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**MANATEE COUNTY ZONING ORDINANCE
PDMU-99-02(P) – RIVER CLUB PARK OF COMMERCE, PHASES 2 & 5**

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A PRELIMINARY SITE PLAN FOR A 303,209 SQUARE FOOT RETAIL SHOPPING CENTER ON ± 69.78 ACRES IN RIVER CLUB PARK OF COMMERCE DRI AT THE SOUTHEAST CORNER OF THE INTERSECTION OF I-75 AND SR 70, EXTENDING SOUTH TO LINGER LODGE ROAD AND EAST TO BRADEN WOODS; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; PROVIDING A LEGAL DESCRIPTION; PROVIDING SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Casvak River Club, LLC (the "Applicant") has filed an application for a Preliminary Site Plan for approximately 69.78 acres described in Exhibit "A", attached hereto, (the "Property") for a 303,209 square foot retail shopping center in River Club Park of Commerce DRI; and

WHEREAS, Planning Department staff recommended approval of the Preliminary Site Plan application, subject to the stipulations contained in the staff report; and

WHEREAS, the Applicant also requested Special Approval for a project: 1) in the Mixed Use Future Land Use Category; 2) in the Evers Watershed Overlay District; and 3) in an Entranceway; and

WHEREAS, the Applicant also requested Specific Approval for alternatives to Sections 710.2.17.2, 714.8, and 715.3.1.d of the Land Development Code; and

WHEREAS, the Board of County Commissioners of Manatee County held a public hearing on September 27, 2007 after due notice, considered the criteria set forth in the Manatee County Land Development Code, and approved the Preliminary Site Plan, Special Approval, and Specific Approval applications subject to the stipulations herein.

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, and documentation, of the Planning Department, 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 Department concerning the application for a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners held a duly noticed public hearing on September 27, 2007 regarding the proposed Preliminary Site Plan described herein in accordance with the

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PLANNING DEPARTMENT
1000 CHASSELEE RD
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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.

D. The proposed Preliminary Site Plan regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 710.2.17.2, the Board finds that the public purpose of the LDC regulations is satisfied to an equivalent degree by the proposed design because adequate provisions have been taken for pedestrian access, open space, and shared loading areas.

F. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8, the Board finds that the public purpose of the LDC regulations is satisfied to an equivalent degree by the proposed designs because of the quicker establishment of 3" trees, the creation of an innovative parking design, and the provision of increased green area.

G. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.1.d, the Board finds that the public purpose of the LDC regulations is satisfied to an equivalent degree by the proposed design because of the quicker establishment of 3" trees, innovative parking design, and increased green area.

H. For the purpose of granting Special Approval for a project in the Mixed Use Future Land Use Category, in the Evers Watershed Overlay District and in an Entranceway, the Board hereby finds that the project will have no significant detrimental impacts on natural resources, adjacent land uses or public facilities.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for a 303,209 square foot retail shopping center on ± 69.78 acres in River Club Park of Commerce General Development Plan Ordinance No. PDMU-99-02(G)(R3), with the following stipulations:

STIPULATIONS

A. DEVELOPMENT APPROVAL AND LEVEL OF SERVICE CERTIFICATE CONDITIONS

1. All development which does not have a Building Permit prior to March 13, 2010 shall be subject to review and approval of a concurrency analysis. The additional Certificate of Level of Service shall require Board of County Commissioners approval.
2. The site may continue to be used for agricultural activities, but at no greater intensity than at present. No silvacultural or agricultural activities shall be initiated on land not currently under such use.

B. TRANSPORTATION

1. All applicable Transportation Improvements listed in Table 2 of Stipulation B(1), of the amended River Club GDP Zoning Ordinance No. PDMU-99-02(G)(R3) are applicable to this project.

2. This project shall be subject to the monitoring program specified in Stipulation B(2) of the amended River Club GDP Zoning Ordinance No. PDMU-99-02(G)(R3).
3. The portion of the north south internal street adjoining the site shall be completed prior to the issuance of the first Certificate of Occupancy in either Phase 2 or Phase 5.
4. Internal traffic safety and circulation improvements such as stop signs, traffic signals, and striping required during the course of development shall be the responsibility of the developer.
5. The developer shall enter into an agreement with Manatee County prior to the approval of the first Final Site Plan to reserve additional right-of-way along the east side of I-75 to accommodate a 250-foot wide half section. The agreement shall also provide for the applicant to dedicate the property within the reserved area to FDOT for the future expansion of the I-75 right-of-way within 30 days after inclusion of the subject road improvement in the adopted FDOT Work Program. The agreement shall be reviewed as to form by the County Attorney and in proper recordable form and shall be recorded by the applicant in the Public Records of Manatee County prior to Final Site Plan approval.

