

## Manatee County Zoning Ordinance

### **PDR-10-11(Z)(P)(R2) - Gamble Creek Ranch RBGJAG Holdings LLC Rezone/Canoe Creek Phase IV - PLN2010-0105**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA REGARDING LAND DEVELOPMENT, AMENDING AND RESTATING ORDINANCE PDR-10-11(P)(R) TO ADD 72.65± ACRES; PROVIDING FOR THE REZONING OF APPROXIMATELY 72.65 ACRES ON THE SOUTH SIDE OF GOLF COURSE ROAD, PARRISH (MANATEE COUNTY) FROM THE A/NCO (GENERAL AGRICULTURE – ONE DWELLING UNIT PER FIVE ACRES/NORTH CENTRAL OVERLAY DISTRICT) TO THE PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONING DISTRICT (72.65 ACRES TO BE ADDED TO THE ALREADY REZONED 304.09 ACRES, FOR A TOTAL ACREAGE OF 376.74 ACRES); RETAINING THE NORTH CENTRAL OVERLAY DISTRICT; APPROVING AN AMENDED PRELIMINARY SITE PLAN TO ADD 152 LOTS FOR PHASE IV TO THE EXISTING CANOE CREEK DEVELOPMENT ALREADY APPROVED FOR 896 RESIDENCES (637 LOTS USED - 259 LOTS REMAINING) WHICH INCLUDES SINGLE-FAMILY ATTACHED, DETACHED, AND SEMI-DETACHED RESIDENCES; GENERALLY LOCATED ON THE SOUTH SIDE OF GOLF COURSE ROAD, PARRISH (MANATEE COUNTY) AND COMMONLY KNOWN AS 3780, 3939, 4249 AND 4250 GAMBLE CREEK ROAD, PARRISH (MANATEE COUNTY); SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING A LEGAL DESCRIPTION, REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Gamble Creek Ranch RBGJAG Holdings, LLC (the “Applicant”) filed an application to rezone approximately 72.65 acres to be added to the already rezoned 304.09 acres for a total acreage of 376.74 acres described in Exhibit “A” for Rezone and Exhibit “B” total acreage, attached hereto, (the “Property”) from the A/NCO (General Agriculture – One Dwelling Unit Per Five Acres/North Central Overlay District) to the PDR (Planned Development Residential) zoning district (72.65 acres to be added to the already rezoned 304.09 acres, for a total acreage of 376.74 acres); retaining The North Central Overlay District; and

**WHEREAS**, the applicant also filed an Amended Preliminary Site Plan to add 152 lots for Phase IV to the existing Canoe Creek Development already approved for 896 residences (637 lots used – 259 lots remaining) which includes single-family attached, detached and semi-detached residences (the “project”) on the property; and

**WHEREAS**, the applicant also filed a request for Specific Approval for alternatives to Land Development Code Sections: 1) 403.12.D.6 (buffer planting elimination); 2) 403.8.F.2 (reduction of upland habitat preservation in the North Central Overlay District and Coastal Planning Area), 3) LDC Section 1001.1.C (Second Means of Access Required) and 4) Public Works Manual Section 3.1.3.B.6 (reduction of right-of-way; and

**WHEREAS**, the Manatee County Planning Commission, after due public notice, held a public hearing on July 8, 2021, to consider the rezone, Amended Preliminary Site Plan and Specific Approval applications 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, Amended Preliminary Site Plan and Specific Approval 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 subject to the stipulations to the staff report.

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

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

The Board of County Commissioners, after considering the testimony, evidence, documentation, 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" for Rezone and Exhibit "B" Total Acreage of this Ordinance from the A/NCO (General Agriculture – One Dwelling Unit Per Five Acres/North Central Overlay District) to the PDR (Planned Development Residential) zoning district for approximately 72.65 acres to be added to the already rezoned 304.09 acres, for a total acreage of 376.74 acres, retaining The North Central Overlay District.

