

702

2011.10.10 PM 3:31
MANATEE COUNTY FLORIDA

MANATEE COUNTY ORDINANCE
PDR-04-01(P)(R) – RIVER'S REACH (FKA: WATER'S EDGE) (DTS #20110162)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE NO. PDR-04-01(P) AND THE PRELIMINARY SITE PLAN FOR THE RIVER'S REACH SUBDIVISION TO: 1. INCREASE THE NUMBER OF SINGLE-FAMILY RESIDENTIAL LOTS FROM 257 TO 326 (69 ADDITIONAL LOTS), 2. MODIFY THE OVERALL GROSS DENSITY FROM 1.03 DWELLING UNITS PER ACRE TO 1.31 DWELLING UNITS PER ACRE, 3. MODIFY PHASE 1 LOT SIZES FROM 80' WIDE TO A MINIMUM OF 52' AND MODIFY THE FRONT AND SIDE YARD SETBACKS, 4. RELOCATE EXISTING RECREATIONAL AMENITIES IN PHASE 2; AND 5. CHANGE EXISTING STIPULATIONS TO REFLECT THE ABOVE, UPDATE DEPARTMENTAL REFERENCES, AND REFLECT CURRENT STANDARDS. THE RIVER'S REACH SUBDIVISION (249.17+ ACRES) IS WITHIN THE PDR/NCO (PLANNED DEVELOPMENT RESIDENTIAL/NORTH CENTRAL OVERLAY) ZONING DISTRICT. THE SITE IS NORTH OF THE MANATEE RIVER ON THE WEST SIDE OF NORTH RYE ROAD, IN PARRISH; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, River's Reach Associates, LLC, Neal Communities of Southwest Florida, LLC, and Richard and Melanie Knowles (the "Applicants") filed an application for a revised Preliminary Site Plan for approximately 249.17 acres described in Exhibit "A", attached hereto, (the "Property") to amend Ordinance PDR-04-01(P) and the Preliminary Site Plan for the River's Reach Subdivision to: 1. Increase the number of single-family residential lots from 257 to 326 (69 additional lots), 2. Modify the overall gross density from 1.03 dwelling units per acre to 1.31 dwelling units per acre, 3. Modify Phase 1 lot sizes from 80' wide to a minimum of 52' and modify the front and side yard setbacks, 4. Relocate existing recreational amenities in Phase 2; and 5. Change existing stipulation to reflect the above, update departmental references, and reflect current standards; the River's Reach Subdivision is within the PDR/NCO (Planned Development Residential/North Central Overlay) zoning district and is located on the west side of North Rye Road, Parrish; and

WHEREAS, the applicant also filed a request for Special Approval for a project: 1) within the Coastal Evacuation Area Overlay District; 2) adjacent to a perennial stream; 3) partially within the Coastal High Hazard Area; and 4) for a density exceeding 1 dwelling unit per acre in the UF-3 Future Land Use Category; and

WHEREAS, the applicant also filed a request for Specific Approval for an alternative to LDC Sections 712.2.8, 714.8.7, and 604.10.3.5; and

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

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on October 13, 2011 to consider the amended Ordinance and Preliminary Site Plan,

received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

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

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

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

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

- A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for an amended Zoning Ordinance 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 November 3, 2011 regarding the proposed amended Ordinance described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, (the Manatee County Land Development Code), and has further considered the information received at the public hearing.
- C. The proposed revised Zoning Ordinance 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.
- D. For the purposes of granting Special Approval, the Board finds that the project, as detailed on the Preliminary Site Plan and as conditioned herein, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.
- E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 604.10.3.5, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because the 30' buffer with the three rows of trees and hedge will meet the intent of the Code.
- F. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 712.2.8, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree access will be provided to emergency providers and an alternative exit will be available to the residents.
- G. Notwithstanding the failure of this plan to comply with the requirements of LDC Section

714.8.7, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree.

