

MANATEE COUNTY ORDINANCE NO. Z-86-30

SCHROEDER MANATEE, INC. (CYPRESS BANKS)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE NO. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A/WP/ST (GENERAL AGRICULTURE) TO PDC (PLANNED COMMERCIAL DEVELOPMENT) AND PDR (PLANNED RESIDENTIAL DEVELOPMENT) RETAINING ALL WATERSHED PROTECTION OVERLAY AND SPECIAL TREATMENT OVERLAY DISTRICTS; PROVIDING AN EFFECTIVE DATE.

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

Section 1. FINDINGS OF FACT The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County as well as all other matters presented to said 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 Section 4 of this Ordinance from A/WP/ST (General Agriculture) to PDC (Planned Commercial Development) and PDR (Planned Residential Development) retaining all Watershed Protection Overlay and Special Treatment Overlay Districts.

B. The said Board of County Commissioners held a Public Hearing on October 9, 1986, December 4, 1986, January 22, 1987, March 25, 1987, April 15, 1987, April 16, 1987, April 22, 1987, July 26, 1989 and August 8, 1989 regarding said proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND 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 Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01 THE MANATEE COUNTY COMPREHENSIVE PLAN.

Section 2. The Conceptual Development Plan titled Cypress Banks, is hereby APPROVED to allow approximately 5,622 dwelling units, a 300 room hotel and 230,500 square feet of commercial space with the following stipulations:

A. DEFINITIONS

Note: An asterisk (*) indicates that the word is defined.

A.(1) "Acceptable Level of Service*" shall be revised to indicate that the acceptable level of service shall be those levels of service shown on Table 5.1 of the Manatee County Comprehensive Plan. Acceptable Level of Service for links and intersections in Sarasota County, Florida, shall mean Level of Service as set for the affected roadways in the Sarasota County Comprehensive Plan.

FILED
AUG 21 11 41 PM '89
CLERK OF COUNTY
MANATEE COUNTY
TALLAHASSEE, FLORIDA

- A.(2) "Conceptual Master Plan*" shall mean a graphic depiction of the development described in the DRI application and shown as "Map H" of the Cypress Banks Master Development Plan. This plan is identical to the "Master Development Plan*" and fulfills the requirements for a Conceptual Development Plan in The Manatee County Land Development Code (LDC).
- A.(3) "County Transportation Authority*" shall be defined as the County Division of Highways, Department of Public Works or whatever County entity is responsible for roadway approvals.
- A.(4) "Developer*" shall mean the applicant, SMR-1 Development Corporation, his heirs and assigns or designated entity.
- A.(5) "Development Approval*" shall mean any approval for development granted through the *Preliminary Development Plan, Preliminary Plat, Site Development Plan, and Final Site Plan process and/or construction drawing approval where site plans are not required.
- A.(6) "Horizontal Development*" shall mean and shall be deemed to include the construction of any and all improvements required to serve Vertical Development*, e.g., roadway, drainage, landscaping, water, sewer, communication, utilities, etc.
- A.(7) "Master Development Plan*" shall be defined as Map H incorporated as "Exhibit F" and made a part hereof. This Plan depicts the development described in the ADA and as revised, includes the following land uses: 203,500 square foot shopping center, with 27,000 square feet of accessory commercial space, 5,622 residential units, 300 hotel rooms, an equestrian center, and three 18-hole golf courses.
- A.(8) "Preliminary Development Plan*" (PDP) shall mean a Preliminary Master Development Plan or a Preliminary Development Plan for a Phase or subphase as defined in The Manatee County Comprehensive Zoning and Land Development Code (LDC) for a Phase or Sub-Phase.
- A.(9) "Site Development Plan*" shall be defined as any preliminary plat, final plat, preliminary site development plan, or final site development plan to be submitted for consideration of approval pursuant to the LDC.
- A.(10) "Traffic Study*" shall mean a report presented by the developer, using a methodology acceptable to the County Transportation Authority*, the Tampa Bay Regional Planning Council, and the Department of Community Affairs to trigger the development approval process for the next Preliminary Development Plan*. Such study will be designed to determine if the proposed development will reduce daily or peak hour Level of Service* on any of the roadway segments or intersections within the Transportation Impact Area* as generally identified in Table 1 and "Exhibit C", to below an Acceptable Level of Service*. Any such Traffic Study* shall consider traffic to be generated by the proposed Phase or Sub-Phase, existing traffic and traffic anticipated from prior Development Approvals*.

