

MANATEE COUNTY ZONING ORDINANCE
PDR-06-10(Z)(P) – LEE WETHERINGTON DEVELOPMENT INC. / SUMMER WOODS

2007 OCT 22 AM 8:34

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT,
AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE NO. 90-01, THE
MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING
WITHIN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING
OF APPROXIMATELY 191.38 ACRES ON THE SOUTH SIDE OF MOCCASIN
WALLOW ROAD, ± ONE MILE WEST OF U.S. 301 AT 10525 AND 11333
MOCCASIN WALLOW ROAD, PARRISH FROM A/NCO (GENERAL
AGRICULTURE/NORTH CENTRAL OVERLAY) ZONING DISTRICT TO THE
PDR/NCO (PLANNED DEVELOPMENT RESIDENTIAL, RETAINING THE
NORTH CENTRAL OVERLAY) ZONING DISTRICT; APPROVING A
PRELIMINARY SITE PLAN FOR 302 LOTS FOR 240 SINGLE-FAMILY
DETACHED RESIDENCES, 60 SINGLE-FAMILY ATTACHED RESIDENCES,
AND 2 SINGLE-FAMILY SEMI-DETACHED RESIDENCES; SUBJECT TO
STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH
FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR
SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

2007 OCT - 8 PM 2:23
JALPA
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

FILED

WHEREAS, Lee Wetherington Development, Inc. (the "Applicant") has filed a rezone application to rezone approximately 191.38 acres described in Exhibit "A", attached hereto, (the "Property") from A/NCO (General Agriculture/North Central Overlay) zoning district to the PDR/NCO (Planned Development Residential, retaining the North Central Overlay) zoning district; and

WHEREAS, the Applicant has also filed a Preliminary Site Plan application for 302 lots for 240 single-family detached residences, 60 single-family attached residences, and 2 single-family semi-detached residences (the "Project") to be located upon the Property; and

WHEREAS, the Applicant has also filed a request for Special Approval for a project: 1) exceeding one (1) dwelling unit per acre in the UF-3 Future Land Use Category, and 2) adjacent to a perennial stream; and

WHEREAS, the Applicant has also filed a request for Specific Approval for an alternative to Section 604.10.3.3(k) of the Land Development Code; and

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

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 13, 2007 to consider the rezone, Preliminary Site Plan, Special Approval, and Specific Approval applications, received the Planning Staff's recommendations and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the rezone and Preliminary Site Plan applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land

Development Code and recommended approval of the applications, subject to the stipulations contained in the Planning staff report, the granting of the Special Approvals for a project: 1) exceeding one (1) dwelling unit per acre in the UF-3 Future Land Use Category, and 2) adjacent to a perennial stream, and granting the Specific Approval for an alternative to Section 604.10.3.3(k) of the Land Development Code.

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

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

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

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from the A/NCO (General Agriculture/North Central Overlay) zoning district to the PDR/NCO (Planned Development Residential, retaining the North Central Overlay) zoning district.

B. The Board of County Commissioners held a duly noticed public hearing on September 27, 2007, regarding said proposed Official Zoning Atlas Amendment 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 said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

D. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 604.10.3.3(k), the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree by the proposed design because the buffer is wider than required.

E. 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 302 lots for 240 single-family detached residences, 60 single-family attached residences, and 2 single-family semi-detached residences upon the Property subject to the following Stipulations:

STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. Palm trees may be utilized as canopy trees when grouped in two. No more than 40% of required trees may be palms. This shall be verified with the Final Site Plan.
2. A 10' wide pedestrian easement with a 5' wide paved sidewalk shall be provided between Lots 141 and 142, from the end of the cul-de-sac to the north property line. The sidewalk shall be installed with the Final Plat for Phase II. The sidewalk maybe gated, but shall allow access to go north when the adjacent site is developed.
3. Elevations for the single-family attached and semi-detached homes shall be in substantial conformance with the elevations entered into the record at the hearings. As shown on the elevations, the homes shall have two car garages.
4. All corner lots shall be at least 15% greater than the minimum lot size approved. Lots 120, 209, 210, 270, 217, and 302 shall have two front yard setbacks of 25 feet. If there is common open space between the lot and the right-of-way, the common open space and the side yard setback combined shall be a minimum of 25 feet.

