

**MANATEE COUNTY ORDINANCE
PDR-04-39(R) – THE CONCESSION (F.K.A. PANTHER RIDGE - WESTSIDE)**

2009 FEB 18 PM 2:30

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING A REVISED ZONING ORDINANCE AND GENERAL DEVELOPMENT PLAN TO ADD 16 MULTI-FAMILY RESIDENTIAL UNITS IN 16 INDIVIDUAL BUILDINGS AMID THE GOLF COURSE, MINOR REVISION TO STIPULATIONS 18 – 20 AND 23 TO FACILITATE THIS CHANGE, AND REVISIONS TO OTHER STIPULATIONS TO REFLECT COMPLETENESS. THE CONCESSION IS NORTH OF UNIVERSITY PARKWAY, SOUTH OF STATE ROAD 70, APPROXIMATELY MIDWAY BETWEEN LORRAINE ROAD AND COUNTY ROAD 675; PRESENT ZONING IS PDR/PDC/WP-E/ST (PLANNED DEVELOPMENT RESIDENTIAL/PLANNED DEVELOPMENT COMMERCIAL/WATERSHED PROTECTION, AND SPECIAL TREATMENT OVERLAY DISTRICTS) ON APPROXIMATELY 1,280.7 ACRES; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the application to revise the Zoning Ordinance and General Development Plan pertaining to property north of University Parkway, south of State Road 70, approximately midway between Lorraine Road and County Road 675; in the PDR/PDC/WP-E/ST (Planned Development Residential/Planned Development Commercial/Watershed Protection and Special Treatment Overlay Districts) this property being more specifically described in Exhibit "A", attached hereto has been received; and

WHEREAS, the applicant request Specific Approval for a project that was previously granted alternatives to Sections 712.2.8, 907.9.2.4, and 907.9.4 of the Land Development Code, and request an alternative to Section 907.9.4.2 of the Land Development Code; and

WHEREAS, the Planning Staff has recommended the revision to add 16 multi-family residential units in 16 individual buildings amid the golf course; minor revision to Stipulations 18 – 20, and 23 to facilitate this change, and revisions to other stipulations to reflect completeness; and

WHEREAS, the Manatee County Planning Commission, after duly notice public hearings on August 14, 2008, September 11, 2008, and November 13, 2008, considered the revised Zoning Ordinance and General Development 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 Board of County Commissioners of Manatee County held duly notice public hearings on September 4, 2008, October 2, 2008, November 6, 2008, December 4, 2008, and February 5, 2009 after due notice, received and considered the recommendations of the Planning Commission, considered the criteria set forth in the Manatee County Land Development Code, and approved the revised Preliminary Site Plan Ordinance, subject to the stipulations set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

FILED
2009 FEB 18 AM 10:25
DEPT. OF CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

COMMISSIONERS OF MANATEE COUNTY AS FOLLOWS:

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

The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for the revised Ordinance, 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 request for a revised Zoning Ordinance and 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 September 4, 2008, October 2, 2008, November 6, 2008, December 4, 2008, and February 5, 2009 regarding the revised Zoning Ordinance and 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 revised Zoning Ordinance and General Development Plan regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan.
- D. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.4.2, the Board finds that the proposed design satisfies the public purpose and intent of the LDC regulation to an equivalent degree because a turnaround is provided at eight hundred (800) feet for emergency vehicles.
- E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 712.2.8, the Board finds that the proposed design satisfies the public purpose and intent of the LDC regulations to an equivalent degree to allow an increase in the number of lots in the southeastern section of the project with one means of access from 115 to 122.
- F. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.2.4, the Board finds that the proposed design satisfies the public purpose and intent of the LDC regulations to an equivalent degree to allow each travel way in the boulevard from 207th Street East to the cul-de-sac east of Cow Pen Slough to be 20 feet wide and still be considered as two means of access.
- G. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.4, the Board finds that the proposed design satisfies

the public purpose and intent of the LDC regulations to an equivalent degree to allow dead-end streets with lengths in excess of 800 feet.