- A.(11) "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by a proposed PDP in combination with prior approvals of this project will be five percent (5%) (or whatever greater percentage may be employed from time to time by TBRPC or Manatee County) or more of the Level of Service "D" Peak Hour. This area is generally depicted on Map J ("Exhibit B") which was based on data submitted with the ADA.
- A.(12) "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and new commercial units or the reconstruction or addition to any structure.
- A.(13) "Warranted*" shall mean a determination by the County Transportation Division, Public Works Department based on generally accepted transportation engineering practices that the Acceptable Level of Service* cannot be maintained on a roadway segment or intersection without the construction of a transportation improvement required by this Development Order. All vehicle trips on the roadway segment or intersection shall be counted regardless of their source in making this determination, not merely the trips generated by Cypress Banks.

TABLE 1
IMPACTED TRANSPORTATION FACILITIES
(1989 TO 2009)

State Road 70

U.S. 301 TO 45th Street East
45th Street East to Caruso Road
Caruso Road to I-75
I-75 to West Project entrance
West Project entrance to Lorraine Road

University Parkway

1 mile west of I-75 to Lockwood Ridge Road
I-75 to 1 mile west of I-75
U.S. 301 to Lockwood Ridge Road

Interstate 75

State Road 70 to University Parkway
University Parkway to Fruitville Road
State Road 70 to State Road 64

9th Street East

1st Street to 53rd Avenue East

Washington Boulevard

DeSoto Road to Fruitville Road

Fruitville Road

I-75 to 0.5 mile east of Lockwood Ridge Road

B. STIPULATIONS

1. The Applicant shall have the option at the time of submittal of the first application for PDP approval of seeking approval through a Master Development Plan* (MDP) Process. The MDP process is set forth below:

- a. The applicant shall submit a Preliminary Master Development Plan* for the entire project within twenty-four months of the approval of this Zoning Ordinance unless an extension is granted. The failure on the part of the Developer* to meet this requirement shall automatically terminate the approval of the Board of County Commissioners, and the Board of County Commissioners shall rezone the property to its prior zoning classification pursuant to Section 407, Amendments. The prescribed time limit for the submission and approval of a Preliminary Development Plan* may be extended once for a one (1) year period by the Board of County Commissioners, for good cause.

The Preliminary Master Development Plan* shall include: (1) a depiction of all major Horizontal* improvements for the project (i.e., major roadways and trunk lines for water and sewer); (2) the Master Drainage Plan for the project; and (3) the design standards which will control development of individual tracts throughout the project. Approval of the Preliminary Master Development Plan* will authorize the submittal of a Final Master Development Plan.*

- b. A Final Master Development Plan* shall be submitted for approval with construction drawings for the major Horizontal* improvements depicted on the Preliminary Master Development Plan* following the procedures for construction drawing approval established by Section 205B.7.d.(2) of The Manatee County Zoning and Land Development Code and in accordance with the following provisions:
- 1) Following the approval of the Final Master Development Plan* by the Board of County Commissioners, the Developer* shall be authorized to apply for other necessary permits to proceed with the construction of the major Horizontal* improvements depicted on the Final Master Development Plan.*
 - 2) Failure to comply with the requirements of the approved Final Master Development Plan* and any conditions imposed in its final approval, including time conditions, shall constitute a violation of this Ordinance. Upon finding by the Board of County Commissioners that the Developer* has failed to comply with the conditions of any included staging plans or prescribed time limits, the approval of the Final Master Development Plan* shall be automatically terminated. Prior to continuing with the Planned Development, the Developer* shall reapply to the Board of County Commissioners for approval to continue. The Board of County Commissioners may authorize the petitioner to continue under the terms of the Final Master Development Plan* approval or may require that the Developer* re-submit the application in conformance with any step outlined in the procedure for Preliminary or Final Master Development Plan* approval. No subsequent plan of re-approval shall effect an increase in the overall project density as set by the original Conceptual Master Development Plan* approval.
 - 3) Prior to submittal of Preliminary Development Plans* pursuant to Section 205B., The Land Development Code, the Director shall certify that all of the requirements of the Final Master Development Plan* have been complied with for that portion of the Planned Development project for which approval of use or occupancy is being requested.
 - 4) In the event that all the required public improvements have not been completed, the Developer* may post security guaranteeing the completion of such improvements in accordance with the requirements of Section 205G, Installation of Required Improvements.
- In the event the approved Final Master Development Plan* contains a staging or sub-phasing plan, the required public improvements shall be those that are required for construction of the first stage or sub-phase.
- c. Preliminary Development Plans* and Final Development Plans* as specified in The Manatee County Comprehensive Zoning and Land Development Code shall be required of any entity seeking authorization for Vertical Development* in Cypress Banks. The first Preliminary Development Plan* shall be submitted within twenty-four (24) months of approval of the Final Master Development Plan.*