The applicant shall not be entitled to any impact fee credits from the County for dedication of right-of-way pursuant to this stipulation.

Native trees and shrubs within the original 50 foot buffer shall be preserved and planted until the 250 foot half-section is dedicated to FDOT and required by FDOT for I-75 roadway expansion.

C. ENVIRONMENT

1. Vegetation, Wildlife, and Wetlands

- a. Prior to the first Final Site Plan approval, the developer shall quantify the number and sizes of trees removed to reconfigure the borrow pit and then provide a tree replacement plan. Replacement trees shall be planted prior to the issuance of the first Certificate of Occupancy in either Phase 2 or Phase 5.
- b. In the event that any additional state or federally listed species not already identified are discovered on-site during site development, the developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and Manatee County Planning Department and implement the recommended measures for species protection.
- c. A management plan for removal of nuisance and exotic species shall be developed by the applicant and approved by the Planning Department prior to the first Final Site Plan approval.

- d. The developer will relocate gopher tortoises to other suitable locations on or off site, as approved by the Florida Fish and Wildlife Commission, or contribute money to purchase suitable habitat in accordance with state guidelines and permit requirements.
- e. Wetland buffers shall have signs posted depicting the purpose and intent of the buffer. Sign text and location shall be approved by the Planning Department. The use of pesticides, herbicides, or fertilizers, unless part of an approved nuisance and exotic management plan, shall be prohibited in these buffers and the wetlands they protect.
- f. Prior to issuance of the first Certificate of Occupancy for Phases 2 or 5, the 173 acre preservation area adjacent to Gamble Creek at the confluence with the Manatee River and a conservation easement on an adjacent 21.8 acre site shall be deeded or granted to Manatee County.
- g. An Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Planning Department for review prior to commencement of construction.
- h. The applicant shall provide an updated study consistent with Policy 3.3.2.3 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency shall be provided to the Planning Department for any listed species found on-site, prior to Final Site Plan approval.
- i. Existing native vegetation located within any required landscape buffer shall be preserved to the greatest extent possible. There shall be no overhead or underground power lines, swales, or stormwater facilities within any proposed landscape buffer containing desirable native vegetation with the exception of limited crossings.
- j. Tree and Preservation Area Protection Measures:
 - 1. Tree barricades for trees to be preserved shall be located at the drip line, unless otherwise approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed and shall be clearly shown on the Final Site Plan. Except as set forth in the River Club Park of Commerce Landscape Buffer Tree/Plant Preservation Specifications management plan, the following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by Planning Department.

2. The Applicant shall require all contractors, subcontractors to attend the pre-construction meeting required by Section 508.3.4.7(j), LDC. The purpose of this meeting is to discuss tree protection and to identify trees in the field to be retained and removed. Applicant shall ensure tree barricades remain up during all phases of construction, and penalties for noncompliance or unauthorized tree removal shall apply in accordance with the LDC.
3. The Applicant shall immediately notify the Planning Department in the event that any preserved tree or native vegetation is adversely impacted.
4. The Final Site Plan shall include the following information:
 - a. Tree and native vegetation preservation areas.
 - b. The limits of clearing
 - c. Typical cross section details for all activities within 25' of any preservation areas
 - d. Details and locations of signs (in both English and Spanish) to alert workers of tree and native vegetation protection areas. These signs shall be constructed of weather resistant materials and shall demarcate the boundaries of the protected areas.
5. Tree replacement is required in accordance with the following table:

	Trees Removed	Ratio	Size	Qty
4"-15"	1905	1:1	3" Cal.	1858
16"-30"	312	1:1	3" Cal.	312
Palms	134	1:1		134
Grand Total	2351			2304

1035 – 3" caliper trees and all 134 palms shall be replaced on-site. The remaining 1135 – 3" caliper trees shall be replaced, in order of preference, within other phases of the River Club Park of Commerce DRI or off-site planting locations within the Ever's Watershed. A payment shall be made into the Manatee County Tree Trust Fund for the remaining trees not otherwise mitigated by replanting. All off-site tree replacement locations shall be approved by the Planning Department with the Final

Site Plan.

