

FILED FOR RECORD  
R. B. SHORE

**MANATEE COUNTY ORDINANCE**  
**2009 JUN -3 AM 11:58 PDR-06-72(P) - ESTATES ON TILLET BAYOU**

CLERK OF THE CIRCUIT COURT  
MANATEE COUNTY, FLORIDA

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA, APPROVING A PRELIMINARY SITE PLAN PERTAINING TO APPROXIMATELY 41.61 ACRES IN TERRA CEIA, SAID PROPERTY BEING LOCATED BETWEEN CENTER ROAD AND BAYSHORE DRIVE AND INCLUDING A STRIP OF LAND BETWEEN BAYSHORE DRIVE AND TILLET BAYOU IN THE PDR/CH/HA (PLANNED DEVELOPMENT RESIDENTIAL/ COASTAL HIGH HAZARD/HISTORICAL AND ARCHEOLOGICAL OVERLAYS) ZONING DISTRICT; SAID PRELIMINARY SITE PLAN DEPICTING 35 LOTS FOR SINGLE-FAMILY DETACHED RESIDENCES WITH DOCKING FACILITIES; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; REPEALING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

2009 MAY 26 PM 12:28  
CLERK OF THE CIRCUIT COURT  
TALLAHASSEE, FLORIDA

FILED

**WHEREAS**, Terra Ceia Vest, LLC (the "Applicant") filed an application for a Preliminary Site Plan (hereinafter sometimes referred to as the Initial Preliminary Site Plan or Application No. PDR-06-72) with related requests for various Special Approvals and Specific Approvals as detailed in said application pertaining to approximately 41.61 acres described in Exhibit "A", attached hereto (the "Property") proposing thirty-seven (37) lots for single-family detached residences and docking facilities; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on June 12, 2008, to consider the Initial Preliminary Site Plan application, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

**WHEREAS**, the Manatee County Planning Commission, as the County's Local Planning Agency, found the applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code, and recommended approval of the applications, subject to the stipulations contained in the staff report, and

**WHEREAS**, the Board of County Commissioners conducted public hearings on the Initial Preliminary Site Plan Application on August 7, 2008, September 30, 2008, October 7, 2008, and October 14, 2008; and

**WHEREAS**, the Board of County Commissioners, on October 14, 2008, did not take action on the Initial Preliminary Site Plan Application PDR 06-72 and the related Special Approvals and Specific Approvals, as submitted at their meeting on October 14, 2008; and

**WHEREAS**, the Board of County Commissioners adopted Ordinance No. PDR-06-72 on October 14, 2008, setting forth a series of stipulations as stipulations for the future submittal of preliminary site plans regarding project design as they would be beneficial to both the County and the Applicant pertaining to proposed single-family residences; and

**WHEREAS**, the Board of County Commissioners, on October 14, 2008, determined that at such time as a future preliminary site plan was submitted by the Applicant for the project site, a public hearing would be held by the Board of County Commissioners to consider approval, approval with modifications or denial of any such future preliminary site plan, related Special Approvals or related Specific Approvals due to the scope of the design requirements; and

**WHEREAS**, the Applicant has submitted a Revised Preliminary Site Plan Application (hereinafter sometimes referred to "Revised Preliminary Site Plan Application or Application No. PDR-06-72(P)") proposing 35 lots for single-family detached residences, docking facilities and related Special Approvals and Specific Approvals; and

**WHEREAS**, the Applicant filed a request for a Special Approval for a project: 1) exceeding a net density of 1 dwelling unit per acre in the RES-1 FLUC; 2) in the Coastal Evacuation Area; 3) Coastal Storm Vulnerability Area; 4) partially in the Coastal Planning area; 5) partially in the Coastal High Hazard Overlay; and 6) adjacent to a perennial stream; and

**WHEREAS**, the Applicant has filed for a Specific Approval for alternatives to Sections 603.7.4.1, 603.7.4.5, 722.1.4.2, 907.9.2.4 and 907.9.3 of the Land Development Code; and