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

STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. The 30 foot roadway buffer along North Rye Road shall be planted with three rows of trees (first row planted with understory trees, second row planted with canopy trees, and the third row planted with understory trees) spaced 40 feet on center, with 33 shrubs per 100 linear foot. The buffer shall be installed for the entire Rye Road frontage prior to the approval of a record plat for the 100th dwelling unit in Phase 1. The Environmental Planning Division (EPD) of the Building and Development Services Department shall review the design with the Final Site Plan, if found appropriate by NRD, the type or quantity of trees may be revised.
2. The greenbelt buffers shall be a minimum of 20 feet wide.
3. Unless otherwise approved by Environmental Planning Division, at time of Final Site Plan approval, existing native vegetation shall be preserved to meet screening requirements.
4. Recreational acreage must total a minimum of 7 acres as shown on the PSP. Recreational amenities shall include a tot lot, sand volleyball court, canoe/kayak launch, and nature trail. All recreational amenities shall be located outside of the floodway with the exception of the nature trail, sand volleyball court, playground equipment, and canoe/kayak launch. Final locations shall be depicted on the Final Site Plan and shall be approved by the Building and Development Services Department prior to Final Site Plan approval. A revised Final Site Plan shall be submitted for the relocated recreational amenities in Phase 2. The recreational amenities shall be constructed in substantial compliance with the graphic attached hereto as Exhibit B.
5. The tot lot may contain commercial grade playground equipment, a minimum of two benches, bicycle rack, and 5 canopy trees (existing trees may be utilized to fulfill this requirement). All amenities shall be depicted on the Final Site Plan.
6. A fence with a gate for access, meeting the requirements of LDC Section 715.3.2.c.2, shall be installed around the cemetery. This shall be depicted on the Final Site Plan and installed prior to Final Subdivision Plat approval for Phase I.
7. Pedestrian and equestrian trail facilities shall be provided along Rye Road for the length of the project. The type of construction and construction details shall be determined at time of Final Site Plan.
8. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions,

and in separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners of the presence of inter-neighborhood ties along the north and west property lines extending into the River Chase Subdivision, and that traffic from the surrounding properties, when developed, may use the roads within this development and that the southern-most access onto North Rye Road shall be utilized as an exit for the residents of River's Reach and for emergency purposes only. The access is not proposed as an entrance point.

9. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners of the presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
10. No lots shall be platted through any greenbelt, landscape buffer, retention pond, wetland, or wetland buffer, except for Phase 2_Lots 105, 106, and Phase 3 Estate Lot 165 as shown on the Preliminary Site Plan.
11. No detention or retention ponds shall be constructed within the landscape buffers or greenbelts.
12. If a fence is utilized for any of the landscape buffers, all required landscaping shall be planted on the exterior side of the fence.
13. All buildings on perimeter lots along North Rye Road shall be constructed in accordance with the North Central Overlay District as outlined in the Land Development Code. Any pool cages or other screened cages along North Rye Road shall utilize materials of a dark color such as black or bronze. This condition shall be reflected in the covenants and restrictions for the subdivision.
14. All trees removed as a result of the floodplain compensation lake on Phase 2 Lots 105 and 106 shall be replaced pursuant to Section 714 of the LDC.
15. The parking lot for the recreation area and the nature trail shall be on common property, outside of any lot. The location shall be reviewed and approved by the Planning Department with the Final Site Plan.
16. Phase 2_Lots 105 and 106 shall meet the minimum lot widths at the street lot line and the 120' minimum building setback line. This requirement shall be reviewed and verified by the Building and Development Services Department prior to Final Site Plan approval.
17. A 23' front yard setback shall be permitted for the front loaded garages in Phase 1 so long as a minimum 2' grass strip is provided between the lot line and the 5' sidewalk (see attached Exhibit C).
18. The southern-most access on North Rye Road shall be utilized as an exit for the residents of Rivers Reach as well as for emergency purposes. The final design of the access point shall be reviewed and approved with the Final Site Plan. The access shall

be constructed in compliance with Manatee County Standards, installed, at a minimum, an asphaltic concrete surface course of 1-3/4" thickness, a 6" base and a 6" sub-base, with two 12' travel lanes prior to the approval of a record plat for the 100th dwelling unit in Phase 1. The gates shall swing or slide so as not to intrude on the adjacent lots.