Section 2. AMENDMENT OF REVISED ZONING ORDINANCE AND GENERAL DEVELOPMENT PLAN;

STIPULATIONS

1. Wetland buffers shall be provided from all post-development jurisdictional wetlands in accordance with Section 719.11.1 of the Land Development Code, and shall be delineated on the Preliminary and Final Site Plans. The wetland buffer on both sides of Cow Pen Slough, between University Parkway and the proposed boulevard roadway crossing, shall be a minimum width of 75 feet.
2. All proposed structures and improvements within the wetland buffers shall be designed to meet the requirements of Sections 719.11.1.2 of the LDC. Additional details demonstrating compliance with this requirement shall be submitted to the Planning Department for review concurrently with the Preliminary and Final Site Plan
3. Prior to Preliminary Site Plan approval, the developer shall contact the U.S. Fish and Wildlife Service regarding scrub habitat, and shall conduct additional Scrub Jay Studies if warranted. Additional Upland Preservation may be required as a result of the study. **Completed.**
4. An Integrated Pest Management Plan (IPE) for the application of fertilizers, pesticides, and herbicides ~~for the golf course and landscape common areas~~ shall be submitted to the Planning Department for review and approval prior to Final Site Plan approval. Native xeriscape landscape materials shall be utilized in common areas except as approved by the Planning Department.
5. Prior to the Preliminary Site Plan approval, the entire site shall be evaluated for potential hazardous material locations (i.e., historical cattle dipping vats, underground/above-ground 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. **Completed.**
6. If determined necessary by the Environmental Management Department, prior to Final Site Plan approval, a Wildlife Management Plan for gopher tortoises shall be approved by the U.S. Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission and be submitted to the EMD for review. **Completed.**
7. All lot owners shall be encouraged to participate in the Florida Yards and Neighborhoods Program. Information shall be provided in the sales office and provided to all lot purchasers.

8. The Homeowner's Documents shall include a notice to inform 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.
9. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in the sales contract or a separate addendum to the sales contract, and in the Final Site Plan and shall include language informing prospective homeowners that an inter-neighborhood tie for this project shall connect to University Parkway, a future arterial to the south and Dam Road, a future collector to the west.

Prior to Final Plat approval for Phase 3, at least two signs shall be posted in the right-of-way south of this phase informing lot owners that this area will be the future extension of University Parkway, a proposed arterial. These signs may be removed when all lots in Phase III are sold. **Completed.**

10. For dead end streets and cul-de-sacs that exceed 800 feet, additional hammerheads and eyebrows shall be provided as approved by the Fire District. The location and design shall be approved at time of Final Site Plan submittal.
11. A 50 foot wide upland landscape buffer shall be provided:
 - A. Along the western project boundary, northward 1,600 feet from University Parkway. The buffer may be provided on the project side of the existing wetland if necessary. **Completed.**
 - B. Along the southern project boundary of the site between Dam Road and Cow Pen Slough. **Completed.**

Prior to Final Plat approval for the lots adjacent to this buffer, trees shall be planted in the areas within the buffer void of existing trees. Tree coverage shall be at a rate of at least 40 trees (slash pines, oaks, or wax myrtles) per acre of buffer and shall be evenly spaced and randomly distributed throughout the buffer to achieve the look of a natural forest. Existing trees meeting the minimum size requirements may be applied to the tree count. If trees smaller than the minimum requirements listed in Section 715.4.B of the Land Development Code are planted, then the smaller trees shall be planted at least two years prior to the platting of the adjacent phase and shall be certified by a Florida Registered Landscape Architect for survivability prior to plat approval. The trees required pursuant to Section 603.7.4.5 shall comply with the standards of Section 715.4.B.

12. Prior to the first residential Final Plat approval, 17 feet of right-of-way adjacent to the existing Dam Road, to achieve a 42 foot half right-of-way with the existing 25 feet of right-of-way shown on this site, shall be dedicated to the County. **Completed.**
13. The temporary sales office shall only be used to market lots and new construction in this development and comply with Section 705.4 of the Land Development Code. Within 60 days of the sale of the final lot in the project, or if more than 6 months passes without any sales transactions, the temporary sales office shall be removed from the property.