2. Air Quality

- a. Best Management Practices shall be employed during site preparation and construction to minimize air quality impacts.
- b. Any open burning conducted on site as part of land clearing activities shall require an open burn permit issued by EMD.

3. Water Quality and Storm Water Management

- a. An Integrated Pest Management Plan (IPMP) shall be developed and approved by Manatee County prior to the first Final Site Plan. The IPMP shall address the following items:
 - 1. Fertilizer/pesticide/herbicide/application; and
 - 2. Related quality control and assurance procedures.
- b. The Developer shall encourage the use of water conserving landscapes and the responsible use of water, pesticides and fertilizers by occupants, and the Developer shall participate in the Florida Yards and Neighborhoods Program and follow the guidelines for lawn and landscape maintenance set forth therein.
- c. In order to protect surface water quality, storm water exiting the site shall meet or exceed all applicable State water quality standards.
- d. The design and construction techniques listed below shall be utilized to minimize groundwater contamination:
 - 1. using shallow ponds;
 - 2. ensuring that ponds and swales are properly grassed;
 - 3. setting maximum depth for storm water storage;
 - 4. maintaining a minimum distance between pond bottoms and the top of the confining layer for the Floridian aquifer; and
 - 5. implementation of a site-specific groundwater quality monitoring system.

A training manual shall be developed as part of the IPMP for maintenance personnel and made available on site at all times.

- e. Prior to any site alteration activities associated with the Project, the Developer shall implement a construction/ongoing surface water quality monitoring program approved by Manatee County's Environmental Management Department, the City of Bradenton, and the Southwest Florida Water Management District. The surface water quality monitoring program shall include an identification of the locations, frequency, duration of sampling, parameters to be monitored, collection and

analytical methods, and reporting requirements. All water quality sample collections and laboratory analysis shall be conducted in accordance with NELAP approved methodology. The laboratory performing the analyses shall be certified by the Florida Department of Health and shall have an approved comprehensive quality assurance plan on file with the FDEP. In the event that an overall watershed monitoring program and reporting program is implemented and satisfies the intent of the ongoing surface water monitoring program of this condition, the ongoing surface water quality monitoring program may be discontinued upon the recommendation and approval of such by the County.

The storm water management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The storm water management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment at a minimum of 150% of that required by in Chapter 62-25 and 40D-4, F.A.C.

1. Project shall be required to provide 150% water quality treatment for Braden River/Evers Reservoir .
2. This project shall be required to reduce the calculated pre-development flow rate by twenty- five percent (25%) for all stormwater outfall flow directly or indirectly into Braden River/Evers Reservoir. Modeling shall be used to determine pre- and post- development flows.
3. Existing storage volume in existing wetlands and/or drainage ditches that are proposed to be permanently impacted shall be compensated with equal or greater volume in the proposed stormwater retention pond.
- 4 Routing and modeling of the existing conditions shall be provided with the Drainage Mode and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
5. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.

4. Soils

1. Best Management Practices shall be employed during site preparation and construction to prevent soil erosion.

D. ARCHAEOLOGICAL AND HISTORICAL RESOURCES

1. The discovery of any significant historical or archaeological resources shall be reported to the Florida Division of Historical Resources and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County in accordance with Rule 9J-2.043, F.A.C.
2. Archaeological test excavations by a professional archaeologist shall be conducted on each such site to provide sufficient data to make a determination of significance prior to the commencement of ground-disturbing activities at the site. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource-disturbing activities are allowed to continue.

E. WASTEWATER MANAGEMENT

1. Wastewater shall not be treated on-site or by a private utility.
2. No septic tanks shall be installed on the River Club Park of Commerce site.

F. WATER SUPPLY

1. In the event that the use of reclaimed water is authorized within the Evers Reservoir Watershed and reclaimed water lines are installed adjacent to the site, the Developer shall connect the system and require utilization of this resource to the maximum extent possible for irrigation purposes. In the mean time, irrigation of landscaping shall be limited to the use of well water or storm water.
2. Water-saving devices shall be required in the Project as mandated by Florida Water Conservation Act (Section 553.14, F.S.).
3. For the purpose of potable water conservation, installation of high-efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices shall be required. The water conservation fixtures and measures (low water use toilets, shower heads, and other plumbing fixtures) referenced in the ADA shall be required.
4. The Developer shall maintain all water lines and fire hydrants not dedicated to the County.

G. SOLID/HAZARDOUS WASTE/MEDICAL WASTE

1. In the event that hazardous materials or medical waste are located on the site, they shall be handled in a manner consistent with applicable Federal, State, and

local regulations.