19. A minimum 10' wide pedestrian easement shall be recorded on those lots where the nature trail is proposed.

B. ENVIRONMENTAL CONDITIONS:

1. Prior to Final Subdivision Plat approval, a Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County in accordance with LDC Section 719.11.1.3.
2. Minimum 50' wetland buffers shall be provided adjacent to the Manatee River. Areas with existing improvements within the required 50' wetland buffer shall provide wetland buffers where available and the remaining balance shall be compensated at a 1:1 ratio.
3. Boardwalks and nature trails located within wetlands or wetland buffers shall be consistent with Section 719 of the Manatee County Land Development Code. Nature trails and boardwalks located in other areas where native vegetation is to remain shall be designed in a manner that minimizes impacts to trees or areas of significant vegetation. The location of the proposed boardwalks shall be flagged in the field and approved by the SWFWMD and the Building and Development Services Department prior to Final Site Plan approval.
4. The site shall be re-evaluated for the presence of listed species prior to Final Site Plan approval.
5. The developer shall provide a copy of the approved SWFWMD permit prior to Final Site Plan approval.
6. Tree barricades for trees to be preserved shall be located at the drip line unless otherwise approved by the Building and Development Services Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the tree barricades shall remain undisturbed. 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 or other material as approved by the Building and Development Services Department.
7. An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides and herbicides shall be submitted to the EPD for review and approval prior to Final Site Plan approval. Where practicable, native, xeriscape landscape materials shall be utilized in common areas. In addition the developer shall encourage individual homeowner's to participate in the Florida Yards and Neighborhood Program by disseminating program information to individual lot owners.

8. A Well Management Plan shall be submitted to the NRD for review and approval prior to Final Site Plan approval. If applicable, a copy of all WUPs shall be submitted with the Well Management Plan.
9. A Construction Water Quality Monitoring Program and proposed sampling locations shall be submitted to the NRD with the Erosion and Sediment Control Plan required for this project.
10. Prior to Final Site Plan approval, the entire site shall be evaluated for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative measures.
11. Prior to development-related land clearing activities (including exotic plant and citrus removal), the Building and Development Services Department shall be notified and all applicable County approvals must be obtained.
12. If burning of trees or branches is required for land clearing, a burn permit must first be obtained.
13. No lots, except for Phase 2 Lots 105, 106, and Phase 3 Estate Lot 5 (as shown on the Preliminary Site Plan) which contain existing structures, shall be platted through wetlands or wetland buffers. No docks, with the exception of the canoe/kayak launch, shall be permitted.
14. Street Trees
 - a. Canopy trees within 10' of a public sidewalk shall meet Manatee County Public Works Standard Section 301.0 and Exhibit 301.1 entitled "Sidewalk Location Close to Trees". All sidewalks on the right of way within 10' of an existing or proposed tree that will exceed 6" in diameter at maturity shall be 5" thick and contain 2-#3 rebar centered vertically and spaced 3' on center. Palms are not considered trees.
 - b. If within ten (10') ft. of the tree trunk, potable water service lines shall have 48 inches of cover from top of pipe from the meter to the home connection; or, as an alternative, the water line may be installed at 18 inches with a polyethylene service pipe conforming with AWWA C-901.
 - c. Where within ten (10') ft. of the tree trunk, irrigation service lines from the street shall have 48 inches of cover from top of pipe to valve, or, as an alternative, the irrigation line may be installed at 18 inches with a polyethylene service pipe conforming with AWWA C-901. Irrigation valves shall be located as far as possible from the regulated street tree location to minimize impacts to this infrastructure.

- d. Since "understory" trees are not being utilized, the Notice to Buyers and the Homeowners documents or Deed restrictions governing the development shall state that the maintenance of street trees shall be the responsibility of the property owner, including, without limitation, proper root pruning to avoid interference of the tree's roots with sidewalks, utilities, foundations or other improvements constructed on the lots due to the natural growth of street trees.

C. FLOODPLAIN MANAGEMENT AND DRAINAGE CONDITIONS:

1. No lots shall be platted through the pre-development 25-year floodplain or the regulatory floodway. The area south of the floodway shall be dedicated to the County as a conservation easement. This area may be used for passive recreation. A conservation easement in a form acceptable to the County Attorney's Office shall be submitted for review and approval prior to Final Plat approval. The Final Site Plan shall reflect the relocation of the proposed lots in the pre-development 25-year floodplain to an area outside of the pre-development 25-year floodplain. These revisions may include shifting of the lots to maintain a maximum of 1.031 dwelling units per acre, and any necessary changes to roadways, which do not affect the external access points. These revisions may be made administratively and will not require an amendment to the Preliminary Site Plan. No floodplain compensation areas shall be located within the FEMA floodway.