B. TRANSPORTATION CONDITIONS:

1. Prior to FSP approval, the applicant shall provide a noise mitigation analysis for mitigation of noise from Moccasin Wallow Road. Such analysis shall demonstrate noise mitigation based on projected 2025 traffic volumes. The noise mitigation measure shall be installed as required by the approved plan.

Manatee County noise level criteria for residential properties

| MANATEE COUNTY NOISE STIPULATION* |
|--|
| No residential dwelling units shall be allowed in areas where the exterior noise level is; Ldn > 65 dBA: Leq design hour > 65 dBA: or L10 design Hour > 68 dBA Unless protected by some performance equivalent measure to achieve; Ldn, 65 dBA, Leq design hour, 65 dBA, or L10 design Hour, 68 dBA |
| NOISE REDUCTION REQUIRED* |

Sound attenuating barriers should be provided between the residential units and the noise source.

Living areas shall be located and designed in a manner which orients the living areas and outdoor activity areas away from the noise source. Living areas include bedrooms, lanais, and florida rooms.

Buildings shall be positioned to maximize the distance between the residential units and the noise source.

* For more detailed information see "The Noise Guidebook – A reference document for implementing the Department of Housing and Urban Development's Noise Policy", prepared by The Environmental Planning Division, Office of Environment and Energy.

2. The developer has agreed to provide the additional right-of-way for Moccasin Wallow Road for the required 75 foot wide half width section to the County and to waive the right to receive impact fee credits for such dedication.
3. The developer shall provide an easement to Manatee County to accept stormwater for that portion of the Moccasin Wallow Road widening to six (6) lanes that is located immediately adjacent to the project to accommodate the roadway expansion. The developer shall design and construct the on-site stormwater facilities so that the stormwater capacity for that portion of the future six (6) lane divided road way is available within the project area and such demonstration shall be reflected on SWFWMD permit documentation.
4. The first intersecting street south of Moccasin Wallow Road shall be a minimum of 320 feet from Moccasin Wallow Road, centerline to centerline. This shall be shown on the Final Site Plan and Construction Plans and approved by the Transportation Department.
5. A signing and marking plan shall be required with the Final Site Plan and Construction Plan submittal.
6. Prior to approval of a final site plan, or if no final site plan is required, construction plans, the Applicant shall satisfy transportation concurrency requirements by complying with any one of the following agreed upon options:
 - (1) The capacity related transportation improvements (the "Transportation Improvements") required pursuant to an approved traffic study for this project shall be constructed, bonded, or funded in accordance with Manatee County requirements; or
 - (2) Subject to the discretion of the County to schedule and fund one or more the Transportation Improvements in the County's C.I.E., the Applicant and the County may enter into a binding proportionate fair-share mitigation agreement ("PFSMA") pursuant to section 511 of the LDC and section 163.3180, Florida Statutes, and/or a binding local government development agreement ("LDA") pursuant to chapter 10 of the LDC and section 163.3220, et seq., Florida Statutes, wherein the Applicant shall agree to pay the project's calculated proportionate fair-share amount for one or more of the

Transportation Improvements, which will be deemed to significantly benefit the impacted transportation system and thereby satisfy the project's transportation concurrency requirement; or

(3) The Applicant may participate a broader solution to the transportation concurrency needs in the area, which will require agreed-upon mechanisms for the finance and construction of such improvements. Under this option, transportation concurrency shall be satisfied only when the County and the Applicant have, in the context of discussion with other developers in the area, determined the improvements necessary to support the impacts of the project, and the method of financing and constructing such improvements. Such required improvements, and the mechanisms for financing and constructing them, may be established pursuant to a LDA or other appropriate instrument, an amendment to this development order, amendments to the Land Development Code and/or Comprehensive Plan, and/or through the scheduling and funding of such improvements by the County in accordance with applicable law.