2. At such time that the Developer* submits an application for Preliminary Development Plan* (PDP) approval for any portion of the project, the Developer* shall satisfy the Manatee County Transportation Division and the Planning and Zoning Departments that the Traffic Study* for that phase, as defined in "Exhibit D", reflects the conditions at the time of PDP application. In the event that the County staff finds that the previous traffic analysis does not accurately reflect the conditions at the time of such submittal, a revision of that Traffic Study* must be completed. No Phase or Vertical Development* shall be carried out if such development would result in a degradation of the Acceptable Level of Service* on the roadway segments and intersections within the transportation impact areas except as provided for in Paragraph 35. However, nothing set forth in this ordinance shall require the County to issue any Development Approvals* in violation of Chapter 163, Florida Statutes. As stated below, the Developer* may, at his option, update and verify the existing Traffic Study* when it can be shown that the conditions described in the Traffic Study* have not substantially changed.
3. Preliminary Development Plan* Approvals shall be granted on the basis of demonstrated available roadway capacity as described under the Transportation Conditions herein and shall be a criterion for approval of the PDP for subsequent submittal.
4. The maximum number of residential units shall be limited to 5,622 and the maximum overall density shall not exceed 3.19 dwelling units per acre. With each Preliminary Development Plan* submitted, the Residential Land Use Summary shall be revised to include all units previously constructed and to project more accurately the number of units remaining to be constructed in each development area.

ENVIRONMENTAL CONDITIONS

5. A surface water quality and monitoring program and any amendment thereto shall be approved by the Manatee County Pollution Control Department (MCPCD) and Tampa Bay Regional Planning Council (TBRPC) for review and shall provide one (1) year of pre-construction base-line data acceptable to the Pollution Control Department (MCPCD). Construction monitoring shall be initiated at the beginning of construction and continuing through project build-out, and for two (2) years after build-out. All water quality analytical methods and procedures shall be documented and comply with EPA/DER Quality Control standards and requirements. Monitoring shall be particularly sensitive to the discharges from the golf course and equestrian areas. Should the monitoring indicate that applicable state water

quality standards are not being met as a result of the project, all construction within the subbasin where the violation is noted shall cease until the violation is corrected, or if specific construction can be identified as causing the violation, all such activity responsible for exceeding the regulated limits shall cease until the violation is corrected. If the developer can demonstrate that specific construction can be identified as causing the violation, only that activity demonstrated to be exceeding the regulated limits shall cease until the violation is corrected. The monitoring results obtained, as specified in the monitoring plan, shall be submitted to Manatee County, Southwest Florida Water Management District (SWFWMD), the Department of Community Affairs (DCA) and Tampa Bay Regional Planning Council (TBRPC). Any violation of Chapter 17-3,

Florida Administrative Code (FAC), attributable to the project, shall require corrective measures as set forth by the Florida Department of Environmental Regulations (FDER).

The monitoring station location, sampling frequency, and reporting schedule shall be approved by the Manatee County Pollution Control Department (MCPCD) and submitted to Florida Department of Environmental Regulations (FDER). The County's Pollution Control Department shall maintain control of the monitoring program to the extent they shall have the right of approval as to the consultant hired by the Developer*.