B. The Board of County Commissioners, after due public notice, held a public hearing on August 5, 2021, regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of 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 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 403.12.D.6, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design. Canoe Creek Phase IV is a continuation of the existing subdivision, and as such should not be required to install an additional greenbelt buffer between phases that will operate as one subdivision. Along all other project lines where not adjacent to existing Canoe Creek, the required 20-foot greenbelt buffer and plantings of 3 canopy trees and 33 shrubs per 100 linear feet will be provided.

E. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 403.8.F.2, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design. Canoe Creek Phase IV is preserving native upland habitat to the greatest extent possible with the site design and is incorporating preservation of native upland habitat to meet required greenbelt buffer plantings in several areas of the project.

Additionally, the project meets the overall preservation of existing plant communities required per LDC Section 402.6.T.3.b through preservation of 6.99 acres of native plant communities.

F. Notwithstanding the failure of this plan to comply with the requirements of the Public Works LDC Public Works Manual Part 3, Section 3.1.3.B.6 (Private Streets) the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because access will be provided to the remaining estate parcels.

G. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 1001.1.C, the Board finds the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design given that an emergency access to the west will be provided.

**Section 2. AMENDED PRELIMINARY SITE PLAN.** The Preliminary Site Plan is hereby approved to add 152 lots for Phase IV to the existing Canoe Creek Development already approved for 896 residences (637 lots used – 259 lots remaining) which includes single-family attached, detached and semi-detached residences, upon the property subject to the following Stipulations:

## STIPULATIONS

### A. STORMWATER CONDITIONS:

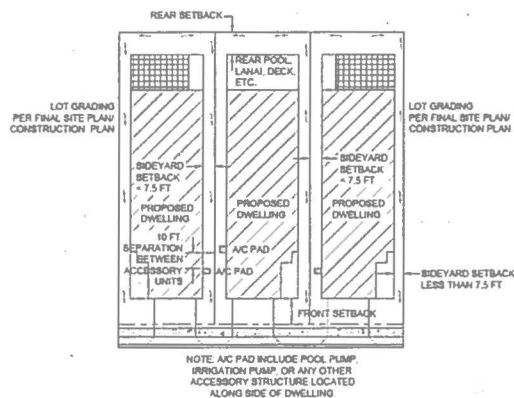
1. A no-rise permit will be required prior to Final Site Plan/building permit approval for all proposed impacts and encroachment within the FEMA floodway associated with Gamble Creek. Any proposed structures (such as residential dwellings, accessory structures, decks, docks, etc.) shall be modeled.
2. Pursuant to Section 801 of the Land Development Code, Manatee County Floodplain Ordinance (Ordinance #20-12 or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the 100-year floodplain as derived from the Gamble Creek Watershed Management Plan and the FEMA 2014 FIRM; and post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

Storm Frequency:	Cumulative Rainfall:	Rainfall Distribution:
10-year/24-hour	7 inches	FLMOD
25-year/24-hour	8 inches	FLMOD
50-year/24-hour	9 inches	FLMOD
100-year/24-hour	10 inches	FLMOD
100-year/72-hour	18 inches	FDOT-72

50-year storm event modeling applies to thoroughfare drainage systems only.

The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging. Drainage Modeling (utilizing best available information from Gamble Creek Watershed Management Plan and associated master drainage modeling) shall be submitted to demonstrate compliance prior to commencement of construction.

3. The Engineer of Record (EOR) shall submit drainage modeling to demonstrate the allowable pre-development rate of discharge has been reduced by fifty (50) percent for Gamble Creek Watershed.
4. All fill within the 25- or 100-year floodplains (as derived from the Gamble Creek Watershed Management Plan and the FEMA 2014 FIRM) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. 100- and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).
5. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plat along the Gamble Creek and all lateral drainage systems within the project boundaries and tributary systems within rezone application tract of land. In addition, a 25-foot Drainage-Maintenance Access Easement shall be provided along the north bank of Gamble Creek and along tributary systems. Manatee County is only responsible for maintaining the free flow of drainage through these systems.
6. A ten (10) foot separation shall be provided between accessory structures (i.e., Heat Pumps, A/C Handlers, pool pumps, etc.) along the side yards of properties with a side yard setback of less than 7.5 feet.