14. Sidewalks shall be provided pursuant to Section 722.1.4 of the LDC.
15. A 75 foot wide tree conservation easement, inclusive of the wetland buffer, shall be designated along the northern property boundary adjacent to the Cow Pen Slough from Lots 1 to 41, inclusive, prior to Final Plat approval for these lots. The easement shall be acceptable to the county attorney's office. **Completed.**
16. Access to the commercial parcel and temporary sales office shall be as approved by Manatee County and the Florida Department of Transportation. If access to the commercial parcel is on Dam Road, then Dam Road shall be constructed to county standards from State Road 70 to the driveway access of the commercial parcel prior to the first C.O. for the commercial parcel.
17. The boundaries of the wetland buffers shall be marked with signs (up to 2 per lot) indicating that this is a wetland protection area. Such signage shall be approved by the Planning Department with Final Site Plan approval. There shall also be a Notice to Buyers indicating that these lots have a wetland and buffer area on them, with a reference to the recorded conservation easement.
18. A maximum of 136 lots may be between one-half and one acre in area. All other lots shall be at least one acre in area. In accordance with Section 902.4 of the Land Development Code, adjoining individual platted lots may be combined to form a single lot for density calculations and one single-family residence. Upon Final Site Plan approval for the multi-family villas, the applicant may construct one multi-family villa per every two lots which have been combined pursuant to Section 902.4 of the LDC, up to a maximum to 16 multi-family villas.
19. Prior to Final Subdivision Plat approval, the Developer shall delineate the open space areas which are to be conveyed to the Homeowner's Association after project buildout. Prior to Final Subdivision Plat approval, the Developer shall record a deed restriction, stating "The Developer and its successors in interest are prohibited from seeking approvals in the future to change the use of the post development watershed area, provided however, the post development watershed area may be utilized for open space, stormwater management, golf course, or other recreational or conservation purposes". **Completed.**
20. Lots adjacent to Cow Pen Slough shall not be platted beyond the top of the bank. These lots shall also not be platted into wetlands or wetland buffers when adjacent to Cow Pen Slough. **Completed.**
21. The boulevard roadway from 207th Street East to the first cul-de-sac east of the Cow Pen Slough shall be designed as two roadway sections with a 22 foot wide median. **Completed.**
22. The minimum right-of-way width for all streets within the project shall be 84 feet.
23. The phasing boundaries shall be as shown on the General Development Plan

24. A new General Development Plan approval shall be required for the commercial use.
 25. The developer shall cooperate with Manatee County to accommodate any required SWFWMD wetland mitigation for wetland impacts within the University Parkway alignment in the southeast quadrant of the project adjacent to Phase III.
 26. Removal of all exotic nuisance plant species from the golf course site shall be completed prior to the issuance of the first Certificate of Occupancy or Final Subdivision Plat approval for the golf course and related facilities. In accordance with Section 715.4 of the LDC, existing plant communities designated to remain must be intact and undisturbed; noxious and exotic plants must be removed. **Completed.**
 27. This golf course site shall be evaluated for the presence of listed species prior to Final Site Plan approval for the entire site. **Completed.**
 28. No ground disturbing activities or vehicle travel shall occur within the drip line of the existing trees that will be preserved. Tree protection barriers shall consist of chain link fence or other material as approved by the Planning Department (minimum 5' height) and will be located at the tree dripline.
 29. The developer shall require retention of all trees 4-inch d.b.h. or greater as defined by the Land Development Code located within twenty-five (25) feet of the rear lot lines of platted lots; provided, however, that trees from such area may be relocated to another location on the lot or may be removed if replacement trees are planted in another location on the lot of equal total caliper to the total caliper of the trees removed. If trees are to be relocated on-site, the County shall be notified.
 30. No helipad is allowed within this project unless approved by the Board of County Commissioners at a public hearing.
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31. All construction traffic for the golf course shall utilize SR 70 or University Parkway. All other construction traffic shall utilize SR 70 or University Parkway once the main entrance in Phase I is completed. Signs to this effect shall be posted at all interneighborhood tie locations.