7. The developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this project, as determined by the Public Works Department and in accordance with LDC Section 722.1.3.4.
8. Prior to issuance of the Building Permit for the 100th unit, a second means of access shall be constructed to Manatee County Transportation Department Standards.
9. A sign of a design acceptable to the Planning Director shall be placed at all future inter-neighborhood ties identifying the future connection at locations to be determined by the Planning Director.

C. INFRASTRUCTURE CONDITIONS:

1. All public roads within the 100-year floodplain must be above the flood elevation set by the FEMA flood zone maps.
2. All waste water manhole rims, service clean-outs, and lift station wet well and valve vault covers shall be set 12 inches above the 25-year floodplain elevation or 4 inches above the 100-year floodplain elevation, whichever is higher. However, Manatee County may approve service clean-outs and manhole rims installed no lower than 4 inches above the 25-year floodplain elevation under the provision that said manholes and service clean-outs can be demonstrated to be watertight to the satisfaction of the Utility Engineer.
3. The development shall tie to the existing reclaimed water system and, if flow is available, shall utilize reclaimed for irrigation, including lot irrigation. In ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.
4. Connection of the sanitary sewer system proposed for the Copperstone Subdivision will require the applicant to ensure that the system has adequate capacity for any additional flows. If the system is overburdened by the additional flows from this project, then the downstream system must be upsized as necessary.

D. STORMWATER CONDITIONS:

1. The applicant is hereby noticed that all building construction will be reviewed based on the delineation of the floodplain as shown on the FIRM. If the applicant proposes to formally revise the 100-year floodplain, a Letter of Map Revision (LOMR) must be approved by FEMA prior to Final Site Plan approval.
2. All residential lots shall be outside of the post-development 25-year floodplain.
3. All lots shall be graded at minimum to provide positive drainage to the internal drainage system and retention ponds.
4. 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 Buffalo Canal/Creek. Any existing or proposed structures within the floodway shall be modeled.
 - b.) Any proposed trails through the 100-year flood way of the Buffalo Canal/Creek shall be constructed with washed shell or concrete. However, any portions of the trail within a wetland or wetland buffer shall be consistent with Section 719 of the LDC. At time of Final Site Plan, the applicant shall submit a plan identifying the material for the trails. The plan shall be approved by Stormwater Management, Parks and Recreation, and the Planning Department.
 - c.) All fill within the 25 year and 100-year floodplains shall be compensated by the creation of an equal or greater storage volume above the seasonal high water table. 100-year and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e. stormwater attenuation and floodplain compensation), except as provided below. The available storage volume above the 25-year Design High Water Level of any proposed stormwater attenuation ponds can be calculated toward compliance with the flood plain compensation requirement. In Lieu of the above cup-for-cup compensation, the applicant may perform hydraulic analysis that reflect a No-Rise to the FEMA base flood elevation and receive a CLOMR from FEMA for the effected area. The hydraulic model is subject to approval by Manatee County.
 - d.) There shall be a full 25-year attenuation on all stormwater ponds within the development.
 - e.) The existing 25-year flood elevation along the Buffalo Canal/Creek shall be utilized as tailwater condition.
5. This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Buffalo Canal/Creek. Modeling shall be used to determine pre- and post- development flows.

6. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plat along Buffalo Canal and the creek running from Moccasin Wallow Road to Buffalo Canal/Creek within the project boundaries. In addition, a Drainage-Maintenance Access Easement shall be provided along the creek running from Moccasin Wallow Road to Buffalo Canal/Creek. Drainage-Maintenance Access Easements shall be on clear and level ground, free of obstructions including landscaping. Manatee County is only responsible for maintaining the free flow of drainage through these systems.
7. Existing storage volume in existing wetlands or drainage ditches that are proposed to be permanently impacted shall be compensated with equal or greater volume in the proposed stormwater retention pond.
8. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
9. 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.

E. BUFFERS:

1. Existing native vegetation 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.
2. No detention or retention ponds shall be constructed within landscape buffers or greenbelts.

F. ENVIRONMENTAL CONDITIONS:

1. All proposed mulch nature trails, boardwalks, and shade structures located in wetland buffers and areas where native vegetation is to remain shall be designed in a manner that minimizes impacts to trees or areas of significant vegetation and in accordance with Section 719 of the LDC.
2. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.
3. A Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.
4. The Final Site Plan shall identify wildlife connections between preservation areas severed by roadway construction. Oversized culverts, rumble strips, or wildlife crossing

signage may be required for wildlife connections and shall be approved with the Final Site Plan.