The existing single-family homes and accessory structures on Phase 2_Lots 105, 106, and Phase 3 Estate Lot 5 shall be exempt from this requirement.

2. Final engineering drainage design must be approved prior to Final Site Plan approval, including the following:
 - a.) A no-rise permit will be required for all encroachment within the FEMA 100-year floodway of the Manatee River. Any existing or proposed structures within the floodway shall be modeled.
 - b.) Any fill within the 25-year or 100-year floodplains of the Manatee River shall be compensated by the creation of an equal or greater storage volume above seasonal high water table.
 - c.) There shall be a full 25-year attenuation on all stormwater ponds within the development.
 - d.) The tailwater condition for Manatee River shall be based on existing 25-year floodplain map and any other available recent study information on the river at the project site as approved by Manatee County Stormwater Division.
3. The Drainage Model and Construction Plans shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and site runoff.
4. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along Goddard Creek within the project boundaries. In

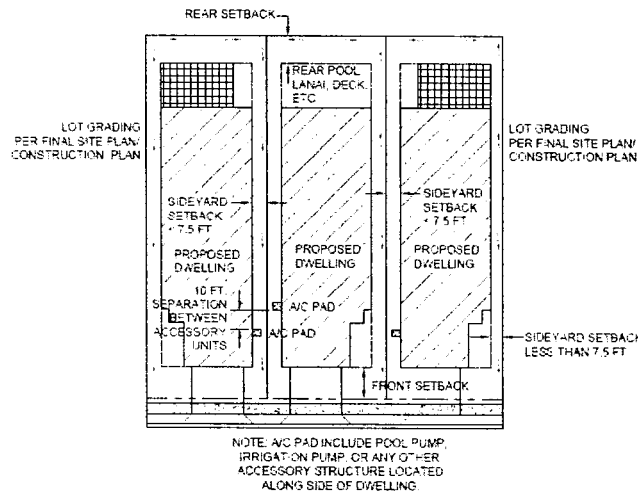
addition, a 25 foot wide Drainage Maintenance and Access Easement shall be dedicated on at least one side of Goddard Creek. The developer shall include in the Notice to Buyers that Manatee County has no obligation relative to Goddard Creek to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of the stream bed.

5. The following information shall be included within the Notice to Buyers: "Please be advised that the banks of the Manatee River are prone to severe erosion and washouts. Manatee County will not be responsible for any property damage caused by severe rain events and will not be responsible for repairing erosion or washouts caused by such events."
6. All paths and recreation areas within the floodway shall not be constructed utilizing loose materials or collapsible structures. The type of material will be approved by EPD and the Stormwater Management Division prior to Final Site Plan approval.
7. Any roadway construction within the 100-year floodplain shall be elevated above the 100-year contour elevation.
8. All waste water manhole rims, service clean-outs, lift station wet well and valve rims, service clean-outs, lift station wet well and valve vault covers shall be set 12 inches above the 25-year floodplain or 4 inches above the 100-year flood elevation, whichever is higher. However, the Project Management Department may approve service cleanouts and manhole rims installed no lower than 4" above the 25-year flood elevation. Design drawings must demonstrate tamper proof water tight manholes and cleanouts. Lift stations hatches shall be at least 4" above the 100-year elevation or 12" above the 25-year flood elevation, whichever is greater.
9. Phase 2 Lots 105 and 106 shall be accessed via a private driveway in accordance with the drawings submitted into the record. The private driveway shall be constructed of a stabilized dust-free surface, and all driveway entrances shall comply with spacing limitation and criteria of the Land Development Code. A Notice to Buyer shall be recorded for Phase 2 Lots 105 and 106 confirming a restrictive covenant which precludes utilization of the floodplain compensation lake in any manner inconsistent with agency permits or requirements of Manatee County. At its option, enforcement of such restrictive covenant may be pursued by Manatee County, and the Notice to Buyer and homeowner's association documents will confirm such restrictive covenant and enforcement rights.

