

**MANATEE COUNTY ZONING ORDINANCE  
PDMU-11-13(G) – MEDALLION HOME AT FT. HAMER, LLC/WAYNE  
UNDERHILL/CROSSCREEK (DTS#20110204)**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A GENERAL DEVELOPMENT PLAN FOR 1,282 RESIDENTIAL UNITS (702 SINGLE-FAMILY DETACHED (197 PLATTED), 174 SINGLE-FAMILY ATTACHED, 156 SINGLE-FAMILY SEMI-DETACHED, AND 250 MULTI-FAMILY UNITS) ON APPROXIMATELY 656± ACRES ON THE EAST SIDE OF FT. HAMER ROAD, SOUTH SIDE OF GOLF COURSE ROAD, AND NORTH OF MULHOLLAND ROAD; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FILED

**WHEREAS**, Medallion Home at Ft. Hamer, LLC/Wayne Underhill (the "Applicant") filed an application for a General Development Plan for approximately 656± acres described in Exhibit "A", attached hereto, (the "Property") for 1,282 residential units (702 single-family detached (197 platted), 174 single-family attached, 156 single-family semi-detached, and 250 multi-family units); and

**WHEREAS**, the applicant filed a request for Special Approval for a project: 1) adjacent to a Perennial Stream; 2) partially in the Coastal Evacuation Area; 3) partially in the Coastal High Hazard Area; 4) partially within the Coastal High Hazard Overlay; 5) with a gross residential density exceeding 1 dwelling unit per acre in the UF-3 Future Land Use Category 6) with a net residential density exceeding 3 dwelling units per acre in the UF-3 Future Land Use Category; and

**WHEREAS**, the applicant filed a request for Specific Approval for alternatives to Sections 714.8.7, 604.10.3.6, and 907.9.4.2 of the Land Development Code; and

**WHEREAS**, Planning staff recommended approval of the General Development 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 public hearings on February 9, 2012, March 8, 2012 and April 12, 2012 to consider the General Development Plan, Specific Approval and Special 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 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 General Development Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners held duly noticed public hearings on March 1, 2012, May 3, 2012 and June 7, 2012 regarding the proposed General Development 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 General Development 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. For the purposes of granting Special Approval, the Board finds that the project, as detailed on the General Development Plan and as conditioned herein, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 604.10.3.6, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because a 15' wide greenbelt buffer will be required along the perimeter of Annie Lucy Williams Elementary School site and Chelsea Oaks Subdivision and the existing vegetation, as well as proposed vegetation, will provide an adequate screening buffer.

F. 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.

G. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.4.2, the Board finds that the public purpose of the LDC regulations are satisfied to an equivalent degree with either an emergency access roadway or a turn-around at the 800' or midpoint of the cul-de-sac.

**Section 2. GENERAL DEVELOPMENT PLAN.** The General Development Plan is hereby approved for 1,282 residential units (702 single-family detached (197 platted), 174 single-family attached, 156 single-family semi-detached, and 250 multi-family units) upon the Property subject to the following Stipulations:

**STIPULATIONS**

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

1. **PHASE 1A SUBDIVISION IMPROVEMENTS.** No building permits shall be issued for lots located in Phase 1A unless and until (a) existing subdivision improvement defects have been resolved, or (b) the County has accepted satisfactory performance security guaranteeing the same or (c) resolution of the existing improvement defects has been addressed in a local development agreement with the County. The building permit prohibition contain in this stipulation shall not be applicable to Lots 1 and 2 Block 9, Lots 1 and 2 Block 11, and Lots 11 and 12 Block 36 as shown on CROSSCREEK, PHASE 1-A PLAT (recorded in Plat Book 53, Page 97, Public Records of Manatee County, Florida).
2. All recreational structures shall be setback 30' from the right-of-way or adjacent residential lots. Also, any proposed parking facilities shall be setback 30' from any rear or side residential lot line.
3. Lots in Phase 2F shall have a minimum lot size of 10,000 square feet and a minimum lot width of 50 feet.
4. Multi-family building setbacks shall be as follows:
  - a. Ft. Hamer Road –Comply with LDC Section 604.10.3.3(l) depending on proposed height.
  - b. Along the perimeter boundaries – 25'\*  
\*Increase 10' for each story over 1 where abutting a single family residential use.
  - c. Minimum 30' between buildings.