6. The portions of the Cypress Banks site which meet the definition of preservation and conservation areas, as defined in the Tampa Bay Regional Planning Council's (TBRPC's) adopted Future of the Region, as shown on Amended Maps D and F and modified on Map K given in the ADA Sufficiency Response, shall be designated on the Master Development Plan* submitted to Manatee County for Planned Development approval.
7. In the event that any species listed in Rule 39-27.003 and Rule 39-27.004, Florida Administrative Code (FAC) are observed frequenting the site for nesting, feeding, or breeding, proper protection or mitigation measures shall be employed in cooperation with the Florida Game and Fresh Water Fish Commission. Gopher tortoises have been observed on site. The majority of the gopher tortoise population located on site are in areas that will be preserved; these gopher tortoises and comensals which are outside of the preservation area will be relocated after obtaining the appropriate permits from Florida Game and Fresh Water Fish Commission (FGFWFC).
8. All wetlands within the site are considered "jurisdictional" and thus, shall be altered only with approval of all applicable jurisdictional entities and in accordance with the Comprehensive Plan.
9. The development shall adhere to the provisions of the Manatee County Comprehensive Zoning and Land Development Code (LDC), particularly Section 205F.1, having to do with tree protection except in those areas shown on "Exhibit E" (modified Map D and F in the ADA) designated as forest cultivation areas at the time of Conceptual Plan Approval.
10. Representative tracts of all major native upland vegetative communities shall be set aside in their natural state to serve as conservation areas. These shall be clustered to the greatest degree possible in order to maximize the intrinsic value of habitat diversity.
11. A single specimen Simpson zephyr-lily (*Zephyranthes simpsonii*) was observed in an area not designated as a preserve. All other protected plant species were observed within habitats designated for preservation. The Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services the relocation of any plant species listed in Section 581.185(a) and (b), Florida Statutes (FS) and found on-site.
12. Where feasible, the Developer* shall utilize multi-story structures to save natural land cover and reduce the amount of impervious surface.
13. Where feasible, the Developer* shall preserve and otherwise utilize native and low-maintenance vegetation to reduce fertilizing and watering requirements.

14. No development activities shall be permitted within State and Federal jurisdictional wetlands except where permitted by the Department of Environmental Regulation (DER), Southwest Florida Water Management District (SWFWMD) and/or the Army Corps of Engineers and in accordance with the Comprehensive Plan.
15. Stormwater management system design shall, to the maximum extent possible, incorporate and utilize isolated wetlands outside the DER jurisdiction. Mitigative measures may be acceptable to replace removed wetlands.
16. There shall be a fifty foot (50') buffer zone established adjacent to post-development jurisdictional wetlands. All building setbacks shall be measured from the buffer zone. All buffers and included wetlands shall be identified as recorded conservation easements to Manatee County as a separate easement document acceptable to Manatee County and shall be shown on the Preliminary* and Final Development Plans and Subdivision Plats. The location of said easement shall be physically identified on site where property lines cross the easement. Each development subphase shall include deed restrictions that prohibit development activity and removal of native vegetation in the conservation easement. Any replanting within the buffer shall be with flora native to Manatee County.
17. Bridges crossing tributaries shall be designed so that bridge abutments are placed landward of wetland vegetation as defined by the Florida Department of Environmental Regulations (DER).
18. All development within Cypress Banks shall meet all of the regulations and precepts of the adopted Comprehensive Plan as amended.

DRAINAGE

19. Stormwater discharge facilities shall be designed and constructed so as to include an additional level of treatment equal to at least fifty (50) percent of the treatment criteria specified in Rule 17-25.035(1)(b) or Rule 17-25.04 or Rule 17-25.042 F.A.C.
20. In conjunction with the water quality monitoring program set forth above, the Developer* shall develop and institute a monitoring program to monitor surface water and groundwater quantity to assure that pre-development levels of water flowing towards the Evers Reservoir are maintained. This monitoring plan shall be developed by the Developer* in conjunction with and subject to the written approval of Manatee County.
21. Existing net water flow (groundwater and surface water) contribution from the site to the Braden River Watershed shall be maintained and their natural seasonal fluctuations preserved during all phases of development. Beginning two years from the date of issuance of this Development Order and continuing annually thereafter until buildout, the Developer* shall provide the County Pollution Control Department with a wet season/dry season water budget which calculates pre-development and post-development flows to the Braden River Watershed. The water budget shall include monthly rainfall records and calculated runoff, evapotranspiration, and groundwater flow and shall be done separately for normal and ten-year drought conditions. Should the County's Pollution Control Department analysis of the data provided indicate a trend that groundwater and surface contributions from the site to the Braden River