**WHEREAS**, the Planning Staff recommended approval of the Revised Preliminary Site Plan, Special Approvals and Specific Approvals subject to stipulations; and

**WHEREAS**, the Manatee County Planning Commission previously found the Initial Preliminary Site Plan Application consistent with the Comprehensive Plan and Land Development Code and recommended approval of the Initial Preliminary Site Plan Application for single-family detached residences thus not necessitating a second public hearing before the Planning Commission; and

**WHEREAS**, the Board of County Commissioners conducted a new public hearing on April 28, 2009 and May 12, 2009 on the Revised Preliminary Site Plan Application PDR-06-72(P), related Special Approvals and related Specific Approvals.

**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 of the Planning Commission and the Planning staff, 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 Revised Staff Report concerning the Revised Preliminary Site Plan Application (No. PDR-06-72(P) 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 April 28, 2009 regarding the proposed Revised Preliminary Site 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 Revised Preliminary Site Plan (PDR-06-72(P)) regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

D. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 722.1.4.2, the Board finds that not providing sidewalks meets the intent of the regulation because this design is consistent with the rural character of Terra Ceia. This alternative satisfies the public purpose and intent of the LDC regulations to an equivalent degree.

E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.2.4, the Board finds that 20 foot streets without curbs and gutters meet the intent of the regulations because it contributes to the rural character of Terra Ceia and satisfies the public purpose and intent of the LDC regulations to an equivalent degree.

F. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 604.7.4.5, the Board finds that the preservation of the wetlands and historic house supersedes the requirement for tree plantings and satisfies the public purpose and intent of the LDC regulations to an equivalent degree.

G. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.3, the Board finds that not providing the required right-of-way meets the intent of the regulation because it contributes to the rural character of Terra Ceia and satisfies the public purpose and intent of the LDC regulations to an equivalent degree.

**Section 2. PRELIMINARY SITE PLANS:** The Revised Preliminary Site Plan is hereby approved for 34 lots for single-family detached residences and docking facilities upon the Property subject to the following Stipulations:

**A. DRAINAGE STIPULATIONS**

1. All internal streets shall be constructed to be above the 100 year design storm elevation based upon rainfall. The design elevation must be approved by the Public Works Department.
2. The Finished Floor Elevation for all structures shall be a minimum of 1' above the Base Floor Elevation (BFE) on FEMA FIRM Map elevation.
3. Existing storage volume in existing wetlands and drainage ditches that are proposed to be permanently impacted shall be compensated with equal or greater volume in the proposed stormwater retention pond.

4. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
5. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.
6. The final design for the site is required to provide 150% water quality treatment for Terra Ceia Aquatic Preserve.
7. Prior to Final Plat approval, the existing culvert under Bayshore Drive shall be replaced, as approved by the Public Works Department.

*(This stipulation is to address a specific design requirement)*

#### B. PLANNING STIPULATIONS

1. The applicant shall contribute the cost of a 5' concrete sidewalk (measured along the Bayshore Drive and Center Road frontages of this site) to the sidewalk fund. The money collected shall be used on Terra Ceia Island or within a two mile radius of Palm View Elementary School for pedestrian or bicycling improvements. If the money has not been used within 60 months of its contribution, then the Applicant or its successors in interest shall have the right to request and receive a refund of the contribution.
2. Prior to the issuance of Building Permits for any new docks approved with this project, the applicant shall obtain approval of a Certificate of Appropriateness from the Historic Preservation Board, pursuant to Section 514.2.2 of the LDC.
3. If, prior to FSP approval, the applicant desires to remove the 1926 house that fronts on Center Road, the applicant shall obtain approval of a Certificate of Appropriateness from the Historic Preservation Board, pursuant to Section 514.2.2 of the LDC.
4. Canopy trees, spaced 30 feet apart, shall be planted within the buffer on the north side of Wetland D in lieu of required tree planting in the adjacent greenbelt buffer.
5. No lot shall be platted through any post-development wetlands, wetland buffers, upland preservation areas, submerged lands, greenbelt buffer, or between Bayshore Drive and Tillet Bayou. These areas shall be designated as conservation or common open spaces on all future site plans and plat submittals.
6. Residences on Lots 12 and 13 shall be oriented with their front facades facing Bayshore Road. Accessory uses, such as pools shall not be on the side of the

residence that faces Bayshore Drive.