#### **B. FLOODPLAIN CONDITIONS:**

1. A Conditional Letter of Map Revision (CLOMR) approved by the Federal Emergency Management Agency (FEMA) will be required prior to the approval of the Final Site Plan/Construction Drawings. Prior to any construction on Lots 385-396, an approved Letter of Map Revision (LOMR) will be required.

#### **C. ENVIRONMENTAL CONDITIONS:**

1. The Final Site Plan shall reflect 50-foot wetland buffers along all portions of Gamble Creek due to its status as an impaired water body.
2. Sherman's Fox Squirrels have been observed on this site. The site shall be re-evaluated for listed species at the time of Final Site Plan submittal. If the updated survey reveals the

continued presence of Sherman's Fox Squirrels, then the applicant shall provide appropriate documentation from Florida Fish & Wildlife Conservation Commission (FFWCC) demonstrating compliance with their regulations. The Final Site Plan shall be designed in accordance with FFWCC guidelines in effect for this species.

3. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.
4. All proposed mulch nature trails, park/picnic and shade structures located in wetland buffers and tree preservation areas shall be designed in a manner that minimizes impacts to trees and/or native vegetation.
5. The project shall be designed so that no wetland buffer impacts, other than those allowed by Section 706.7.C of the LDC, are required in areas that contain native desirable vegetation.
6. A Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas that will serve as wetland mitigation areas shall be dedicated to Manatee County prior to, or concurrent with, Final Plat approval or Certificate of Occupancy or Certificate of Completion issuance.
7. 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 353.3 of the LDC.
8. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the EPS for review and approval prior to recommencing construction activities. 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.
9. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
10. All other applicable state or federal permits shall be obtained prior to commencement of development.

#### **D. CONCURRENCY AND TRANSPORTATION:**

1. To the extent that transportation analysis based on "Planned Unit Development" (as described in the Institute of Transportation Engineer's "Trip Generation" for Land Use Code 270) is used to support issuance of the Certificate of Level of Service Compliance, there shall be a mix of different residential single-family dwelling units types, including single-family detached, single-family attached, and single-family semi-detached units on the property, with a minimum of 100 residential units constructed for each of the three dwelling unit types listed. Prior to final site plan approval that allows construction of the 650<sup>th</sup> dwelling unit, Manatee County shall review the development to ensure its characteristics are consistent with the analysis supporting issuance of the Certificate of Level of Service



Compliance. If the County finds the traffic impacts are projected to be greater, the Applicant shall provide a transportation analysis based on the updated development characteristics and to determine if additional transportation impact mitigation is required. **(Completed)**

2. There shall be a minimum of three (3) acres of supporting community amenities, such as recreational centers with pool and clubhouse and pocket parks, to complement the residential uses upon the property. **(Completed)**

#### **E. UTILITIES CONDITIONS:**

1. Connection to the County potable water and wastewater systems is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the appropriate County Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.
2. If only a 20-foot private street R/W or easement is proposed for the Grebe/Keen homestead parcels to the south of Canoe Creek, utility meters and wastewater cleanouts shall be located in the public utility easement over Roads B1 and D1.
3. The emergency access/evacuation route to the west of Canoe Creek Phase IV shall be provided via a recorded access easement. The access easement shall be recorded prior to final plat approval and include a gate to be shared between the project and the adjacent property/development to the west.

#### **F. DESIGN AND LAND USE CONDITIONS:**

1. The existing right-of-way for Jim Davis Road shall be vacated prior to or concurrent with approval of the first Final Plat located contiguous to Jim Davis Road (Completed).
2. Homes (not pool cages) along the north and south sides of Golf Course Road are limited to a maximum height of 24.8 feet at the rear setback line and homes (not pool cages) along Jim Davis Road are subject to a maximum height of 14.8 feet at the rear setback line. Per Section 604.10.3.3.i. the maximum height may be increased as portions of the building are farther from the edge of pavement.
3. There shall be a minimum of ten (10) feet separation between accessory equipment and structures alongside abutting houses with 5 feet side yard setbacks.
4. The cottage units (27-foot-wide lots shall have a minimum side setback of 1 foot on one side and 6 feet on the second side, as shown on the attached "Cottage Unit Detail" (Exhibit "B").
5. This Ordinance shall amend, as necessary, the cover sheet of the approved Preliminary Site Plan.
6. The 20-foot-wide access right-of-way shall provide linear frontage to the adjacent property to the south, a minimum of 80 linear feet.