**B. TRANSPORTATION CONDITIONS:**

1. Prior to Final Plat approval, the applicant shall post a sign indicating the location of future inter-neighborhood ties to undeveloped property to the east adjacent to Phase 1B and to Chelsea Oaks (emergency access only) to the south adjacent to Phase 2B or 2C to inform prospective purchasers and residents of the future inter-neighborhood tie. The size, placement and materials for this sign shall be determined with the PSP/FSP.
2. Right-of-Way Dedication:
  - a. To allow for future widening of Ft. Hamer Road, dedication of right-of-way is required to provide Manatee County with a 60' half section from the existing centerline on Ft. Hamer Road. Such dedication shall be accomplished prior to or in conjunction with the respective final plat approvals for the property adjacent to Fort Hamer Road. After dedication of right of way takes place, impact fee credits shall be available to

the property owner, with final amount to be determined in accordance with the requirements of Chapter 8 of the LDC.

- b. To allow for future widening of Golf Course Road, dedication of right-of-way is required to provide Manatee County with a 42' half section from the existing centerline on Golf Course Road for the portion of the property which is adjacent to Golf Course Road. Such dedication shall be accomplished prior to or in conjunction with the respective final plat approvals for the property adjacent to Golf Course Road. After dedication of right of way takes place, impact fee credits shall be available to the property owner, with final amount to be determined in accordance with the requirements of Chapter 8 of the LDC.
  - c. To allow for future widening of Mulholland Road, dedication of right-of-way is required to provide Manatee County with a 42' half section from the existing centerline on Mulholland Road for the portion of the property which is adjacent to Mulholland Road. Such dedication shall be accomplished prior to or in conjunction with the respective final plat approvals for the property adjacent to Mulholland Road. After dedication of right of way takes place, impact fee credits shall be available to the property owner, with final amount to be determined in accordance with the requirements of Chapter 8 of the LDC.
3. A 10' wide stabilized multi-purpose path shall be constructed within the 25' greenway easement along Ft. Hamer Road. This pathway shall be outside the 10' wide drainage easement.
  4. At the time of the PSP/FSP for Phase 2B at least one pedestrian only access is required between the school site and the internal roadway network.
  5. Stonegate Drive (Phase 1A) shall be extended to provide a vehicular and pedestrian connection to Phase 2B.
  6. Two means of access shall be shown on the PSP/FSP for each phase of development with more than 100 dwelling units.

**C. STORMWATER CONDITIONS:**

1. SOUTHERN RETENTION POND. The Applicant shall construct a retention pond adjacent to Ft. Hamer Road, between the elementary school site and the southern project boundary, and shall oversize such pond in size and depth to accommodate a maximum of 0.94 acre-feet of future off-site retention resulting from the future road widening projects. Said oversizing shall not cause the pond to extend eastward beyond the boundary of the elementary school parcel, and the applicant shall be entitled to retain any soils removed for the excavation of the retention pond facilities. In lieu of constructing and oversizing a retention pond, the Applicant may dedicate or convey to the County the land necessary for the County to locate and construct a stormwater retention pond in this location, but such dedication or conveyance shall not extend

eastward beyond the boundary of the elementary school parcel. The dedication or conveyance shall occur at the time of final plat approval for any phase of the project which either includes the retention pond area or is adjacent to the retention pond area.

The dedication or conveyance shall occur prior to final plat approval, upon request of the County, provided the Applicant has the authority to make the dedication or conveyance. Upon completion of oversizing, dedication or conveyance, impact fee credits shall be available to the property owner, with the final credit amounts to be determined in accordance with the requirements of Chapter 8 of the LDC.