H. ENERGY

1. The energy conservation measures shall include: individual meters for each retail facility; installation of energy saving equipment; regular maintenance of energy saving equipment; architectural design considerations; shielding of building exteriors from the direct effects of the sun to the maximum extent practical with landscaping and reduced lighting and cooling of buildings during non business hours.
2. The Developer shall use xeriscape landscaping wherever possible to reduce both water and energy consumption.

Landscape Plans shall incorporate the preservation of native vegetation and significant amounts of xeriscape landscaping to reduce both water and energy consumption.

3. The Developer shall encourage the use of water conserving landscapes and the responsible use of water, pesticides and fertilizers by occupants; and the Developer shall participate in the Florida Yards and Neighborhoods Program and follow the guidelines for lawn and landscape maintenance set forth therein. These efforts shall be enforced through property owner's associations.

I. OPEN SPACE

1. The Developer shall be responsible for the maintenance of all open space areas within the Project site.

J. PUBLIC SAFETY

1. The Developer shall review the concepts of "fire safe communities" as provided by the Florida Division of Forestry, and Implement all appropriate measures recommended by the East Manatee Fire Rescue District.

K. GENERAL CONDITIONS

1. Nonresidential

- a. The design of the buildings shall be in substantial conformance with the elevations and renderings entered into the record for this case. Any revision shall be reviewed for consistency with Stipulation L(2)a of the amended River Club Zoning Ordinance No. PDMU-99-02(G)(R3).

All sides of buildings shall have minimal blank wall space. In order to ensure that the structures do not project a massive blank wall, design elements including prominently visible architectural details (e.g. bumpouts, reveals, and projecting ribs, cornices, offset building planes, windows, shutters, or areas of contrasting or different finishing building

materials, etc.) shall be integrated into the overall design of the buildings. Blank walls shall be no longer than 20 feet in length in any direction. Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass stucco, ceramic tile, stone, wood or similar materials. Painted or exposed concrete block shall not be permitted. All exterior facades shall be considered primary facades and shall employ architectural, site, and landscape design elements which are integrated with and common to those used on the primary facades in the development.

- b. All roof mounted H.V.A.C. mechanical equipment visible from I-75, S.R. 70, the internal collector street and adjacent residential shall be screened if visible with a parapet wall or other noise deflecting materials, which shall be consistent with the construction materials of the main buildings..
- c. The dumpster(s) shall be screened with building materials matching the principal buildings on site. Additionally, the dumpster(s) shall be a minimum of 10 feet from the building or protected by a fire sprinkler.
- d. The lowest quality water possible shall be used for irrigation. In ground irrigation using Manatee County public potable water supply shall be prohibited.
- e. All exterior facades of the outparcels shall be considered primary facades and shall employ architectural, site, and landscaping design elements which are integrated with and common to those used on the primary structure in the development.
- f. Bicycle parking facilities with the inverted "U" style rack shall be provided for each individual project. These facilities shall be available at all structures in the development and be conveniently located to the entrances of the primary structures and in clear view of the main entries.
- g. Lights for the facility shall be designed in accordance with Section 709 of the Land Development Code. A photometric plan shall be submitted to the Planning Department along with the Final Site Plan for approval.
- h. To the maximum extent possible, existing indigenous vegetation shall remain with the required landscape buffers and be utilized to meet the buffering and screening requirements.
- i. No detention or retention ponds shall be constructed within landscape buffers or greenbelts.
- j. The maximum building height shall be 35 feet, with the exception of the hotel or office use, which shall not exceed 4 stories.

Buildings within 100 feet of I-75 or S.R. 70 shall not exceed 30 feet in height, except for hotels and office buildings, which shall comply with the

minimum front yard setback (or landscape buffer) specified on the GDP, plus 25 feet for each story over 2.

- k. Commercial in Phases 2 and 5 shall be limited to the following uses with the following uses listed in Figure 6-1 of the Land Development Code:

1. Retail Commercial Uses listed as permitted or administratively permitted in the General Commercial zoning district, with the exception of Farm Equipment and Supply Establishments and Motor Vehicle, MH/RV Sales, Rental and Leasing Establishments.
2. Banking, Business and Health Services (except Hospitals and Nursing Homes), Hotels, Offices, Car Washes, Dry Cleaners, Small and Medium Printing, Personal Establishment, Rental and Repair Service Establishments, Neighborhood Serving Motor Vehicle Repair Establishments, Medium Intensity Recreational Facilities.