7. A Notice to Buyers must be provided at time of Final Site Plan to include notification of location and purpose of Emergency Access to the west, consistent with County requirements.

**Section 3. SPECIFIC APPROVAL.** Specific Approval is hereby granted for alternatives to Land Development Code Section(s): 1) 403.12.D.6 (buffer planting elimination); 2) 403.8.F.2 (reduction of upland habitat preservation in the North Central Overlay District and Coastal Planning Area), 3) LDC Section 1001.1.C (Second Means of Access Required), and 4) Public Works Manual Sec 3.1.3.B.6 (reduction of right-of-way. The Specific Approval shall continue in effect and shall expire concurrent with the Amended Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

**Section 4. AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County (Ordinance No. 15-17, the Manatee County Land Development Code) is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from A/NCO (General Agriculture – One Dwelling Unit Per Five Acres/North Central Overlay District) to the PDR (Planned Development Residential) zoning district for approximately 72.65 acres to be added to the already rezoned 304.09 acres, for a total acreage of 376.74 acres, retaining The North Central Overlay District, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Building and Development Services Department, are hereby instructed to cause such amendment to the 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, sentence, clause, or 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. REPEALING ORDINANCE IN CONFLICT.** All ordinance in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 7. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 8. STATE AND FEDERAL PERMITTING.** The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

**Section 9. 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 5<sup>th</sup> day of August 2021.



**BOARD OF COUNTY  
COMMISSONERS OF MANATEE  
COUNTY, FLORIDA.**

BY:   
Vanessa Baugh, Chairperson

**ATTEST: ANGELINA COLONNESO**  
Clerk of the Circuit Court

BY:   
Deputy Clerk



## **Exhibit "A"**

### **Legal Description Rezone**

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHEAST CORNER OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE SOUTH 89°55'33" WEST, ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 2,325.28 FEET; THENCE SOUTH 00°02'10" WEST, A DISTANCE OF 2,173.16 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE SOUTH BOUNDARY OF CANOE CREEK PHASE 1, PLAT BOOK 63, PAGE 62, OFFICIAL RECORDS OF MANATEE COUNTY, THE FOLLOWING 4 (FOUR) COURSES: 1. NORTH 89°56'34" EAST, A DISTANCE OF 995.80 FEET; 2. NORTH 00°06'07" EAST, A DISTANCE OF 841.30 FEET; 3. NORTH 89°58'31" EAST, A DISTANCE OF 1,328.10 FEET; 4. SOUTH 00°04'08" WEST, A DISTANCE OF 1,273.76 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 66°49'12" WEST, A DISTANCE OF 876.86 FEET; THENCE SOUTH 83°06'30" WEST, A DISTANCE OF 526.45 FEET; THENCE SOUTH 89°15'39" WEST, A DISTANCE OF 78.85 FEET; THENCE NORTH 18°22'22" WEST, A DISTANCE OF 204.67 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 112.21 FEET; THENCE SOUTH 56°20'10" WEST, A DISTANCE OF 106.56 FEET; THENCE SOUTH 06°30'01" EAST, A DISTANCE OF 310.52 FEET; THENCE SOUTH 53°01'28" WEST, A DISTANCE OF 85.01 FEET; THENCE SOUTH 45°00'00" WEST, A DISTANCE OF 532.51 FEET; THENCE SOUTH 00°02'32" WEST, A DISTANCE OF 460.95 FEET; THENCE SOUTH 50°13'18" EAST, A DISTANCE OF 127.85 FEET; THENCE NORTH 79°56'32" EAST, A DISTANCE OF 556.16 FEET TO THE CENTER OF GAMBLE CREEK AND TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY 176.01 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 540.61 FEET, A CENTRAL ANGLE OF 18°39'16", AND A CHORD BEARING AND DISTANCE OF SOUTH 41°41'15" WEST 175.24 FEET; THENCE LEAVING SAID CREEK CENTERLINE, SOUTH 79°21'40" WEST, A DISTANCE OF 656.02 FEET; THENCE NORTH 00°02'32" EAST, A DISTANCE OF 1,647.61 FEET; THENCE SOUTH 89°54'38" WEST, A DISTANCE OF 127.36 FEET; THENCE NORTH 00°02'10" EAST, A DISTANCE OF 491.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 72.646 ACRES.