Watershed are not being maintained, then the County may require the Developer* to prepare a detailed analysis of the drainage system and a revised drainage plan which includes all appropriate remedial measures. The County may also require immediate remedial action to mitigate the identified surface water and groundwater shortfalls from the site and require long-term mitigation in accordance with the revised plan. (Manatee County Planning and Zoning Department and CDM).

22. The Developer* has proposed the use of a double-underdrain filtration system at all downstream outfalls to provide additional nutrient and suspended solids removal not typically provided. The Developer*, in conjunction with the Phase I Preliminary Development Plan submittal, shall be required to develop a maintenance schedule which will assure that the system is functioning as designed. Further, the developer*, his heirs and assigns (or designated entity) shall be required to implement and continue this maintenance program for the duration of the project.

The Developer* shall warranty, by bond or other mechanism acceptable to the County, the performance of his stormwater management system in compliance with County and State standards for two (2) years beyond the build-out period of development within each hydrologic unit.

23. Beginning within the 2-year period after build-out and continuing in perpetuity, the Homeowners Association or Special District if established by the County shall be responsible for stormwater monitoring data collection and reporting, operation and maintenance, and renewal and replacement of the stormwater management systems as required in the development approval.

The County shall have the authority to assess the Homeowners Association or Special District for continuing performance of the systems in compliance with the standards set forth in the monitoring program.

24. There shall be no net loss of hydrologic storage and conveyance capacity caused by this development within the 100-year floodplain or an increase in flood elevations as defined by the referenced SWFWMD study.
25. Prior to the issuance of any relevant construction permits of each phase or subphase of the Cypress Banks development, the Final Drainage Plan for each applicable phase or subphase of Cypress Banks shall be submitted to DER and TBRPC for review and to SWFWMD and Manatee County's Planning and Zoning and Pollution Control Departments for approval.
26. To protect the water quality, the Developer* shall be required to include the following parameters:
- a. The drainage system shall be designed to provide retention, or detention with filtration/assimilation treatment in order to meet or exceed all applicable state, regional, and local requirements including 17-25.035(1)(b) FAC, and SWFWMD Rule 40D-4;
 - b. No stormwater discharge shall cause a violation of the Class I Water Quality Standards as set forth in Chapter 17-3, FAC;
 - c. The proposed retention/detention wetland systems shall be designed, constructed and maintained pursuant to the guidelines of the Stormwater and Lake Systems, Maintenance and Design Guidelines (TBRPC, 1978);

- d. The Developer* shall formulate guidelines for the maintenance of the golf courses within the 100-year floodplain adjacent to the Braden River and its tributaries that includes and addresses the limited use of herbicides, pesticides, and fertilizers. These guidelines must be established and approved by Manatee County Pollution Control Department prior to commencement of development and issuance of permits;
 - e. All golf courses must be treated as developed areas with their runoff routed through the subbasin retention/detention systems; and
 - f. The Developer* will provide for positive outfalls for all off-site flow through the development. These positive outfalls may be in the form of swales and channels that will direct the flow around the site.
27. The Developer* shall establish hydroperiod and normal water levels through field survey and maintain these for existing wetland areas that shall be connected to the stormwater management system. The Developer* has identified several wetland areas that will be improved by returning water levels and hydroperiods to their natural state. The Developer* shall identify the wetlands to be improved with each PDP submittal.
28. All development shall meet or exceed the recommended Best Management Practices developed for the Southeast Study Area. Stormwater management system designs shall meet or exceed the guidelines in Camp Dresser & McKee's Final Report (9/85). Designs shall incorporate Best Management Practices, be based on site-specific data (surface and groundwater quality and quantity) reflecting seasonal variations, and seek to enhance where feasible water quality contributions to the Braden River.
29. Stormwater discharge, either direct or indirect, shall not cause a receiving waterbody (water of the state) to violate limits as defined in Class I - Potable Water Supplies and Surface Waters General Criteria of Chapter 17-3, FAC or any other applicable state or local regulations that may be adopted at a later date.