- l. The design and shielding of any on-site lighting shall comply with Section 709.2.2. In addition, building mounted lights shall be limited to 25 feet in height and directed to the interior of the development using horizontal cut-off fixtures. A photometric plan shall be submitted to the Planning Department along with the Final Site Plan for approval.

2. Buffers and Fences

- a. The perimeter buffer along I-75 and S.R. 70 shall be a minimum of 50 Feet in width. Unless otherwise approved by the Planning Department, existing native trees and shrubs within the buffers along I-75 and S.R. 70 shall be preserved. Additional canopy trees shall be planted within buffer areas that are substantially void of trees, or where the base of the trees closer than 50 feet apart do not already exist. Where new trees are required, they shall be installed for the entire development phase prior to the Certificate of Occupancy if platting is not required for each phase. Trees shall be at least 2½ inch caliper at time of installation. No detention or retention pond shall be constructed within landscape buffers or greenbelts.
- b. Chain link fences shall not be visible from I-75.
- c. An eight foot high solid wall shall be installed within the 30 foot buffer in Phase 5, north from the borrow pit to where the main internal road crosses the FP&L easement prior to the first Certificate of Occupancy for the Project. This requirement may be waived or modified by the Planning Department if the applicant installs a similar wall on the east side of the FP&L easement pursuant to the applicant's agreement with the Braden Woods Homeowner's Association dated September 16, 1999 and referenced in Section 3.D of the approved General Development Plan Ordinance.

3. Signs

1. Freestanding pole signs shall be limited to the following:
 - a. One 20' pole sign facing S.R. 70.
 - b. One 20' pole sign facing I-75.
 - c. One monument ground sign per building for out parcels along S.R. 70 and the Main Internal Road in compliance with Section 737.5.3.3.

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 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. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a project in the Mixed Use Future Land Use Category, in the Evers Watershed Overlay District, and in an Entranceway. This Special Approval shall continue in effect until it expires concurrent with the Preliminary Site Plan for the Project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for alternatives to Sections 710.2.17.2, 714.8, and 715.3.1.d of the Land Development Code.

Section 5. 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 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 27th day of September, 2007.

BY: BOARD OF COUNTY
COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY: Cathy Stein

Chairman

ATTEST:

R. B. SHORE
Clerk of the Circuit Court

BY: R. B. Shore

Deputy Clerk



EXHIBT "A"
LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1

THAT PORTION OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF RANCH LAKE PLAZA, AS RECORDED IN PLAT BOOK 37, PAGES 1 – 6, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE RUN N 01°11'43" E ALONG THE WESTERLY LINE OF SAID RANCH LAKE PLAZA, 685.74 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) S 19°39'57" W, 12.41 FEET; 2) N 70°20'03" W, 16.51 FEET TO THE POINT OF BEGINNING; THENCE S 19°39'57" W, 267.45 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE NORTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 203.14 FEET, CHORD BEARING S 42°13'20" W, 197.93 FEET; THENCE S 64°46'42" W, 7.71 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE SOUTHEAST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 383.04 FEET, CHORD BEARING S 32°41'33" W, 363.33 FEET; THENCE S 00°36'23" W, 140.10 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE NORTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 396.78 FEET, CHORD BEARING S 44°39'50" W, 358.82 FEET; THENCE S 88°43'17" W, 989.64 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 93 (I-75); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: 1) N 03°12'44" E, 364.42 FEET; 2) ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEAST, HAVING A RADIUS OF 5635.58 FEET, AN ARC OF 951.38 FEET; CHORD BEARING N 09°44'51" E, 950.25 FEET; 3) N 37°47'42" E, 221.34 FEET; 4) N 84°10'55" E, 221.34 FEET; 5) S 72°37'29" E, 748.74 FEET; 6) S 70°20'03" E, 443.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 41.38 ACRES MORE OR LESS

PARCEL 2:

THAT PORTION OF SECTIONS 13 & 24, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF RANCH LAKE PLAZA, AS RECORDED IN PLAT BOOK 37, PAGES 1 – 6 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALSO BEING THE NORTHWEST CORNER OF LOT 554, BRADEN WOODS SUBDIVISION, PHASE V, AS RECORDED IN PLAT BOOK 22, PAGES 97 – 106 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE RUN ALONG THE WESTERLY BOUNDARY OF SAID BRADEN WOODS SUBDIVISION THE FOLLOWING FOUR (4) COURSES: 1.) N 70°20'03" W, 30.00 FEET; 2.) S 28°55'06" W, 464.42 FEET; 3.) S 01°11'43" W, 1,286.17 FEET; 4.) S 00°36'23" W, 231.86 FEET; THENCE N 89°23'37" W, 275.00 FEET; THENCE N 74°33'00" W, 314.69 FEET; THENCE N 02°11'41" W, 1,315.98 FEET; THENCE N 88°43'17" E, 227.38 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHWEST HAVING A