2. ACCESS AND DRAINAGE COMPENSATION POND EASEMENT ON AND ADJACENT TO MULHOLLAND ROAD. The Applicant shall construct a compensation storage pond near the Gamble Creek floodway adjacent to Mulholland Road, and shall dedicate to the County a non-exclusive twenty-five (25') foot access easement ("access easement") from the compensation storage pond to the Gamble Creek floodway, for purposes of the County's maintenance activities within Gamble Creek, with Manatee County having no responsibility to maintain the access easement area. An additional easement through and over the compensation storage pond acreage in the floodway on Mulholland Road shall be dedicated to the County for the purpose of compensation for drainage ("drainage compensation easement") resulting from the County's future improvement of the Mulholland Bridge. The total stormwater and floodplain compensation provided shall not exceed 0.445 acre/feet. The Applicant shall review and approve the location of the proposed drainage compensation easement area prior to final plat approval for the portion of the project located along Mulholland Road. Said access and drainage compensation easements and notice of the County's future construction activities associated with the compensation easement area shall be disclosed in the Notice to Buyers. After conveyance of the easements, impact fee credits shall be available to the Applicant based upon the easement value, with the final credit amounts to be determined in accordance with Chapter 8 of the LDC.
3. RETENTION POND FOR RIGHT-OF-WAY STORMWATER AT NORTHWEST CORNER OF PROJECT. The Applicant shall construct a retention pond at the northwest corner of the project where it abuts Ft. Hamer and Golf Course Road, and shall oversize such pond in size and depth to accommodate future off-site retention resulting from the future road widening projects. Said oversizing shall be designed to accommodate a maximum of 0.62 acre/feet of retention from the County widening projects, and the applicant shall be entitled to retain any soils removed for the excavation of the retention pond facilities. In lieu of constructing and oversizing a retention pond, the Applicant may dedicate or convey to the County the land necessary for the County to locate and construct a stormwater retention pond not to exceed 0.628 acres (including side slopes and berms) at the northwest corner of the project where it abuts Ft. Hamer and Golf Course Road. Said dedication or conveyance shall be configured in such a way to provide the Applicant the ability to construct a multi-purpose path to the south and east of the pond and outside the wetlands, wetland buffers and pond site. The dedication or conveyance shall occur at the time of final plat approval for

any phase of the project which either includes the retention pond area or is adjacent to the retention pond area. The dedication or conveyance shall occur prior to final plat approval, upon request of the County, provided the Applicant has the authority to make the dedication or conveyance. Upon completion of oversizing, dedication or conveyance, impact fee credits shall be available to the property owner, with the final credit amounts to be determined in accordance with the requirements of Chapter 8 of the LDC.

4. A Drainage Easement shall be dedicated to Manatee County and be shown on the PSP/FSP and Final Plats along Gamble Creek. This drainage easement shall be inclusive of conservation/tree preservation easements dedicated to Manatee County.

**D. FLOODPLAIN:**

1. At time of PSP/FSP approval, a 50' buffer between the building envelope and the regulatory floodway may be required depending on the configuration of the lots.

**E. BUFFERS:**

1. A 10' wide roadway buffer is required along all internal streets adjacent to reverse frontage lots. Landscaping in these buffers shall conform to the type and quantity standards specified in LDC, Section 715.3.2 and shall be planted outside the right-of-way.
2. A 15' wide perimeter buffer shall be provided adjacent to Chelsea Oaks Subdivision and Annie Lucy Williams Elementary School. The proposed CrossCreek buffers and landscaping materials shall meet the NCO standards with regard to size and shall be planted in the following manner:

Buffer adjacent to the existing Chelsea Oaks buffer  
2 canopy trees (3" caliper, 12' high, 5' spread)  
Per 100 linear feet

Buffer along the north and east side of the school  
2 canopy trees (3" caliper, 12' high, 5' spread), planted in a staggered arrangement to the School trees  
3 understory trees (1.5' caliper, 6' high)  
33 shrubs (24", 3 gallon)  
Per 100 linear feet

3. All other buffers shall meet the NCO requirements.

**F. ENVIRONMENTAL CONDITIONS:**

1. Conservation Easements inclusive of areas defined as wetlands, wetland buffers, and upland preservation areas shall be recorded concurrently with the Final Plat. The developer shall include in the deed restriction information concerning the conservation easement, the limitations on use therein, maintenance of the easement area,

maintenance of the signs, and the consequences of violations. The boundaries of conservation areas shall be marked with signs in English and Spanish that indicate a "Conservation Area". The number and placement of signs shall be approved with the PSP/FSP.