However, where background conditions in the waterbody may not meet the above-stated limits due to non-abatable natural causes, site-specific alternative criteria may be established when an affirmative demonstration is made to the Manatee County Department of Pollution Control that an alternative standard is more appropriate and approval of such criteria is given by said Department.

HAZARDOUS WASTE

30. Upon approval by Manatee County the Developer* shall provide to all Cypress Banks businesses information that:
- a. Indicates types of wastes and materials that are considered to be hazardous and shall be stored or disposed of only in the specially-designated containers/areas; and
 - b. Advises of applicable statutes and regulations regarding hazardous wastes and materials at the time of purchase or lease including the reporting requirements of Chapter 252, Florida Statutes (FS).

31. The Developer* shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations through restrictive covenants.

ENERGY CONSERVATION

32. The Developer* shall institute the following list of energy conservation measures referenced on pages 201-203 of the ADA, including:
- a. "Watt-wise" Construction with increased insulation and high efficiency mechanical appliances such as typical household appliances and those for heating and cooling systems;
 - b. Cross ventilation;
 - c. Window orientation for the most efficient heating and cooling systems;
 - d. Solar heating and cooling systems; and
 - e. Low pressure sodium lamps for exterior lighting.

TRANSPORTATION CONDITIONS

33. The Acceptable Level of Service*, in accordance with the technical guidelines acceptable to the Tampa Bay Regional Planning Council (TBRPC), the Department of Community Affairs and Manatee County shall be maintained on all of the roadway segments or intersections located within the Cypress Banks Transportation Impact Area* as provided for in Paragraphs 35 and 37.
34. Traffic Studies* will be required with each application for Preliminary Development Plan* Approval pursuant to the Manatee County Comprehensive Zoning and Land Development Code (LDC). Such studies shall be designed to determine the specific roadway improvements required for subsequent PDP approval to determine if the traffic generated by the proposed PDP in combination with prior approvals of this project will be five percent (5%) (or whatever greater percentage may be employed from time to time by the Tampa Bay Regional Planning Council (TBRPC) or Manatee County) or greater than the service volume of any roadway segment or intersection in the Transportation Impact Area* and generally depicted on Map J ("Exhibit B"). Such studies shall use a methodology consistent with and generally acceptable to the County Transportation Authority, TBRPC, and DCA. Any such Traffic Study* shall consider traffic to be generated by the proposed PDP, existing traffic and traffic anticipated from all prior Development Approvals* impacting the same roadway.

The Developer*, at his option, may update and verify to the Manatee County Transportation and Planning and Zoning Departments that the existing traffic study continues to represent the traffic situation as it exists at the time of Preliminary Development Plan* application approval. The traffic study that will be verified and updated must represent the Phase of development in which the portion of the project referenced is part. That is, the Developer* will be required to provide an updated traffic study at a minimum of five (5) year intervals coinciding with the Phase schedule provided in "Exhibit D".

35. Approval of each Preliminary Development Plan* shall be contingent upon satisfaction of one of the following conditions:

- a. Approval and development of the Preliminary Development Plan* shall not generate traffic which, in conjunction with existing traffic and traffic anticipated as a result of other Development Approvals*, will have the probable result of causing or contributing to the degradation of the Acceptable Level of Service* on roadway segments and intersections within the Transportation Impact Area*; OR
- b. If approval and development of the Preliminary Development Plan* generates traffic which, in conjunction with existing traffic and traffic anticipated as a result of other Development Approvals*, will have the probable result of causing or contributing to a degradation of the Acceptable Level of Service* on roadway segments or intersections within the Transportation Impact Area*, one of the following conditions shall be met:
 1. All of the Warranted* improvements to prevent degradation of Acceptable Level of Service* within the Traffic Impact Area* are scheduled for construction commensurate with the build-out schedule for the project through a funding mechanism and sources acceptable to Manatee County. Funding mechanisms and sources acceptable to Manatee County shall include state commitments to the improvements within a 5-year capital improvement program, other local government programming of construction of the improvements within a 5-year program, Manatee County's inclusion of construction of the improvements in the 5-year capital improvements program, or local development agreements pursuant to Section 5.1.6.2 of the Manatee County Comprehensive Plan; OR
 2. The Developer* shall mitigate the development's transportation impacts as set forth below, but in no instance shall the Developers'* Proportional Share Contribution, as defined in the Transportation Policy Rule of the Tampa Bay Regional Planning Council (TBRPC), be less than that which would be collected to satisfy transportation component impact fees pursuant to Manatee County Ordinance 86-09:
 - a. Through the construction of one or more transportation projects defined and designated pursuant to Manatee County Comprehensive Plan, Ordinance 89-01, Policy 5.1.6.2. The transportation project(s) to be constructed, the timing of commencement of construction and completion of construction shall be identified prior to or with approval of the Preliminary Development Plan*. The selection of the transportation project(s) and the timing shall be subject to the approval of the Tampa Bay Regional Planning Council (TBRPC) and Department of Community Affairs (DCA). Designated transportation project(s) shall be selected from the list of existing or proposed regional transportation facilities identified by a Traffic Study* pursuant to stipulation #34, and designed to correct deficiencies in one or more of the facilities substantially affected by the development (hereinafter referred to as "Transportation Projects(s)"). Transportation Project(s) shall not include those projects that are already funded and

scheduled for construction commensurate with the buildout schedules for each phase of the Project. The amount due to Manatee County for the construction of the Transportation Project(s) shall be based upon the total of the calculated estimate of the Developer's Proportionate Share Contribution of the cost of Transportation Project(s) for the entire 5-year Phase, which cost includes, but is not limited to, right-of-way acquisition, engineering and construction or the projected impact fees pursuant to Manatee County Ordinance 86-09 for the entire 5-year Phase*, whichever is greater. The Developer's Proportionate Share Contribution of such needed Transportation Project(s) shall be defined as the Cypress Banks Development's percentage, as set forth on Exhibit "C", of the total cost to construct and complete all an Acceptable Level of Service* within the Transportation Impact Area*, not otherwise provided for in this Section 35. The Developer's Proportionate Share Contribution must be sufficient to construct and complete such improvement(s) necessary to achieve or maintain an Acceptable Level of Service* for the selected roadway segment(s) for the duration of the Phase* for which approval is sought.

- b. To proceed under the options set forth in subparagraph 35.b.2, no Preliminary Development Plan* reviewed pursuant to this Paragraph shall exceed five (5) years in duration. Each subsequent PDP shall be subject to further analysis and additional transportation impact mitigation. Any payments due under this subparagraph 2 shall be paid the earlier of the following:
 - (i) at the time of the application for the first building permit for any structure within the Phase; OR
 - (ii) if applicable, within thirty (30) days after notice to make payment from the County, which notice shall be given no earlier than the later date of either ninety (90) days prior to the County's first advertising for bid(s) related to the selected Transportation Projects under subparagraph 2.a or the date of the approval by the County of the Final Development Plan* or Final Subdivision Plat within the Phase or sub-Phase.
- c. Manatee County shall rely upon payments made and shall make financial, construction, and other commitments once payments are made by the Developer*. Prior to any payment made under this Subparagraph 35.b.2, the Developer* shall enter into a written agreement with Manatee County, in a form acceptable to Manatee County, which shall provide that the Developer* understands, and agrees that, provided said payments are used as set forth in the written agreement, such payments made shall be at Developer's risk and shall not be refundable once made regardless of the enforceability of any other provision contained herein. The

County may withhold any development orders which may be issued in accordance with this subsection until said agreement has been executed by the Developer*, approved by the Board of County Commissioners, and recorded in the Public Records of Manatee County.