7. All pedestrian trails shall have a 5 foot wide paved surfaces except in instances where the trail is located within required wetland buffers. Trail construction within the wetland buffers shall be consistent with Section 719 of the LDC.
8. The Notice to Buyers or Tenants 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 following:
  - a. The Hurricane Evacuation Plan is approved by the Public Safety Department for this project. The applicant and their heirs, assigns, or transferees are hereby notified that a payment of an impact fee for emergency shelter facilities shall be required if such impact fee is adopted by the Board of County Commissioners.
  - b. The homes are in a flood prone area and within the Coastal High Hazard Overlay, Coastal Evacuation Area, and Coastal Storm Vulnerability Area.
  - c. The use of special assessments within the CH Overlay to recoup expenditures for repair of storm related damage to public and private infrastructure within a reasonable time may occur.
  - d. A hazard disclosure statement generally describing the property's relative probability of damage from floodwaters and undermining or erosion due to wave action. This disclosure shall also list potential mitigation.
  - e. Mangrove trimming or cutting is prohibited throughout the project except for those mangroves located between Bayshore Drive and Tillette Bayou, in an area bounded on the west by the project boundary and on the south at a point ten feet south of the community pier. Mangrove trimming within this area shall be conducted by a professional mangrove trimmer and in accordance with the Mangrove Trimming and Preservation Act, Section 403.9326, Fla. Stat., et seq. and other regulatory requirements.
  - f. All landscaping with the boundaries of the project, including individual lots, shall be in accordance with the Florida Friendly Yards & Neighborhoods Program.
  - g. No motorized boats may be moored at the fishing pier.
9. The discovery of any significant historical or archaeological resources shall be reported to the Florida Division of Historical Resources and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County in accordance with Rule Chapter 9J-2 FAC.

Archaeological test excavations by a professional archaeologist shall be conducted on each such building site to provide sufficient data to make a determination of significance prior to the commencement of ground-disturbing activities at the site. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource-disturbing activities are allowed to continue.

10. Prior to submittal of the Final Site Plan and Construction Drawing approval for the sewer line along Terra Ceia and Center Roads, short interval archaeological test excavations by a professional archaeologist shall be conducted to provide sufficient data to make a determination of significance. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. Based on these findings, the county may require that the sewer extension be relocated to U.S.19 and Ken Hubbard Road.

Throughout construction, the appropriate treatment (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) of discovered archaeological resources must be completed before resource-disturbing activities are allowed to continue.

If the sewer extension is permitted to run down Center Road, the line shall be located to avoid impacts to trees.

11. The use of potable water for irrigation is not permitted.
12. The maximum number of lots shall be 34.
13. Prior to Final Plat approval, the existing shell surface (about 16-18 feet in width) on Ken Hubbard Road between U.S. 19 and Center Road shall be paved. The County shall determine whether speed tables or other traffic calming devices are required on Ken Hubbard Road prior to paving
14. Construction traffic from the project site shall not utilize Ken Hubbard Road until this road is paved. Signs to this effect shall be posted at Ken Hubbard Road on U.S. 19. The developer shall include these provisions in all construction contracts.
15. The front yard setback from Bayshore Drive shall be 50 feet.
16. All home construction shall use stemwalls and footers or similar methods to meet Finished Floor Elevation requirements. No fill dirt shall be used to elevate the lots to meet Finished Floor Elevation requirements.