2. Unless otherwise approved by Environmental Planning Division of the Building and Development Services Department, native landscape materials shall be utilized in common areas.
3. Upland preservation areas shall be clearly delineated, labeled, and quantified on the PSP/FSP. Passive recreational amenities shall be allowed within areas identified as upland preservation provided they are consistent with Section 719.11.1.2 (Allowable activities within wetland buffers) of the LDC.
4. Unless adequate water depths and details are provided prior to the approval of the PSP/FSP for Phases 2E and 2F by the Board of County Commissioners at an advertised public hearing, no docks or a boat ramp are allowed along Gamble Creek. Only one dock or pier for use as a fishing or observation platform is allowable in a location to be determined by the Environmental Planning Division of the Building and Development Services Department with the PSP/FSP.
5. The forested upland area located within the floodway, totaling approximately 20 acres and identified as area UP-1 on the GDP Supplemental Exhibit (Exhibit B) -Proposed Open Space, shall be identified as upland preservation and shall be included in a Conservation Easement at the time of Final Plat approval. Upland preservation within this area shall be limited to the forested area within the mapped floodway at the time of Final Site Plan approval. In no event shall the upland preservation or Conservation Easement of this identified area exceed 20 acres or be reduced to less than 50 feet from wetlands along Gamble Creek.
6. No lots shall be platted through wetlands, wetland buffers, or upland preservation areas.
7. The applicant shall submit a Well Management Plan to the County for review and approval prior to PSP/FSP approval.
8. Prior to PSP/FSP approval, the applicant shall provide an updated study for the presence of threatened/endangered species and species of special concern. Appropriate permits shall be obtained or Wildlife Management Plans shall be approved by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission for any listed species found on-site, prior to FSP approval.
9. Prior to FSP approval, the applicant shall provide a copy of the approved SWFWMD permit.
10. Wetland impacts shall be limited to those crossings identified on the approved GDP. At the time of PSP the crossings shall be designed to minimize the impacts to wetlands. Minimization measures may include but not limited to locating crossings at the narrowest portion of the wetland; locating crossings at previously disturbed areas; reducing right of

way and roadway width; utilization of oversized, bottomless culverts. Any additional wetland impacts other than those crossings shown on the GDP shall require approval of a PSP by the BOCC at an advertised public hearing.

11. Tree removal and replacement shall be addressed with the PSP/FSPs in compliance with the *Tree Protection* regulations of the LDC.

#### **G. PUBLIC SAFETY**

1. Any gates or emergency access points within the project shall be accessible to emergency providers in accordance with requirements of County and Fire Department ordinances and resolutions.
2. In order to ensure adequate access and turning maneuverability for emergency vehicles, the 1,200 foot long roadways in Phase 2D and 2F shall be designed as follows: if the detailed site design provides for an integrated roadway network, the applicant shall provide 20' wide emergency access roads, constructed at an elevation above the 100 year floodplain. If the site design provides for cul-de-sacs only, the applicant shall provide a turn-around at the midpoint or 800' interval.

#### **H. RECREATIONAL:**

1. If the southern portion (Phases 2A thru 2F) of the development is developed separately from the northern portion (Phases 1A thru 1H) of the development then Phase 2A thru 2F shall include recreational amenities for passive and active recreation as well as a focal point. These amenities shall be shown on the PSP/FSP.

#### **I. NOTICES**

1. The Notice to Buyer shall be included in the Declaration of Covenants and Restrictions, and on 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 these neighborhoods which may connect to existing and future roadways when development occurs on the adjacent property.
  - c. Phases 2D, 2E, and 2F are in a flood prone area and the site is partially within the Coastal Evacuation Area and the Coastal High Hazard Area.
  - d. Construction of a future bridge connecting Upper Manatee River Road and Fort Hamer Road and future road improvements along Fort Hamer.
  - e. The future extension of Mulholland Road to the east, connecting to Rye Road.
  - f. Informing prospective homeowners that Manatee County does not maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of the



stream bed of Gamble Creek or any ditch directly or indirectly flowing into the Gamble Creek.