In addition to the above, a conservation easement, in a form acceptable to the County Attorney's Office, shall be provided to the County prior to Final Plat approvals for any floodplain compensation areas on non-common property. The easement shall prohibit the alteration of these floodplain compensation areas.

10. Floodplain compensation shall be provided in sole-use compensation areas.
11. The 100-year floodplain and floodway lines on this property shall be certified by a registered land surveyor prior to Final Site Plan Approval.

12. There shall be a minimum of ten (10) foot separation between accessory equipment and structures alongside adjoining houses with a 6 foot side yard setback.



D. INFRASTRUCTURE CONDITIONS:

1. The applicant shall be responsible for bringing County water and sewer to the site, including Phase 2 Lots 105 and 106. This approval is contingent upon the site being served by public utilities.
2. The applicant shall install dry lines for hook-up to future reuse lines and shall be provided for the entire subdivision, for both common area irrigation and single lot irrigation. At such time that reclaimed lines become available, use of stormwater or groundwater for irrigation shall be converted to reclaimed lines.

E. PUBLIC SAFETY AND TRANSPORTATION CONDITIONS:

1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners in the project of the Hurricane Evacuation Plan approved by the Public Safety Department for this project.
2. Notices to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language to informing prospective homeowners in the project that this project is downstream of the Lake Manatee Dam, and that the dam is not designed or intended to be operated as a flood control device. Manatee County routinely releases water from the reservoir in anticipation of and during heavy rain events. In the worst case scenario, waters released from the dam, when combined with waters from storm events, may exceed the mapped 25-year and 100-year floodplains. This project has been designed to account for the 100-year storm event. In the worst case scenario, your property, similar to other properties in Manatee County, may flood.

3. If at time of Final Subdivision Plat approval, the River Chase Subdivision [PDR-01-09(P)(R)] to the west is not revised by the Board of County Commissioners to require the western inter-neighborhood tie, this inter-neighborhood tie will not be required of River's Reach (fka: Water's Edge).

Section 3. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

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

Section 5. 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 3rd day of November, 2011.

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

BY: _____

Carol Whitmore, Chairman

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

BY: _____

Deputy Clerk



EXHIBIT "A"

Description as shown in Official Record Book 1856, Pages 2054 & 2056:

- A) The Southwest 1/4 of the Northeast 1/4;
- B) Also the South 1/2 of Northwest 1/4 of Northeast 1/4;
- C) Also the South 1/2 of the Northeast 1/4 of Northeast 1/4;
- D) Also a Parcel described as follows:

BEGIN (Commence) at the Northeast corner of Section 14, Township 34 South, Range 19 East; thence S.00°07'49"W., along the East line of said Section 14, 1330.10 feet to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 14 for a Point of Beginning; thence continue S.0°07'49"W. along the East line of said Section 14, 470.00 feet; thence S.89°00'45"W., 1326.85 feet to the west line of the Southeast 1/4 of the Northeast 1/4 of said Section 14; thence N.00°07'28"W. along the west line of the Southeast 1/4 of the Northeast 1/4 of said Section 14, 481.36 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 14; thence N.89°30'23"E along the north line of the Southeast 1/4 of the Northeast 1/4 of said Section 14, 1328.71 feet to the Point of Beginning. The preceding land described, lying and being in the north half of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 34 South, Range 19 East, County of Manatee, State of Florida.

All in Section 14, Township 34 South, Range 19 East.

- E) Also a parcel in Section 13, Township 34 South, Range 19 East, described as follows:

Begin (Commence) at the Northwest corner of Section 13, Township 34 South, Range 19 East, thence S.00°07'49"W., along the west line of said Section 13, 665.05 feet for a Point of Beginning; thence continue S.00°07'49"W. along the west line of said Section 13, 1135.046 feet; thence N.89°00'45"E., 328.81 feet to the center line of Rye Bridge Road, said road having a 60-foot right of way as found in the field by maintenance; thence N.13°42'45"W. along the center line of said road, 1163.03 feet; thence S.89°25'27"W., 50.48' to the Point of Beginning. LESS the westerly one-half of the above described Rye Bridge Road for right of way purposes. The preceding land described lying and being in the Northwest 1/4 of Section 13, Township 34 South, Range 19 East, County of Manatee, State of Florida, and containing 4.94 Acres including the acreage contained in the westerly one-half of the above described Rye Bridge Road.