17. Building setbacks shall be 25' front, 10' side, and 20' rear.
18. The greenbelt shall be increased from 15 to 30 feet behind Lots 4 – 12.
19. The following plantings are required in the 30 foot greenbelt buffer:
  - (a) Canopy trees. Three (3) canopy trees per one hundred (100) linear feet of buffer, or fraction thereof, whichever occurs first, which meet the following minimum standards:
    - (i) Three-inch caliper as measured six (6) inches from the base of the tree;
    - (ii) Twelve (12) feet in height;
    - (iii) Five (5) feet spread.
  - (b) Understory evergreen trees. Four (4) understory evergreen trees per 100 linear feet of buffer, or fraction thereof, which meet the following minimum standards:
    - (i) Two-inch caliper as measured six (6) inches from the base of the tree;
    - (ii) Six (6) feet in height;
    - (iii) Three (3) feet spread.
  - (c) Evergreen shrubs. Thirty-three (33) evergreen shrubs per one hundred (100) linear feet of buffer, or fraction thereof, which meet the following minimum standards:
    - (i) Thirty (30) inches in height. Buffers shall be planted in an informal, staggered manner. Buffers shall be entirely planted prior to the first Final Plat approval.

This greenbelt buffers shall be planted in an informal, staggered arrangement and shall be completed prior to first Final Plat approval.

The buffer shall provide eighty-five (85) percent opacity to a height of six (6) feet within three (3) years from the date of the first Final Plat.

20. The entrance street on Bayshore Drive shall be redesigned as an undivided road and shifted southward to the greatest extent possible while maintaining consistency with other county regulations in order to provide sufficient space to preserve the 37" oak tree shown adjacent to the west bound travel lane of this entrance street. This shall be shown and approved with the Final Site Plan.

21. Lots 1 and 2 and Lake “E” shall be redesigned for purposes of protecting existing trees as follows:
  - a. The greenbelt on the south side of Lot 1 shall be increased from 15 to 30 feet.
  - b. Lot 2 and Lake E shall be reconfigured to preserve the cluster of trees shown to straddle Lot 2 and Pond E. These trees shall be in an area designated as common open space.

These modifications shall result in the loss of either Lots 1 or 2 on the east side of Street “D.”

22. To retain the rural character of Terra Ceia, a subdivision entrance sign is not permitted.
23. Specific Approval for Section 603.7.4.5 for planting of trees in the greenbelt shall apply only to segments of buffers that are entirely wetlands and Lots 12, 13, and 35.
24. Prior to Final Plat approval, the house that straddles Lots 13 and 14 shall be removed.
25. The 20’ buffer along Center Road, exclusive of the areas granted Specific Approval, shall include the following minimum landscaping per 100 linear feet or fraction thereof:
  - a. Two canopy trees (three inch caliper, twelve feet high),
  - b. Two evergreen understory trees (two inch caliper, six feet high), and
  - c. 33 evergreen shrubs (three gallons).

The buffer shall be planted in an informal, staggered arrangement to provide a natural appearance.

26. The roads in the Estates on Tillet Bayou shall not be gated.

#### C. ENVIRONMENTAL STIPULATIONS

1. A copy of the approved Environmental Resource Permit (ERP of the Southwest Florida Water Management District [SWFWMD]) shall be submitted to the Planning Department for review prior to Final Site Plan approval.
2. The Final Site Plan shall be designed to show a 50’ wetland buffer adjacent to Wetland C.
3. Mangroves trimming shall be conducted in accordance with Section B.8.e above within this project. Language shall be incorporated into the required Conservation Easements, Homeowners Association documents, and Notice to



Buyers. The specific language shall be reviewed by the Planning Department with the Final Site Plan.