**Section 3. SPECIAL AND SPECIFIC APPROVALS.** Special Approval is hereby granted for a project 1) adjacent to a Perennial Stream; 2) partially in the Coastal Evacuation Area; 3) partially in the Coastal High Hazard Area; 4) partially within the Coastal High Hazard Overlay; 5) with a gross residential density exceeding 1 dwelling unit per acre in the UF-3 Future Land Use Category; and 6) with a net residential density exceeding 3 dwelling units per acre in the UF-3 Future Land Use Category. This Special Approval shall continue in effect and shall expire concurrent with the General Development Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for alternatives to Sections 604.10.3.6., 907.9.4.2, and 714.8.7. This Specific Approval shall continue in effect and shall expire concurrent with the General Development 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 7<sup>th</sup> day of June, 2012.

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

BY: 

John R. Chapple, Chairman

ATTEST:

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

BY: 

Deputy Clerk



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**PARCEL "A"**

**DESCRIPTION:** A parcel of land lying in Sections 4, 5, 8, 9, and 10, Township 34 South, Range 19 East, Manatee County, Florida, and being more particularly described as follows:

**COMMENCE** at the Northwest corner of said Section 4, run thence along the North boundary of the Northwest 1/4 of said Section 4, also being the centerline of GOLF COURSE ROAD (66' maintained right-of-way), N.89°55'58"E., 332.28 feet; thence S.00°04'02"E., 33.00 feet to a point on the South maintained right-of-way line of said GOLF COURSE ROAD for a **POINT OF BEGINNING**, said point also being the Northeast corner of a parcel of land described in Official Records Book 1152, Page 1115, of the Public Records of Manatee County, Florida; thence along said South maintained right-of-way line, lying 33.00 feet South of and parallel with said North boundary of the Northwest 1/4 of Section 4, N.89°55'58"E., 1018.98 feet to a point on the East boundary of a parcel of land described in Official Records Book 1272, Page 3021, of the Public Records of Manatee County, Florida, said point also being the Northwest corner of Parcel One, as described in Official Records Book 1322, Pages 2874 and 2880; thence along said East boundary of parcel of land described in Official Records Book 1272, Page 3021, also being the West boundary of said Parcel One, and the West boundary of Parcel Two, as described in Official Records Book 1322, Page 3592, of the Public Records of Manatee County, Florida, S.00°03'03"W., 2632.03 feet to the Southwest corner of said Parcel Two; thence along the North boundary of said parcel of land described in Official Records Book 1272, Page 3021, and the South boundary of said Parcel Two, S.89°59'03"E., 43.24 feet to the Northwest corner of a parcel of land described in Official Records Book 1170, Pages 1 and 5, of the Public Records of Manatee County, Florida; thence along the Westerly and Southerly boundaries of said parcel of land described in Official Records Book 1170, Pages 1 and 5 the following four (4) courses: 1) S.01°39'22"W., 475.25 feet; 2) S.89°59'00"E., 524.89 feet; 3) S.00°04'21"W., 1369.94 feet 4) S.89°55'25"E., 170.35 feet to a point of intersection with the centerline of a drainage ditch, as described in said Official Records Book 1170, Pages 1 and 5; thence along said centerline of drainage ditch the following two (2) courses: 1) N.79°28'14"E., 1618.22 feet to a point hereinafter being referred to as Point "A"; 2) continue, N.79°28'14"E., 85.0 feet, more or less, to a point of intersection with the centerline of GAMBLE CREEK; thence Southeasterly along said centerline of GAMBLE CREEK, 6412 feet, more or less, to a point on the North boundary of the South 633.00 feet of the Northwest 1/4 of aforesaid Section 10; thence along said North boundary the following two courses: 1) N.89°47'42"W., 117.6 feet, more or less, to a point hereinafter being referred to as Point "B" (Reference Line from Point "A" to Point "B" being more particularly described as follows: BEGIN at said Point "A", run thence S.20°49'00"E., 1592.22 feet; thence S.59°42'13"E., 1084.21 feet; thence