- F) The Northwest 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East, in Manatee County, Florida.

G) Commencing at the Concrete Monument located at the Northeast corner of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East; thence S.89°50'07"W. along the northerly line of Southwest 1/4 of Southeast 1/4 of said Section 14, a distance of 105 feet to a Concrete Monument for a Point of Beginning; thence S.00°07'28"E., and parallel to the easterly line of said Southwest 1/4 of Southeast 1/4, 332 feet to a Concrete Monument; thence continue S.00°07'28"E. and parallel to said easterly line, 28 feet more or less to the northerly shore line of Manatee River; thence northwesterly along said northerly shore line to its intersection with said northerly line of Southwest 1/4 of Southeast 1/4; thence N.89°50'07"E. along said northerly line of the Southwest 1/4 of the Southeast 1/4, 85.80 feet more or less to the Point of Beginning; lying and being in the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East, Manatee County, Florida.

H) BEGIN at the Northwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East; thence WEST, along the north line of the Southwest 1/4 of the Southeast 1/4 of said Section 14, a distance of 105 feet; thence go SOUTH, 900 feet; thence EAST, 765 feet to a point on the west line of the East 1/2 of the above mentioned Southeast 1/4 of the Southeast 1/4 of Section 14; thence NORTH, along said west line, 900 feet to a point on the north line of said Southeast 1/4 of the Southeast 1/4 of Section 14; thence WEST, along said north line, 660 feet to the Point of Beginning LESS that part of said land lying south of the Manatee River

I) Commencing at a Concrete Monument located at the northwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East, for a Point of Beginning; thence S.00°22'45"E. along the westerly line of the Southwest 1/4 of the Southeast 1/4 of said Section 14, 7 feet more or less to the northerly shoreline of Manatee River; thence northeasterly along said northerly shoreline to its intersection with the northerly line of said Southwest 1/4 of the Southeast 1/4; thence S.89°50'07"W. along said northerly line of the Southwest 1/4 of the Southeast 1/4, 13 feet, more or less to the Point of Beginning. Lying and being in the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East.

J) That portion of the peninsular shaped tract of land lying in the East 220 feet of the Southwest 1/4 of Section 14, Township 34 South, Range 19 East, bounded on the south by the northerly shoreline of the Manatee River and bounded on the north by the southerly shoreline of the Manatee River, more particularly described as follows: Commencing at the southeast corner of the Southwest 1/4 of Section 14, Township 34 South, Range 19 East, thence N.00°22'45"W, 1322.46 feet to a Concrete Monument, said Concrete Monument being the southeast corner of the Northeast 1/4 of said Southwest 1/4 for a Point of Beginning; thence continuing N.00°22'45"W. along the east line of said Southwest 1/4, 388.02 feet to a Concrete Monument; thence continuing along the said east line 4 more or less to the intersection of the southeasterly shoreline of the Manatee River; thence southwesterly along said shoreline to the intersection of the west line of the east 220 feet of said Southwest 1/4 and the southerly shoreline of said Manatee River; thence S.00°22'45"E. 32 more or less to a Concrete Monument, said monument lying on the south line of the Northeast 1/4 of said Southwest 1/4; thence continue S.00°22'45"E along said west line 86 more or less to the northerly shore of said Manatee River; thence northeasterly along said shoreline to the intersection of the aforementioned east line of said Southwest 1/4; thence N.00°22'45"W 7 more or less to the Point of Beginning All of the preceding described lands situated and being in the Southwest 1/4 of Section 14, Township 34 South, Range 19 East, Manatee County, Florida

K) LESS the following described portions of the above described properties:

Parcel A:

That part of the Northwest 1/4 of the Southeast 1/4 of Section 14, Township 34 South, Range 19 East, lying south of Manatee River.

Parcel B:

All of that part of the Northwest 1/4 of the Southeast 1/4 lying west of the Manatee River; Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 lying west of the Manatee River; Section 14, Township 34 South, Range 19 East, Manatee County, Florida.