4. Two boat docks and one fishing/observation pier are approved as depicted on the Preliminary Site Plan and exhibits presented in the prior public hearings, subject to receiving all applicable Federal and State permits. Boats shall be limited in size and draft not to exceed -18 inches at this location. No motorized boats may be moored at the fishing pier.
5. 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.
6. 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 with Final Site Plan.
7. 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.
8. Existing native vegetation within any required landscape buffer shall be preserved to the greatest extent possible. Conflicts with utilities, including overhead lines within any proposed landscape buffer containing desirable native vegetation shall be avoided.
9. A minimum of 1.5 acres of Upland Preservation shall be provided and approved with on the Final Site Plan. Upland preservation areas shall be located within common open spaces of the subdivision.
10. All proposed mulch nature trails, board walks, and shade structures 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.
11. Tree barricades for trees to be preserved, including those specifically identified on the Preliminary Site Plan within individual lots, shall be located at the drip line, unless approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the Planning Department.

12. The proposed Plant Materials Schedule shown on the Preliminary Site Plan contains several species which may not be appropriate as proposed for various reasons. Specific tree and shrub varieties shall be reviewed and approved with the Final Site Plan/Construction Plans.
13. The existing boat ramp shall be modified to permit canoe and kayak access. The Preliminary Site Plan shall provide details on the limitation of this area to motorized vessels.
14. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the Erosion Sediment and Control Plan information on the Final Site Plan in accordance with Section 519 of the LDC.
15. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
  - Digital photographs of the well along with nearby reference structures (if existing).
  - GPS coordinates (latitude/longitude) of the well.
  - The methodology used to secure the well during construction (e.g., fence, tape).
  - The final disposition of the well - used, capped, or plugged.
16. All landscaping within the boundaries of the project, including individual lots, shall be in accordance with the Florida Friendly Yards & Neighborhoods Program. In addition to this being included in the Homeowners Association and Notice to Buyer documents, the developer shall disseminate program information to individual lot owners.

**Section 3. SPECIAL AND SPECIFIC APPROVALS.** Special Approval is hereby granted for a project 1) exceeding a net density of 1 dwelling unit per acre in the RES-1 FLUC; 2) in the Coastal Evacuation Area; 3) Coastal Storm Vulnerability Area; 4) partially in the Coastal Planning area; 5) partially in the Coastal High Hazard Overlay; and 6) 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 alternatives to Sections 603.7.4.5, 722.1.4.2, 907.9.2.4 and 907.9.3 of the Land Development Code. This Specific 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 denied for Section 603.7.4.1 of the Land Development Code.

**Section 4. REPEALING ORDINANCES.** Ordinance No. PDR-06-72 adopted by the Board of County Commissioners on October 14, 2008 is hereby repealed. Ordinance No. PDR-06-72(P) shall comprise the approval of the Board of County Commissioners of the Revised Preliminary Site Plan in its entirety subject to the stipulations contained therein.

**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, 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, the ordinance if not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 7. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

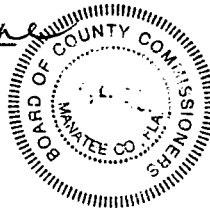
**PASSED AND DULY ADOPTED,** by the Board of County Commissioners of Manatee County, Florida on the 12 day of May, 2009.

