

FILED FOR RECORD
R. B. SHORE

2008 NOV -3 AM 10: 51

**MANATEE COUNTY ORDINANCE
PDR-06-72 – ESTATES ON TILLET BAYOU**

CLERK OF THE CIRCUIT COURT
MANATEE CO., FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, PERTAINING TO APPROXIMATELY 41.61 ACRES IN TERRA CEIA, 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; SETTING FORTH STIPULATIONS REQUIRED FOR ANY FUTURE PRELIMINARY SITE PLAN SUBMITTAL FOR RESIDENTIAL LOTS AS CONDITIONS OF FUTURE APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Terra Ceia Vest, LLC (the "Applicant") filed an application for a Preliminary Site Plan 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, Planning staff recommended approval of the Preliminary Site Plan, the Special Approvals, and Specific Approvals, subject to the stipulations contained in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on June 12, 2008 to consider the 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 August 7, 2008, September 30, 2008, October 7, 2008, and October 14, 2008; and

WHEREAS, the Board of County Commissioners determined on October 14, 2008 to take no action on Preliminary Site Plan Application PDR 06-72 and the related Special Approvals and Specific Approvals, as submitted at their meeting on October 14, 2008 upon determining substantial design modifications were required to the proposed Preliminary Site Application; and

WHEREAS, the Board of County Commissioners determined that a series of stipulations outlining requirements for any future submittal of a Preliminary Site Plan regarding project design would be beneficial to both the County and the applicant pertaining to proposed single-family residences; and

WHEREAS, the Board of County Commissioners passed a motion at the meeting on October 14, 2008 to find the stipulations stated in this ordinance for any future submittals of Preliminary Site Applications to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code; and

WHEREAS, the Board of County Commissioners, at the meeting on October 14, 2008, determined that at such time as a future Preliminary Site Plan is submitted by the applicant for the project site, a public hearing will be held by the Board of County Commissioners to consider approval, approval with modifications, or denial of any such future Preliminary Site Plan, Special Approvals or Special Approvals due to the scope of the design requirements.

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

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

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

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners held duly noticed public hearings on August 7, 2008, September 30, 2008, October 7, 2008, and October 14, 2008 regarding the proposed 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 Board of County Commissioners by adoption of this Ordinance is not granting approval of Preliminary Site Plan Application PDR 06-72, nor is it granting approval of any Special Approvals or Specific Approvals described in said application. The Board of County Commissioners hereby reserves for its future consideration to either approve, approve the modification, or deny any such future Preliminary Site Plan, any future requests for Special Approval or Specific Approvals. The Board of County Commissioners reserves onto itself discretion to give full consideration to the Manatee County Comprehensive Plan and the requirements of the Land Development Code and other applicable laws in its consideration of the approval of any future Preliminary Site Plan for this project site for residential lots.

Section 2. FUTURE SUBMITTALS OF PRELIMINARY SITE PLANS: Any future Preliminary Site Plans for residential lots submitted for approval to the Board of County Commissioners shall be required to comply with each and every one of 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.

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.
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 Tilletts Bayou. These areas shall be designated as conservation or common open spaces on all future site plans and plat submittals.
6. No new streets serving the project site shall access Bayshore Drive. The project shall be redesigned with its only street access from Center Road, except for individual lots fronting on Bayshore Drive and Center Road.
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. Lots shall not be platted though adjacent jurisdictional waters. This area shall be designated as common open space on all future site plans and plat submittals.
9. 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. No mangrove trimming or cutting.
 - f. All landscaping with the boundaries of the project, including individual lots, shall be in accordance with the Florida Friendly Yards & Neighborhoods Program.
10. 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.

11. 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.

12. The use of potable water for irrigation is not permitted.
13. The average lot size shall be one acre. All lots adjacent to Bayshore Drive and Center Road shall be redesigned to front on these roadways. The number of lots shall be 27 or fewer.
14. 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.
15. Construction traffic from the project site shall not utilize Ken Hubbard Road. 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.
16. The front yard setback from Bayshore Drive shall be 50 feet.
17. 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.

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. There shall be no trimming or cutting of mangroves 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. The two boat docks and one fishing/observation pier are not approved as depicted within this development.
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 shown 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 shown to be preserved 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 use of this area.
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 with 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.

D. TRAFFIC STIPULATIONS

1. At the time of Final Site Plan and Construction Plan approval for each phase of the project, 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., as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.

2. All traffic concurrency-related transportation improvements and required traffic safety and operational improvements shall be shown on the Final Site Plan(s) and Construction Plan(s).

E. PRELIMINARY SITE PLAN APPROVAL REQUIRED:

1. Any future Preliminary Site Plan submitted for the project site regarding residential lots, shall require approval by the Board of County Commissioners upon holding a public hearing, after due public notice and advertising.

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

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

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 14th day of October, 2008.

BY: BOARD OF COUNTY
COMMISSIONERS
MANATEE COUNTY, FLORIDA

BY:


Jane von Hahmann, Chairman



ATTEST:

R. B. SHORE
Clerk of the Circuit Court

BY:

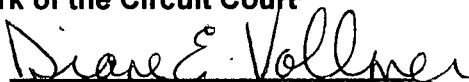

Diane E. Vollmer
Deputy Clerk

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 LINE 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 LINE 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.

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 LINE 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 LINE 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°09'01". 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.



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 22nd day of October, 2008.

R.B. SHORE

Clerk of Circuit Court

By: Siaree Vallmer D.C.



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

FILED FOR RECORD
R. B. SHORE

2008 NOV -3 AM 10: 51

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA
KURT S. BROWNING
Secretary of State

October 28, 2008

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

Attention: Ms. Vicki Tessmer, D.C.

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 22, 2008 and certified copied of Manatee County Ordinance Nos. 08-79, and PDR-06-72, which were filed in this office on October 27, 2008.

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

Sincerely,

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

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282