Section 3. SPECIFIC APPROVALS. Specific Approval is hereby granted for a project that was previously granted alternatives to Sections 712.2.8, 907.9.2.4, and 907.9.4 of the Land Development Code, and granted for an alternative to Section 907.9.4.2 of the Land Development Code. The Specific Approval shall continue in effect and shall expire concurrent with the Preliminary Site 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, sentence, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 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 become effective immediately upon filing in the Office of the Secretary of State in Tallahassee, Florida.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 5th day of February, 2009.

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

BY: *Dr. Gwendolyn Brown*
Dr. Gwendolyn J. Brown, Chairman

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

BY: *Susan L. Louie*
Deputy Clerk



LEGAL DESCRIPTION

THE LEGAL DESCRIPTION OF SAID PROPERTY IN MANATEE COUNTY FLORIDA, BEING:

(Type legal directly on this sheet. Use additional sheets if necessary).

NAME OF PROJECT The Concession Revised GDP

COMMENCE AT THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 35 SOUTH, RANGE 20 EAST; THENCE S00°30'07"W, ALONG THE WEST LINE OF SAID SECTION 30, A DISTANCE OF 939.41 FT. TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 70, AS SHOWN ON F.D.O.T. RIGHT-OF-WAY MAPS, SECTION 13160-2506; THENCE S89°56'53"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 300.00 FT. FOR A POINT OF BEGINNING; THENCE CONTINUE S89°56'53"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 3154.14 FT. TO THE INTERSECTION WITH THE WESTERLY LINE OF "CONCESSION, PHASE I", A SUBDIVISION AS RECORDED IN PLAT BOOK 44, PAGES 31 THROUGH 45, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE RUN THE FOLLOWING COURSES, ALONG SAID WESTERLY LINE: S20°03'07"W, A DISTANCE OF 141.28 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 528.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 42°29'25", A DISTANCE OF 390.08 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 304.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°20'03", A DISTANCE OF 251.15 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 398.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°29'44", A DISTANCE OF 178.21 FT. TO THE P.C.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 280.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°05'25", A DISTANCE OF 73.75 FT. TO THE P.T. OF SAID CURVE; THENCE S15°41'24"E, 140.79 FT.; THENCE S75°02'05"W, A DISTANCE OF 150.33 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 45.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 169°53'59", A DISTANCE OF 133.44 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 178.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°48'49", A DISTANCE OF 89.51 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 30.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°35'34", A DISTANCE OF 18.84 FT.; THENCE N81°41'35"E, A DISTANCE OF 59.84 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S81°41'35"W, A DISTANCE OF 344.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 37°25'35", A DISTANCE OF 224.71 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 734.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 51°08'43", A DISTANCE OF 655.42 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 570.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°49'41", A DISTANCE OF 475.81 FT.; THENCE N59°08'50"W, A DISTANCE OF 42.84 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 45.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 71°34'20", A DISTANCE OF 58.21 FT. TO THE P.T. OF SAID CURVE; THENCE S49°18'50"W, A DISTANCE OF 121.92 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 45.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 83°16'48", A DISTANCE OF 65.41 FT. TO THE P.T. OF SAID CURVE; THENCE S33°57'58"E, A DISTANCE OF