BY: BOARD OF COUNTY  
COMMISSIONERS  
MANATEE COUNTY, FLORIDA

BY: Dr. Gwendolyn Y. Brown  
Dr. Gwendolyn Y. Brown, Chairman

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

BY: Susan P. Romine  
Deputy Clerk



## EXHIBIT "A"

PARCEL ID #: 2146400102

OFFICIAL RECORDS BOOK 1525, PAGE 7749, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE SOUTH, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 1191.38 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH, ALONG SAID EAST LINE, A DISTANCE OF 687.19 FEET; THENCE S.89°57'44"W., 53.90 FEET TO A POINT ON THE EASTERLY MAINTAINED RIGHT-OF-WAY LINE OF BAYSHORE DRIVE; THENCE N.13°14'00"E., ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 126.43 FEET TO A POINT OF CURVATURE OF SAID RIGHT-OF-WAY LINE; THENCE NORTHERLY, ALONG SAID RIGHT-OF-WAY LINE, BEING A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 420.12 FEET, THROUGH A CENTRAL ANGLE OF 16°42'12", A DISTANCE OF 122.48 FEET (CHORD=122.04, CHORD BEARING N.04°52'54"E) TO A POINT OF COMPOUND CURVATURE OF SAID RIGHT-OF-WAY LINE; THENCE NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE, BEING A CURVE CONCAVE TO THE WEST, AND HAVING A RADIUS OF 150.0 FEET, THROUGH A CENTRAL ANGLE OF 61°09'01", A DISTANCE OF 160.09 FEET (CHORD=152.60 FEET; CHORD BEARING=N.34°02'42"W.); THENCE LEAVING SAID RIGHT-OF-WAY LINE, GO NORTH, A DISTANCE OF 316.04 FEET; THENCE N.89°57'44"E., 100.0 FEET TO THE POINT OF BEGINNING; TOGETHER WITH ALL LANDS, IF ANY, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF BAYSHORE DRIVE, BEING BOUNDED ON THE SOUTH BY THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL EXTENDED WEST TO THE WATERS OF TILLET'S BAY; THENCE NORTHERLY, ALONG THE WATERS EDGE, TO THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE ABOVE DESCRIBED PARCEL TO ESTABLISH THE WESTERLY BOUNDARY OF SAID LANDS.

PARCEL ID # 2155100109

THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, LESS THE NORTH 472.02 FEET AS DESCRIBED IN OFFICIAL RECORDS BOOK 670, PAGE 863, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; ALSO LESS PROPERTY IN OFFICIAL RECORD BOOKS 387, PAGE 316 DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST; THENCE RUN SOUTH, ALONG THE EAST UNE OF THE SOUTHEAST 1/4 OF SAID SECTION 27, A DISTANCE OF 661.01 FEET; THENCE RUN WEST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 660.04 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27 FOR A POINT OF BEGINNING; THENCE RUN SOUTH AN PARALLEL TO THE EAST UNE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 20.0 FEET; THENCE RUN WEST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 417.46 FEET; THENCE RUN NORTH AND PARALLEL TO THE EAST UNE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 208.73 FEET; THENCE RUN EAST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 417.46 FEET; THENCE RUN SOUTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 188.73 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT RECORDED IN OR. 2031, PG. 1027 FOR UTILITY AND ACCESS ACROSS THE FOLLOWING DESCRIBED PARCEL; COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST; THENCE RUN SOUTH, ALONG THE EAST UNE OF THE SOUTHEAST 1/4 OF SAID SECTION 27, A DISTANCE OF 661.01 FEET, THENCE RUN WEST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 660.04 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27 FOR A POINT OF BEGINNING; THENCE RUN SOUTH AN PARALLEL TO THE EAST UNE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 20.0 FEET; THENCE RUN WEST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 417.46 FEET; THENCE RUN NORTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 208.73 FEET; THENCE RUN EAST AND PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 417.46 FEET; THENCE RUN SOUTH AND PARALLEL TO THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 27, A DISTANCE OF 188.73 FEET TO THE POINT OF BEGINNING.

PARCEL ID #: 21555800109

THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST, OF THE TALLAHASSEE MERIDIAN, MANATEE COUNTY, FLORIDA, ALSO: BEGIN AT A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 27 IN TOWNSHIP 33 SOUTH, RANGE 17 EAST, AS AFORESAID;