Description (taken from Title Commitment):

Property located in Sections 13 and 14, Township 34 South, Range 19 East, Manatee County, Florida, described as follows:

In Section 14: L) The Northeast 1/4 of the Southeast 1/4; M) The East 1/2 of the Southeast 1/4 of the Southeast 1/4,

LESS that part lying south of the Manatee River;

N) The Southeast 1/4 of the Northeast 1/4, LESS that part lying within the following described property:

SAME AS D ABOVE) BEGIN (Commence) at the Northeast corner of Section 14, Township 34 South, Range 19 East; thence S.0°07'49"W., along the East line of said Section 14, 1330.10 feet to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 14 for a Point of Beginning; thence continue S.0°07'49"W. along the East line of said Section 14, 470.00 feet; thence S.89°00'45"W., 1326.85 feet to the west line of the Southeast 1/4 of the Northeast 1/4 of said Section 14; thence N.00°07'28"W. along the west line of the Southeast 1/4 of the Northeast 1/4 of said Section 14, 481.36 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 14; thence N.89°30'23"E along the north line of the Southeast 1/4 of the Northeast 1/4 of said Section 14, 1328.71 feet to the Point of Beginning.

P) In Section 13: That portion of Section 13 lying west of Rye Bridge Road, north of the Manatee River and south of the property described as follows:

SAME AS E ABOVE) Begin (Commence) at the Northwest corner of Section 13, Township 34 South, Range 19 East, thence S.00°07'49"W., along the west line of said Section 13, 665.05 feet for a Point of Beginning; thence continue S.00°07'49"W. along the west line of said Section 13, 1135.046 feet; thence N.89°00'45"E., 328.81 feet to the center line of Rye Bridge Road, said road having a 60-foot right of way as found in the field by maintenance; thence N.13°42'45"W. along the center line of said road, 1163.03 feet; thence S.89°25'27"W., 50.48' to the Point of Beginning. LESS the westerly one-half of the above described Rye Bridge Road for right of way purposes. The preceding land described lying and being in the Northwest 1/4 of Section 13, Township 34 South, Range 19 East, County of Manatee, State of Florida, and containing 4.94 Acres including the acreage contained in the westerly one-half of the above described Rye Bridge Road.

LESS parcel to Manatee County for road right-of-way in Official Record Book 1663, Page 6101, Public Records of Manatee County, Florida.

LESS parcel described in Exhibit A-1 attached hereto.

No Documentary Stamp Tax is being paid on this transfer of unencumbered real property from the limited liability company grantor to an existing limited liability company solely owned by the grantor as additional capital contribution and not in exchange for any consideration of any type. Beneficial ownership of the real property before and after this transfer remains the same.

DESCRIPTION OF PROPOSED KNOWLES PARCEL #2:

A parcel of land lying in Section 14, Township 34 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 14; thence S.00°37'38"W., a distance of 354 feet, more or less to the center of Goodard Creek for a POINT OF BEGINNING; thence continue S.00°37'38"E., along the east line of said Northwest 1/4 of the Southeast 1/4 of Section 14, a distance of 973 feet, more or less to the southeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 14; thence S.89°27'03"E., along the north line of the Southeast 1/4 of the Southeast 1/4 of said Section 14, a distance of 407.87 feet; thence S.28°59'58"W., 398 feet, more or less to the mean high water line of Manatee River (Mean High Water Line filed in the Bureau of Surveying and Mapping public repository File Number 3278); thence westerly and northerly along said mean high water line, a distance of 1063 feet, more or less to the center of Goodard Creek; thence along the center of Goodard Creek, a distance of 744 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 7.8 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 27th day of

November, 20 11

R.D. CHORE
Clerk of Circuit Court

By: Nancy Harris D.C.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

DIVISION OF LIBRARY AND INFORMATION SERVICES

KURT S. BROWNING
Secretary of State

November 14, 2011

RECEIVED

NOV 18 2011

BOARD RECORDS

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

Attention: 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 November 7, 2011 and certified copies of Manatee County Ordinance Nos. 11-29, PDMU-05-19(G)(R4), PDMU-05-09(P)(R2) and PDR-04-01(P)(R), which were filed in this office on November 10, 2011.

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

Sincerely,

Liz Cloud
Program Administrator

LC/srd

Enclosure



R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250

**Telephone: 850.245.6600 • Facsimile: 850.245.6282 • <http://info.florida.gov>
Commemorating 500 years of Florida history www.fla500.com**