47.42 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S39°47'23"E, A DISTANCE OF 470.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°28'00", A DISTANCE OF 3.83 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 530.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°10'49", A DISTANCE OF 84.92 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 266.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 81°16'41", A DISTANCE OF 284.49 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 146.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 58°12'52", A DISTANCE OF 147.32 FT. TO THE P.T. OF SAID CURVE; THENCE S65°51'37"W, A DISTANCE OF 318.10 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 242.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 76°46'41", A DISTANCE OF 324.29 FT. TO THE P.T. OF SAID CURVE; THENCE S20°55'04"E, A DISTANCE OF 92.46 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 416.00 FT.; THENCE RUN SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°22'14", A DISTANCE OF 198.73 FT. TO THE P.T. OF SAID CURVE; THENCE S08°27'10"W, 68.25 FT.; THENCE S89°00'40"W, A DISTANCE OF 97.30 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 50.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 82°33'30", A DISTANCE OF 72.06 FT. TO THE P.T. OF SAID CURVE; THENCE S08°27'10"W, A DISTANCE OF 141.36 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 113°52'01", A DISTANCE OF 99.37 FT. TO THE P.T. OF SAID CURVE; THENCE N72°35'09"E, A DISTANCE OF 102.86 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES N72°35'09"E, A DISTANCE OF 284.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°32'07", A DISTANCE OF 77.00 FT. TO THE P.T. OF SAID CURVE; THENCE S32°56'58"E, A DISTANCE OF 221.64 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 384.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°34'57", A DISTANCE OF 164.75 FT. TO THE P.T. OF SAID CURVE; THENCE S67°31'55"E, A DISTANCE OF 159.53 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 258.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 33°24'23", A DISTANCE OF 150.43 FT. TO THE P.T. OF SAID CURVE; THENCE S24°07'32"E, A DISTANCE OF 336.83 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 342.00 FT.; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°12'13", A DISTANCE OF 216.10 FT. TO THE P.T. OF SAID CURVE; THENCE S80°19'45"E, 175.69 FT.; THENCE S29°40'15"W, 659.09 FT.; THENCE S43°53'27"W, A DISTANCE OF 729.75 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES N88°13'37"W, A DISTANCE OF 255.00 FT.; THENCE RUN NORTHWESTERLY AND SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 225°24'39", A DISTANCE OF 1003.21 FT.; THENCE S11°57'23"E, A DISTANCE OF 225.00 FT. TO THE INTERSECTION WITH THE NORTHERLY LINE OF "CONCESSION, PHASE II, BLOCK A", A SUBDIVISION AS RECORDED IN PLAT BOOK 46, PAGES 113 THROUGH 124, SAID PUBLIC RECORDS, SAID POINT LYING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S25°23'27"E, A DISTANCE OF 934.00 FT.; THENCE RUN THE FOLLOWING COURSES ALONG SAID NORTHERLY LINE: RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°13'38", A DISTANCE OF 557.94 FT. TO THE P.R.C. OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 500.00 FT.; THENCE RUN SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 98°15'50", A DISTANCE OF 857.51 FT.; THENCE S38°38'47"W, RADIAL WITH LAST DESCRIBED CURVE, A DISTANCE OF 175.00 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES N38°38'47"E, A DISTANCE OF 675.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°12'15", A DISTANCE OF 25.97 FT. TO THE P.T. OF SAID CURVE; THENCE N49°08'58"W, A DISTANCE OF 38.62 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1009.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°22'31", A DISTANCE OF 58.44 FT.; THENCE N37°28'31"E, RADIAL WITH LAST DESCRIBED CURVE, A DISTANCE OF 175.00 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE

RADIUS POINT LIES S37°28'31"W, A DISTANCE OF 1184.00 FT.; THENCE RUN NORTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°51'49", A DISTANCE OF 781.77 FT. TO THE P.T. OF SAID CURVE; THENCE N88°23'18"W, 58.02 FT.; THENCE S00°36'42"W, 175.00 FT.; THENCE N88°23'18"W, A DISTANCE OF 154.63 FT. TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF "DAM ROAD", AS RECORDED IN OFFICIAL RECORDS BOOK 1834, PAGE 5170, SAID PUBLIC RECORDS; THENCE N00°36'33"E, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 3987.89 FT.; THENCE N00°30'07"E, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 4043.58 FT.; THENCE S90°00'00"E, 242.44 FT.; THENCE N00°00'00"E, A DISTANCE OF 197.13 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 30 AND 31, TOWNSHIP 36 SOUTH, RANGE 20 EAST, MANATEE COUNTY, FLORIDA

CONTAINING 507.69 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 9TH day of

FEBRUARY, 2008

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris D.C.

FILED FOR RECORD
R. B. SHORE

2009 FEB 18 PM 2: 30

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 12, 2009

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

Attention: Ms. Vicki Jarratt

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 9, 2009 and certified copy of Manatee County Ordinance No. PDR-04-39(R), which was filed in this office on February 12, 2009.

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

Sincerely,

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

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dliis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

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