## **Exhibit "B"**

### **Legal Description Entire property**

#### **LEGAL DESCRIPTION**

(PER BOUNDARY SURVEY BY WILSONMILLER, PROJECT NUMBER 04626-001-000, DATED 12/13/2005)

THAT PART OF A STRIP 405 FEET WIDE ACROSS WEST SIDE OF NORTHWEST 1/4 OF NORTHEAST 1/4 OF SECTION 3, LYING NORTH OF ROAD, IN SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

NORTH 1 /2 OF NORTHWEST 1 /4, SOUTHWEST 1 /4 OF NORTHWEST 1 /4, LESS COUNTY ROAD, LYING IN SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

NORTHEAST 1/4 OF NORTHEAST 1/4 LESS COUNTY ROAD RIGHT OF WAY, LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

NORTH 1/2 OF EAST 1/2 OF EAST 1/2 OF NORTHWEST 1/4 OF NORTHEAST 1/4, LESS COUNTY ROAD RIGHT-OF-WAY, LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

SOUTH 1/2 OF EAST 1/2 OF EAST 1/2 OF NORTHWEST 1/4 OF NORTHEAST 1/4, AND NORTH 841 FEET OF EAST 1/2 OF SOUTHWEST 1/4 OF NORTHEAST 1/4 AND THE NORTH 841 FEET OF EAST 1/2 OF WEST 1/2 OF SOUTHWEST 1/4 OF NORTHEAST 1/4, LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

EAST 1/2 OF WEST 1/2 OF NORTHWEST 1/4 OF NORTHEAST 1/4, LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

WEST 1/2 OF EAST 1/2 OF NORTHWEST 1/4 OF NORTHEAST 1/4, LESS COUNTY ROAD RIGHT-OF-WAY LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

LESS AND EXCEPT LANDS CONVEYED TO MANATEE COUNTY, FLORIDA AS SET FORTH IN THE FOLLOWING:

1. FEE SIMPLE DEED TO MANATEE COUNTY RECORDED IN O.R. BOOK 225, PAGE 138, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
2. FEE SIMPLE DEED TO MANATEE COUNTY RECORDED IN O.R. BOOK 231, PAGE 44, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TOGETHER WITH:

(PER BOUNDARY SURVEY BY ZOLLER, NAJJAR, & SHROYER, L.C., JOB NUMBER 00-42435, LAST REVISED 4/13/2010)

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, LYING SOUTH AND WEST OF THE COUNTY GRADED ROAD AND THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1 /4 OF SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, LYING SOUTH AND WEST OF THE COUNTY GRADED ROAD AND THE SOUTHEAST 1 /4 OF THE NORTHWEST 1 /4 OF SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST.

TOGETHER WITH: FROM THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, RUN S 89°20'48" E, A DISTANCE OF

1345.62 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1 /4 OF THE NORTHEAST 1 /4 OF SAID SECTION 3; THENCE N 00°04'26" W, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 72.15 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N 00°04'26" W, ALONG SAID EAST LINE OF THE SOUTHWEST 1 /4 OF THE NORTHEAST 1 /4, A DISTANCE OF 1060.43 FEET TO THE SOUTHWESTERLY MAINTAINED RIGHT-OF-WAY LINE OF GOLF COURSE ROAD; THENCE S 71°13'29" E, ALONG SAID SOUTHWESTERLY MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE 49.50 FEET; THENCE S 00°38'42" E, A DISTANCE OF 1042.15 FEET THENCE S 87°34'57" W, A DISTANCE OF 57.28 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