5. The project shall be designed so that no temporary wetland buffer impacts, other than those allowed by Section 719.11.1.2 of the LDC, are required in areas that contain native desirable vegetation. This shall be reviewed and approved by the Planning Department with the Final Site Plan.
6. A Well Management Plan shall be submitted to the Planning Department and the Environmental Management Department for review and approval prior to Final Site Plan approval. The Well Management Plan shall include identification of which wells are to be retained/abandoned; the timing of abandonment; wellhead protection details for those wells to remain and a copy of all Water Use Permits, if applicable.
7. A Water Well Construction Permit must be obtained from the EMD prior to construction of the proposed well(s).
8. Existing wells shall be kept in a watertight manner and be protected during all construction activities.
9. With the Final Site Plan and Construction Plans the applicant shall delineate on the site plan all existing wells with the well size indicated per Section 738.2.3 of the LDC.
10. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Planning Department for review prior to Final Site Plan approval.
11. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 508.3.34.7(j) of the LDC.
12. All trees within the area proposed for construction activities that are to be preserved shall have protective barricades constructed at their driplines prior to commencement of construction. No improvements, fill, grade changes, or compaction of soil due to heavy machinery will be permitted within the dripline of trees proposed to be preserved. Trees that cannot be protected completely to the dripline should be accounted for in the tree removal and replacement matrix. This information must be provided on the Final Site Plan and Construction Plans.
13. Underground or aboveground pollutant storage tank installation or removal must conform to the requirements of Chapters 62-761, Florida Administrative Code.
14. If burning of trees or branches is required for land clearing, a burn permit must be first obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans/Construction Plans are approved.

G. RECREATIONAL:

1. Details of all the recreational areas, parking, structures, benches, landscaping, etc. shall be shown on the Final Site Plans for review and approval.
2. A nature trail shall be provided as shown on the Preliminary Site Plan. The trail material shall be shown on the Final Site and approved by the Planning Department, Parks and Recreation Department, Building Department, and Transportation Department.

H. NOTICES

1. The developer is put on notice that the County and School Board are required to establish school concurrency. Until such time as the details of that program are adopted, this approval does not guarantee capacity under the terms of the future program, to the extent school concurrency is legally applicable to the project.
2. 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: 1) The location of the inter-neighborhood ties and the potential for future traffic through the subdivision; 2) The required pedestrian connection to the north, at the end of the cul-de-sac near Lots 141 and 142; 3) the potential uses associated with surrounding agriculture zoning which may have a negative impact on residences (e.g., noise and odor); 4) the location of the potential future elementary school site in Copperstone; 5) undeveloped portions of the site are in the floodway, 6) portions of the site are in 100- and 25-year floodplains; and, 7) noise from traffic along Moccasin Wallow Road due to the widening.

Section 3. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a project: 1) exceeding one (1) dwelling unit per acre in the UF-3 Future Land Use Category, and 2) adjacent to a perennial stream. This Special Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for an alternative to Section 604.10.3.3(k) of the Land Development Code.

Section 4. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the Property identified in Exhibit "A" herein from A/NCO (General Agriculture/North Central Overlay) zoning district to the PDR/NCO (Planned Development Residential, retaining the North Central Overlay) zoning district and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 5. SEVERABILITY. If any section, sentence, clause or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, clause, sentence, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 6. 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.

(Signature block on next page)

Section 7. 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.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____

Amy Stein
Chairman



ATTEST:

R. B. SHORE
Clerk of the Circuit Court

BY: _____

R. B. Shore
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

DESCRIPTION:

PARCEL B: THAT PORTION OF THE SE 1/4 OF SECTION 24, TOWNSHIP 33 SOUTH, RANGE 18 EAST, LYING NORTH OF THE CENTER LINE OF THE BUFFALO CANAL, MANATEE COUNTY, FLORIDA.