RADIUS OF 342.00 FEET, AN ARC OF 535.96 FEET, CHORD BEARING N 44°39'50" E, 475.64 FEET; THENCE N 00°36'23" E, 140.10 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEAST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 288.96 FEET, CHORD BEARING N 32°41'33" E, 274.09 FEET; THENCE N 64°46'42" E, 7.71 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHWEST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 240.93 FEET, CHORD BEARING N 44°35'35" E, 235.98 FEET; THENCE ALONG A REVERSE CURVE TO THE RIGHT, CONCAVE SOUTHEAST HAVING A RADIUS OF 28.10 FEET, AN ARC OF 41.81 FEET, CHORD BEARING N 67°02'33" E, 38.06 FEET TO THE WESTERLY BOUNDARY LINE OF AFORESAID RANCH LAKE PLAZA; THENCE ALONG SAID WESTERLY LINE S 01°11'43" W, 388.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 23.99 ACRES MORE OR LESS

PARCEL 3:

TOGETHER WITH A PERMANENT NON-EXCLUSIVE VEHICULAR AND PEDESTRIAN ACCESS EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 OVER, UNDER AND ACROSS THE PROPERTY DESCRIBED AS EXHIBIT "D" OF THAT CERTAIN ACCESS EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1642, PAGE 2339, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 4:
ACCESS EASEMENT

THAT PORTION OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF RANCH LAKE PLAZA, AS RECORDED IN PLAT BOOK 37, PAGES 1 – 6 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE RUN N 01°11'43" E ALONG THE WESTERLY LINE OF SAID RANCH LAKE PLAZA, 388.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE LEFT, CONCAVE SOUTHEAST, HAVING A RADIUS OF 28.10 FEET, AN ARC OF 41.81 FEET, CHORD BEARING S 67°02'33" W, 38.65 FEET; THENCE ALONG A REVERSE CURVE TO THE RIGHT, CONCAVE NORTHWEST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 240.93 FEET, CHORD BEARING S 44°35'35" W, 235.98 FEET; THENCE S 64°46'42" W, 7.71 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE SOUTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 288.96 FEET, CHORD BEARING S 32°41'33" W, 274.09 FEET; THENCE S 00°36'23" W, 140.10 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE NORTHWEST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 525.96 FEET, CHORD BEARING S 44°39'50" W, 475.64 FEET; THENCE S 88°43'17" W, 894.32 FEET; THENCE N 01°15'18" E, 84.08 FEET; THENCE N 88°43'17" E, 890.60 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 396.78 FEET, CHORD BEARING N 44°39'50" E, 358.82 FEET; THENCE N 00°36'23" E, 140.10 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEAST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 383.04 FEET, CHORD BEARING N 32°41'33" E, 363.33 FEET; THENCE N 64°46'42" E, 7.71 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 203.14 FEET, CHORD BEARING N 42°13'20" E, 197.93 FEET; THENCE N 19°39'57"

E, 267.45 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES; 1.) S 70°20'03" E, 16.51 FEET; 2.) N 19°39'57" E, 12.41 FEET TO THE AFORESAID WESTERLY LINE OF RANCH LAKE PLAZA; THENCE S 01°11'43" W ALONG SAID WESTERLY LINE, 297.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.41 ACRES MORE OR LESS

CONTAININ IN PARCELS 1, 2, & 4, TOTALING 69.78 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

October, 2007

R.B. SHORE
Clerk of Circuit Court

By: G. Acaredo D.C.



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

October 11, 2007

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

FILED FOR RECORD
R. B. SHORE

2007 OCT 22 AM 8:34

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

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 October 3, 2007 and certified copies of Manatee County Ordinance Nos. 07-66, PDR-06-71(P), PDC-05-40(P)(R), PDMU-99-02(P), PDMU-97-05(P)(R3), Z-06-14, 07-30, Z-06-16, Z-07-01, Z-07-10, PDR-06-10(Z)(P), PDMU-06-80(G) and PDR-06-08(Z)(P) which were filed in this office on October 8, 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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