LESS THE FOLLOWING DESCRIBED LAND:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, RUN N 87°34'57" E, A DISTANCE OF 1346.64 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S 00°04'26" E, ALONG SAID EAST LINE, A DISTANCE OF 72.15 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE N 89°20'48" W, ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHEAST 1 /4 A DISTANCE OF 1345.62 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

SUBJECT TO AN EASEMENT FOR DRAINAGE AS RECORDED IN OFFICIAL RECORD BOOK 233, PAGE 469 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TOGETHER WITH: (BY KING ENGINEERING ASSOCIATES, INC.)

THAT PORTION OF JIM DAVIS ROAD LYING IN SECTION 3, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, LYING NORTH OF GOLF COURSE ROAD.

TOGETHER WITH PHASE IV:

(PER BOUNDARY SURVEY BY ARDURRA, JOB NO. 2020-5218 -00 DATED 7/28/2020)

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHEAST CORNER OF SECTION 4, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE SOUTH 89°55'33" WEST, ALONG THE NORTH LINE OF SAID SECTION 4, A DISTANCE OF 2,325.28 FEET; THENCE SOUTH 00°02'10" WEST, A DISTANCE OF 2,173.16 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE SOUTH BOUNDARY OF CANOE CREEK PHASE 1, PLAT BOOK 63, PAGE 62, OFFICIAL RECORDS OF MANATEE COUNTY, THE FOLLOWING 4 (FOUR) COURSES: 1. NORTH 89°56'34" EAST, A DISTANCE OF 995.80 FEET; 2. NORTH 00°06'07" EAST, A DISTANCE OF 841.30 FEET; 3. NORTH 89°58'31" EAST, A DISTANCE OF 1,328.10 FEET; 4. SOUTH 00°04'08" WEST, A DISTANCE OF 1,273.76 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 66°49'12" WEST, A DISTANCE OF 876.86 FEET; THENCE SOUTH 83°06'30" WEST, A DISTANCE OF 526.45 FEET; THENCE SOUTH 89°15'39" WEST, A DISTANCE OF 78.85 FEET; THENCE NORTH 18°22'22" WEST, A DISTANCE OF 204.67 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 112.21 FEET; THENCE SOUTH 56°20'10" WEST, A DISTANCE OF 106.56 FEET; THENCE SOUTH 06°30'01" EAST, A DISTANCE OF 310.52 FEET; THENCE SOUTH 53°01'28" WEST, A DISTANCE OF 85.01 FEET; THENCE SOUTH 45°00'00" WEST, A DISTANCE OF 532.51 FEET; THENCE SOUTH 00°02'32" WEST, A DISTANCE OF 460.95

FEET; THENCE SOUTH 50°13'18" EAST, A DISTANCE OF 127.85 FEET; THENCE NORTH 79°56'32" EAST, A DISTANCE OF 556.16 FEET TO THE CENTER OF GAMBLE CREEK AND TO A POINT ON A NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY 176.01 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 540.61 FEET, A CENTRAL ANGLE OF 18°39'16", AND A CHORD BEARING AND DISTANCE OF SOUTH 41°41'15" WEST 175.24 FEET; THENCE LEAVING SAID CREEK CENTERLINE, SOUTH 79°21'40" WEST, A DISTANCE OF 656.02 FEET; THENCE NORTH 00°02'32" EAST, A DISTANCE OF 1,647.61 FEET; THENCE SOUTH 89°54'38" WEST, A DISTANCE OF 127.36 FEET; THENCE NORTH 00°02'10" EAST, A DISTANCE OF 491.45 FEET TO THE POINT OF BEGINNING.

**TOTAL SUBJECT PROPERTY CONTAINING 376.74± ACRES.**



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

August 9, 2021

Honorable Angelina Colonnese  
Clerk of the Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Quantana Acevedo

Dear Ms. Colonnese:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. PDR-10-11 (Z)(P)(R2), which was filed in this office on August 6, 2021.

Sincerely,

Anya Grosenbaugh  
Program Administrator

AG/lb