1150.60 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE RUN NORTH 179.40 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE RUN WEST 1320.00 FEET TO A STAKE; THENCE RUN SOUTH 518.00 FEET TO A STAKE; THENCE RUN EAST 748.00 FEET TO A STAKE; THENCE RUN NORTH 338.60 FEET TO A STAKE; THENCE RUN EAST 594.00 FEET TO THE POINT OF BEGINNING; ALSO BEGIN AT A POINT 531.30 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 27, IN TOWNSHIP 33 SOUTH, RANGE 17 EAST; THENCE WEST 132.00 FEET TO A STAKE; THENCE SOUTH 165.00 FEET TO A STAKE; THENCE WEST 408.00 FEET TO A STAKE; THENCE 440.00 FEET TO A STAKE; THENCE WEST 54.00 FEET TO A STAKE; THENCE NORTH 338.00 FEET TO A STAKE; THENCE EAST 594.00 FEET TO A STAKE; THENCE SOUTH 649.30 FEET TO THE POINT OF BEGINNING; ALSO BEGIN 5.50 CHAINS NORTH AND 12.00 CHAINS EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 27, IN TOWNSHIP 33 SOUTH, RANGE 17 EAST, OF THE TALLAHASSEE MERIDIAN; RUN THENCE NORTH 6.50 CHAINS; THENCE WEST 165.00 FEET; THENCE SOUTH 6.50 CHAINS; THENCE EAST 165.00 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY; BEGIN AT A POINT 531.3 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 27, THENCE S.89°54'03"W. 15.00 FEET, TO A FOUND 5/8 CAPPED IRON ROD. LS 2915 FOR A POINT OF BEGINNING; THENCE CONTINUE S.89°54'03"W. 211.00 FEET; THENCE N00°00'28"E., 413.00 FEET; THENCE N.89°54'03"E. 211.00 FEET; THENCE S00°00'28"W 413.00 FEET, TO THE POINT OF BEGINNING.

PARCEL ID # 2146400052

BEGIN AT A POINT 10 CHAINS SOUTH OF THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE SOUTH, 18 CHAINS, 46 LINKS; THENCE WEST, 4 CHAINS, 22 LINKS; THENCE NORTH, 18 CHAINS, 46 LINKS; THENCE EAST, 4 CHAINS, 22 LINKS TO THE POINT OF BEGINNING. LESS OFFICIAL RECORD BOOK 1525, PAGE 7749,\*\* DESCRIBED AS: COMMENCE AT THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 27; THENCE SOUTH, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 1191.38 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH, ALONG SAID EAST LINE, A DISTANCE OF 687.19 FEET; THENCE S.89°57'44"W., 53.90 FEET TO A POINT ON THE EASTERLY MAINTAINED RIGHT-OF-WAY LINE OF BAYSHORE DRIVE; THENCE N.13°14'00"E., ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 126.43 FEET TO A POINT OF CURVATURE OF SAID RIGHT-OF-WAY LINE; THENCE NORTHERLY, ALONG SAID RIGHT-OF-WAY LINE, BEING A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 420.12 FEET, THROUGH A CENTRAL ANGLE OF 16°42'12", A DISTANCE OF 122.48 FEET (CHORD=122.04, CHORD BEARING N.04°52'54"E) TO A POINT OF COMPOUND CURVATURE OF SAID RIGHT-OF-WAY LINE; THENCE NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE, BEING A CURVE

CONCAVE TO THE WEST, AND HAVING A RADIUS OF 150.0 FEET, THROUGH A CENTRAL ANGLE OF 61°09'0r<sup>1</sup>, A DISTANCE OF 160.09 FEET (CHORD=152.60 FEET; CHORD BEARING-N.34°02' 42"W.); THENCE LEAVING SAID RIGHT-OF-WAY LINE, GO NORTH, A DISTANCE OF 316.04 FEET; THENCE N.89° 57'44"E., 100.0 FEET TO THE POINT OF BEGINNING; TOGETHER WITH ALL LANDS, IF ANY, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF BAYSHORE DRIVE, BEING BOUNDED ON THE SOUTH BY THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL EXTENDED WEST, TO THE WATERS OF TILLET'S BAY; THENCE NORTHERLY, ALONG THE WATERS EDGE, TO THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE ABOVE DESCRIBED PARCEL TO ESTABLISH THE WESTERLY BOUNDARY OF SAID LANDS.



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 20 day of

May, 2009

R.B. SHORE  
Clerk of Circuit Court

By Nancy Harris D.C.