for required landscaping and only released after certification provided by a landscape architect and approved by the Planning Department that the required opacity has been achieved.
7. Overhead power lines or detention or retention ponds shall not be located within landscape buffers, greenbelts, or tree stands designated for preservation or conservation.
8. Existing vegetation within buffers and tree and native plant preservation areas shall not be disturbed and shall remain in a natural state (plant communities shall be preserved at all times) and only required landscaping shall be maintained and pruned in a manner that preserves the natural shape and growth characteristics of the species. Pruning that lollipops or grossly alters the natural characteristic form is prohibited.

**F. COMMERCIAL, OFFICE, AND COMMUNITY SERVICE USE DESIGN CONDITIONS:**

1. The Library site shall be limited to 24,000 sq. ft. of building area.
2. Prior to FSP approval, the applicant shall provide building elevations for each building or outparcel demonstrating compliance of LDC Sections 604.10.3.3 (4) and 604.10.6 "Non-residential Site and Building Design".
3. All exterior facades for each building shall be considered primary facades and shall employ architectural and design elements which are integrated with and common to those used on the primary structure, including color, in accordance with LDC Section 604.10.6.8.
4. 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.
5. 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.



6. There shall be no pole signs allowed for this project. All other signs for the non-residential component, outparcels, and buildings shall be in accordance with LDC 604.10.5 and LDC 724.14. All outparcels and buildings shall demonstrate compliance at FSP with the requirements of LDC Section 724.14 "North Central Overlay".
7. Commercial uses within this project shall be limited to neighborhood convenience, neighborhood general, and office uses.
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. These systems shall be approved by the Environmental Management Department with each Final Site Plan for an eating establishment.
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 Planning and Transportation Departments.
13. Sidewalks shall be provided on both sides of roadway, and pedestrian sidewalks and striped cross walks shall be provided between each building to provide connectivity between buildings.

**G. ENVIRONMENTAL CONDITIONS:**

1. The Final Site Plan shall be designed so that the entire drip line shall be protected for all trees where credit for preserved trees is requested in accordance with LDC Section 714.8.9. Trees that will not have full protection of the drip line shall have replacement trees provided for them within the tree removal and replacement matrix.
2. Trees proposed for preservation shall have tree barricades located at the drip line. Up to 15% of canopy encroachment may be allowed within the drip line as approved by the Planning Department. Improvements proposed within drip lines shall be field adjusted where possible to avoid impacting roots within the drip line. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the barricades shall remain undisturbed and shall be clearly shown on the Final Site Plan. The following activities are prohibited within the barricades of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; and 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.

3. Prior to Final Site Plan approval applicant shall submit to a Well Management Plan to be reviewed and approved by the Environmental Management Department (EMD). The Plan shall include latitude and longitude coordinates and digital photos for each well.
4. A Water Well Construction Permit must be obtained from the EMD prior to construction of the proposed well(s).
5. There shall be no burning of trees or branches for land clearing unless such burning is required to comply with the rules pertaining to citrus canker.

#### **H. RECREATIONAL**

1. Parks shown on the site plan shall be developed concurrently with the platting of adjacent subdivisions.
2. The 4.76 acre park shall include active recreational opportunities consistent with the proposed demographics for the project. The Final Site Plan that includes the park area shall define the uses and be approved by the Parks and Recreation Department.
3. The pedestrian linkage to the northeastern portion of the site shall be open to the public via a pedestrian easement.
4. Boardwalks, pedestrian trails, sidewalks, and other activities shown within upland preservation areas shall be designed prior to Final Site Plan approval in a way that avoids or minimizes impacts to existing desirable native vegetation.
5. The Final Site Plan shall show a 10' pedestrian easement along the south side of Lot 10 (along the west side of Street B). This easement may become part of a pedestrian access system to the YMCA and library sites, to be determined with the Final Site Plans for those facilities.

#### **I. 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. AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County, Ordinance 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the Property identified in Exhibit "A" herein from the A/NCO (General Agriculture/North Central Overlay District), A-1/NCO (Suburban Agriculture/North Central Overlay District), and VIL (Village-Parrish), to PDMU/NCO (Planned Development Mixed-Use) zoning district, (retaining the North Central Overlay District, where appropriate) and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

**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. 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, sentence, 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 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 24th day of May, 2007.

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

BY: 

**Vice-Chairman**

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

BY:   
**Deputy Clerk**



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

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 10 day of June, 2008

R.B. SHORE  
Clerk of Circuit Court

By [Signature] D.C.



FILED FOR RECORD  
R. B. SHORE

2007 JUN -7 PM 2:41

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State

June 4, 2007

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

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 1, 2007, and certified copies of Manatee County Ordinance Nos. PDR-05-37(Z)(P), PDR-06-75(Z)(P), PDR-06-55(Z)(P) and PDMU-07-07(Z)(P), which were filed in this office on June 4, 2007.

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

Sincerely,

Liz Cloud  
Program Administrator

LC/lbh  
Enclosures

### DIRECTOR'S OFFICE

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