S.09°44'50"E., 1142.21 feet to aforesaid Point "B", and the point of terminus for said Reference Line); 2) continue, N.89°47'42"W., 50.00 feet to a point on the West boundary of said Northwest 1/4 of Section 10; thence along the North boundary of the South 633.00 feet of the East 571.00 feet of the Southeast 1/4 of the Northeast 1/4 of aforesaid Section 9, S.89°49'37"W., 570.98 feet to the Northwest corner thereof; thence along the West boundary of said South 633.00 feet of the East 571.00 feet of the Southeast 1/4 of the Northeast 1/4 of Section 9, S.00°04'06"W., 578.63 feet to a point on the North maintained right-of-way line of MULHOLLAND ROAD; thence along said North maintained right-of-way line the following two courses: 1) S.86°56'29"W., 424.29 feet; 2) along a line lying 33.00 feet North of and parallel with the South boundary of said Northeast 1/4 of Section 9, S.89°49'36"W., 336.44 feet to a point on the West boundary of said Southeast 1/4 of the Northeast 1/4 of Section 9, also being a point on the East boundary of a parcel of land described in Official Records Book 1844, Page 2175, of the Public Records of Manatee County, Florida; thence along said West boundary of the Southeast 1/4 of the Northeast 1/4 of Section 9, and said East boundary of a parcel of land described in Official Records Book 1844, Page 2175, N.00°06'02"E., 1294.53 feet to the Southeast corner of the Northwest 1/4 of said Northeast 1/4 of Section 9, also being the Northeast corner of said parcel of land described in Official Records Book 1844, Page 2175; thence along the South boundary of said Northwest 1/4 of the Northeast 1/4 of Section 9, also being the North boundary of said parcel of land described in Official Records Book 1844, Page 2175, and the North boundary of a parcel of land described in Official Records Book 1469, Page 2312, of the Public Records of Manatee County, Florida, N.89°58'31"W., 610.41 feet to the Northwest corner of said parcel of land described in Official Records Book 1469, Page 2312; thence along the East boundary of a parcel of land described in Official Records Book 908, Page 534, of the Public Records of Manatee County, Florida, N.00°01'12"W., 50.00 feet; thence along the Northerly boundary of said parcel of land described in Official Records Book 908, Page 534, lying 50.00 feet North of and parallel with said South boundary of the Northwest 1/4 of the Northeast 1/4 of Section 9, N.89°58'31"W., 554.54 feet; thence along the East boundary of said parcel of land described in Official Records Book 908, Page 534, N.00°02'30"E., 512.33 feet; thence along the North boundary of a parcel of land described in Official Records Book 1817, Page 1535, of the Public Records of Manatee County, Florida, and the Easterly extension thereof, N.89°58'31"W., 824.12 feet to a point on the East boundary of the West 1/2 of the Northeast 1/4 of the Northwest 1/4 of said Section 9, said point also being the Northwest corner of said parcel of land described in Official Records Book 1817, Page 1535; thence along said East boundary of the West 1/2 of the Northeast 1/4 of the Northwest 1/4 of said Section 9, N.00°00'51"W., 772.22 feet to a point on the North boundary of the Northwest 1/4 of said Section 9, said point also being the Northeast corner of said West 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 9; thence along said North boundary of the Northwest 1/4 of Section 9, N.89°47'09"W., 665.78 feet to the Northwest corner of the Northeast 1/4 of said Northwest 1/4 of Section 9; thence along the East boundary of the West 1/2 of said Northwest 1/4 of Section 9, S.00°03'30"W., 471.55 feet; thence along the North boundary of a parcel of land