PARCEL C: BEGIN AT THE NW CORNER OF THE SW 1/4 OF SECTION 19, TOWNSHIP 33 SOUTH, RANGE 19 EAST; THENCE SOUTH 89°25'15" EAST ALONG THE NORTH LINE OF SAID SW 1/4 A DISTANCE OF 2002.87 FEET; THENCE SOUTH 00°36'15" EAST 1815.0 FEET TO THE CENTER OF THE BUFFALO CANAL; THENCE WESTERLY ALONG THE CENTER OF SAID BUFFALO CANAL A DISTANCE OF 2025.94 FEET TO THE WEST LINE OF SAID SECTION 19; THENCE NORTH 00°07'30" EAST 1852.9 FEET TO THE POINT OF BEGINNING. LESS 35 FEET FOR ROAD RIGHT-OF-WAY OFF NORTH.

ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS (description prepared by certifying surveyor):

A tract lying in Section 19, Township 33 South, Range 19 East and Section 24, Township 33 South, Range 18 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of Section 24, Township 33 South, Range 18 East; thence S.00°10'10"W., along the East line of the Northwest 1/4 of said Section 24, a distance of 2,569.32 feet to the Northwest corner of the Southwest 1/4 of said Section 24; thence S.89°49'01"E., along the monumented North line of the Southwest 1/4 of Section 24, a distance of 2,586.23 feet to the Northeast corner of the Southwest 1/4 of said Section 24 for the POINT OF BEGINNING; thence S.89°43'08"E., along the monumented North line of the Southeast 1/4 of said Section 24, a distance of 2,245.61 feet to the south maintained right-of-way line of Moccasin Wallow Road as recorded in Road Plat Book 4, Page 153 through 210, Affidavits Recorded in Official Record Book 818, Pages 218 and 219 both of the Public Records of Manatee County, Florida, said point also being the beginning of a non-tangent curve to the left, of which the radius point lies N.09°09'17"E., a radial distance of 2,939.48 feet; (the following three calls are along said south maintained right-of-way line of Moccasin Wallow Road): (1) thence easterly along the arc of said curve, through a central angle of 07°56'32", an arc length of 407.46 feet to the end of said curve; (2) thence S.88°59'55"E., along a line not tangent to the previously described curve, a distance of 971.38 feet; (3) thence S.89°19'43"E., a distance of 1,032.04 feet to the westerly line of the tract of land described in Official Record Book 1903, Page 7711 of said public records; thence S.00°10'56"E., along said westerly line, a distance of 1,784.27 feet to the center line of Buffalo Canal as shown on a survey by Leo Mills & Associates, Inc., Job Number C1594, Drawing Number 23#36, dated April 24, 2002 and revised May 9, 2002 and annexed hereto as Attachment1; (the following eight calls are along said center line of Buffalo Canal); (1) thence S.89°51'55"W., a distance of 2,025.93 feet; (2) thence

S.89°51'16"W., a distance of 1,344.47 feet; (3) thence N.66°04'29"W., a distance of 163.62 feet; (4) thence N.64°42'30"W., a distance of 265.13 feet; (5) thence N.68°25'30"W., a distance of 255.56 feet to the beginning of a non-tangent curve to the left, of which the radius point lies S.10°49'22"W., a radial distance of 185.19 feet; (6) thence westerly along the arc of said curve, through a central angle of 36°54'51", an arc length of 119.31 feet to the end of said curve; (7) thence S.74°33'11"W., along a line not tangent to the previously described curve, a distance of 575.06 feet; (8) thence S.82°07'08"W., a distance of 13.56 feet to the monumented West line of the Southeast 1/4 of Section 24, Township 33 South, Range 18 East; thence N.00°41'31"E., along said West line of the Southeast 1/4 of Section 24, a distance of 458.34 feet to the Southeast corner of the North 1/2 of the Southwest 1/4 of said Section 24; thence continue N.00°41'31"E., along the west line of the Northwest 1/4 of the Southeast 1/4 of said Section 24, a distance of 1,308.10 feet to the POINT OF BEGINNING.

Said tract contains 8,336,478 square feet or 191.3792 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 3rd day of October, 2007

R.B. SHORE

Clerk of Circuit Court

By [Signature] 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

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

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