described in Official Records Book 1132, Page 2695, of the Public Records of Manatee County, Florida, and the Easterly prolongation thereof, N.89°58'03"W., 3974.19 feet to a point on the East maintained right-of-way line of FORT HAMER ROAD, said point also being the Northwest corner of said parcel of land described in Official Records Book 1132, Page 2695; thence along said East maintained right-of-way line, and in part, lying 40.00 feet East of and parallel with the West boundary of the Northeast 1/4 of aforesaid Section 8, and in part, lying 40.00 feet East of and parallel with the West boundary of the East 1/2 of aforesaid Section 5, N.00°06'46"E., 5818.66 feet to a point on aforesaid South maintained right-of-way line of GOLF COURSE ROAD; thence along said South maintained right-of-way line, lying 33.00 feet South of and parallel with the North boundary of the Northeast 1/4 of said Section 5, S.89°11'57"E., 969.67 feet to the Northwest corner of a parcel of land described in Official Records Book 1185, Page 3426, of the Public Records of Manatee County, Florida; thence along the West boundary of said parcel of land described in Official Records Book 1185, Page 3426, lying 329.99 feet West of and parallel with the East boundary of the Northwest 1/4 of said Northeast 1/4 of Section 5, S.00°03'40"W., 660.03 feet to the Southwest corner of said parcel of land described in Official Records Book 1185, Page 3426; thence along the South boundary of said parcel of land described in Official Records Book 1185, Page 3426, lying 693.00 feet South of and parallel with said North boundary of the Northeast 1/4 of Section 5, S.89°11'57"E., 330.01 feet to a point on said East boundary of the Northwest 1/4 of the Northeast 1/4 of Section 5, also being the West boundary of a parcel of land described in Official Records Book 1800, Page 2978, and the Southeast corner of said parcel of land described in Official Records Book 1185, Page 3426; thence along said East boundary of the Northwest 1/4 of the Northeast 1/4 of Section 5, also being said West boundary of parcel of land described in Official Records Book 1800, Page 2978, S.00°03'40"W., 647.52 feet to the Southwest corner of the Northeast 1/4 of said Northeast 1/4 of Section 5, also being the Southwest corner of said parcel of land described in Official Records Book 1800, Page 2978; thence along the South boundary of said Northeast 1/4 of the Northeast 1/4 of Section 5, as monumented and occupied, the following two courses: 1) along the South boundary of said parcel of land described in Official Records Book 1800, Page 2978, and the South boundary of a parcel of land described in Official Records Book 1254, Page 2572, of the Public Records of Manatee County, Florida, S.89°30'35"E., 669.68 feet to the Southeast corner of said parcel of land described in Official Records Book 1254, page 2572, also being the Southwest corner of a parcel of land described in Official Records Book 337, Page 536, of the Public Records of Manatee County, Florida; 2) along the South boundary of said parcel of land described in Official Records Book 337, Page 536, S.89°33'50"E., 669.21 feet to the Southeast corner thereof, also being the Southwest corner of the of the Northwest 1/4 of the Northwest 1/4 of aforesaid Section 4, and the Southwest corner of aforesaid parcel of land described in Official Records Book 1152, Page 1115; thence along the South boundary of said Northwest 1/4 of the Northwest 1/4 of Section 4, as monumented, also being the South boundary of said parcel of land described in Official Records Book 1152, Page 1115, N.89°57'02"E., 333.62 feet to the Southeast corner of said West 1/2 of the West 1/2 of the Northwest 1/4 of the Northwest

1/4 of Section 4, also being the Southeast corner of said parcel of land described in Official Records Book 1152, Page 1115; thence along the East boundary of said West 1/2 of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 4, also being the East boundary of said parcel of land described in Official Records Book 1152, Page 1115, N.00°02'07"E., 1299.75 feet to the **POINT OF BEGINNING**.

Containing 694.139 acres, more or less;

**LESS AND EXCEPT:**

**CROSSCREEK COMMERCIAL PARCEL**

**(Brookshore Partners, LLC Parcel, recorded in Official Records Book 2307, Page 3341, of the Public Records of Manatee County, Florida)**

**DESCRIPTION:** A parcel of land lying in Section 5, Township 34 South, Range 19 East, Manatee County, Florida, being more particularly described as follows:

**COMMENCE** at the Northeast corner of said Section 5, run thence along the East boundary of the Northeast 1/4 of said Section 5, S.00°05'26"W., 2663.08 feet to the Southeast corner thereof; thence along the South boundary of said Northeast 1/4 of Section 5, S.89°02'32"W., 1470.18 feet to a point on a curve, said point also being the **POINT OF BEGINNING**; thence Southerly, 222.18 feet along the arc of said curve to the left having a radius of 425.00 feet and a central angle of 29°57'12" (chord bearing S.18°09'02"E., 219.66 feet) to a point of tangency; thence S.31°04'51"E., 277.47 feet to a point of curvature; thence Southerly, 37.73 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 86°27'38" (chord bearing S.12°05'47"W., 34.25 feet) to a point of tangency; thence S.55°29'43"W., 4.36 feet to a point of curvature; thence Southwesterly, 149.06 feet along the arc of a curve to the right having a radius of 464.00 feet and a central angle of 18°24'22" (chord bearing S.64°31'47"W., 148.42 feet) to a point of tangency; thence S.73°43'58"W., 402.04 feet to a point of curvature; thence Southwesterly, 177.85 feet along the arc of a curve to the left having a radius of 536.00 feet and a central angle of 19°00'41" (chord bearing S.64°13'38"W., 177.04 feet) thence N.44°40'26"W., 44.38 feet to a point of curvature; thence Northwesterly, 281.64 feet along the arc of a curve to the left having a radius of 592.50 feet and a central angle of 27°14'05" (chord bearing N.58°17'29"W., 278.99 feet) to a point on a curve; thence Northwesterly, 449.95 feet along the arc of a curve to the left having a radius of 324.00 feet and a central angle of 79°34'07" (chord bearing N.32°19'07"W., 414.65 feet); thence N.59°06'48"E., 557.65 feet; thence N.00°06'46"E., 130.43 feet; thence S.89°53'14"E., 344.40 feet; thence N.88°50'43"E., 114.88 feet to a point of curvature; thence Southeasterly, 39.11 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 89°38'32" (chord bearing S.46°20'01"E., 35.24 feet) to a point of tangency; thence S.01°30'45"E., 174.60 feet to a point of curvature; thence Southerly, 12.33 feet along the arc of a curve to the left

having a radius of 425.00 feet and a central angle of 01°39'42" (chord bearing S.02°20'36"E., 12.33 feet) to the **POINT OF BEGINNING**.

Containing 15.271 acres, more or less;

**LESS AND EXCEPT:**

**CROSSCREEK SCHOOL PARCEL**

**(The School Board of Manatee County, Florida, recorded in Official Records Book 2056, Page 2287, of the Public Records of Manatee County, Florida)**

A tract of land lying in Section 5 and 8, Township 34 South, Range 19 East, Manatee County, Florida and being more particularly described as follows:

**Commence** at a 5/8" capped iron rod (LB#043), located at the northwest corner of the southeast 1/4 of Section 5, Township 34 South, Range 19 East, Manatee County, Florida; thence N 89°02'32" E, along the north line of the southeast 1/4 of said Section 5, a distance of 40.01 feet to the east maintained right-of-way line of Fort Hamer Road; thence S 00°06'46" W, along said east maintained right-of-way line, a distance of 1,906.16 feet to the **POINT OF BEGINNING**; thence S 89°53'14" E, a distance of 992.47 feet; thence S 00°00'00" E, a distance of 1,000.00 feet; thence N 89°58'03" W, a distance of 994.45 feet to said east maintained right-of-way line of Fort Hamer Road; thence N 00°06'46" E, along said east maintained right-of-way line, a distance of 1,001.39 feet to the **POINT OF BEGINNING**.

Containing 22.823 acres, more or less;

**Containing a total net acreage of 656.045 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 10th day of

June 20 12  
R.D. CHASE  
Clerk of Court

By: Nancy Harris D.C.



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 19, 2012

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

Attention: Ms. Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated June 12, 2012 and certified copies of Manatee County Ordinance Nos. PDR-11-09 (Z)(P), PDMU-11-13(G), PDR-12-02 (P), PDMU-99-02(P)(R2), 12-16 and PDMU-99-02 (G)(R5), which were filed in this office on June 18, 2012.

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

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/srd

Enclosure