3. In the event that the Developer* fails to pay the sums determined pursuant to this subparagraph 35.b.2, or in the event Manatee County fails to construct the Transportation Project(s) pursuant to the approved construction timing all development activity within the applicable Phase of the Cypress Banks development shall cease and no development within the applicable Phase may proceed under this Development Order unless the requirements of either subparagraphs 35.a or 35.b.1 of stipulation 35 are met.
36. Any payments provided by the Developer* to the County under stipulation 35 above shall receive credits toward transportation component impact fees subsequently due Manatee County if such credits are allowed under Manatee County Ordinance 86-09, as it may be amended from time to time. Such payments shall not prevent Manatee County from revising or increasing the impact fees due from the Developer* to which applicable advance sums shall be applied.
37. If the Traffic Studies* required in paragraph 34 above show that Acceptable Levels of Service* are not being maintained on the roadway segment or if funding as set forth in 35 above is not provided, then Manatee County government shall withhold PDP approval. PDP approval shall be withheld until the funding commitments set forth in 35 above for the improvements necessary to achieve the Acceptable Levels of Service* have been obtained which will assure the construction of the roadway segments(s) prior to the anticipated build-out of the Phase* for which approval is sought. This provision shall not be construed so as to obligate Manatee County to participate in the construction or funding for construction of said improvements except when said improvements are identified in the County's Transportation Improvement Plan.
38. Pursuant to the Developers* request that Relocated 301 improvements as originally noted in "Exhibit C" be modified to acknowledge the fact that the roadway currently operates at a level above that of the typical four-lane divided highway, the Transportation Division has agreed to remove references to link improvements for Relocated 301. The Manatee County Transportation Division reserves the right to require intersection analysis at the time that future Traffic Studies* are undertaken. (Manatee County Department of Public Works/Transportation Division).
39. The Developer* shall submit a Preliminary Development Plan* or Preliminary Master Development Plan* for the development within twenty-four (24) months of Development Order approval. Preliminary Development Plan* applications for Phases 2, 3 and 4 shall be submitted within six (6) months of the anniversary date of the submittal of the first Preliminary Development Plan* or Preliminary Master Development Plan* at five (5) year increments coinciding with the Phasing time schedule shown in "Exhibit D". The Developer* shall complete or demonstrate substantial

progress toward infrastructure and building permit applications. Failure to meet this schedule may require a revised and updated Traffic Study* prepared in accordance with the provisions of Paragraph 34 to demonstrate that Acceptable Levels of Service* are still projected to exist at the time building permits are issued. The determination that a revised and updated Traffic Study* is required shall be made by the Board of County Commissioners at a public hearing with notice to the Developer* upon recommendation by the Director of Planning and Zoning after consultation with the County Transportation Authority*.

If the Traffic Study* indicates that an Acceptable Level of Service* is not being maintained, or would be projected to be unacceptable at the time of Final Approval, failure to meet the time schedule set forth above shall result in the withholding of future building permits for Phase I and subsequent phases, until an Acceptable Level of Service* is obtained, or other commitments are made as set forth in paragraph 35, above.

40. In the event a Preliminary Development Plan* for Phase II, III or IV is submitted more than one (1) year in advance of the schedule established in "Exhibit D" the Developer* shall define changes in the scheduling of impacts and shall set forth the methods of accommodating such impacts. Nothing in this Development Order shall require the Board of County Commissioners to approve a Preliminary Development Plan* submitted in advance of the schedule set forth in "Exhibit D".
41. A geographic delineation of the Phasing Plan for the entire project shall be submitted for approval at the time of submittal of the first Preliminary Development Plan* for a Phase or Sub-Phase, or at the time of submittal of the Preliminary Master Development Plan*. The phasing plan shall include the number and types of units with square footage, land areas, and densities, and intensities for each residential Sub-Phase.
42. The discovery of any historical or archaeological resources shall be reported to the Florida Division of Archives, History and Records Management and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County.

GENERAL CONDITIONS

43. The Developer* shall be required to adhere to any and all commitments made in the ADA and subsequent sufficiency responses listed in "Composite Exhibit F" attached hereto and by reference incorporated herein, unless that commitment is superseded by a Development Order Condition.
44. The Developer* shall adhere to the following soil; wind, and water erosion abatement methods given on page 22 of the ADA, including:
 - a. Preserve existing trees as buffers between adjacent developed areas;
 - b. Control development progress so that a minimal amount of acreage (i.e. 40-80 acres) is cleared at any one time;
 - c. Control development progress so that the potential for two adjacent parcels to be cleared at the same time is minimal;

- d. Preserve natural land cover by selective clearing of site (e.g. limit clearing of lake excavation areas and road right-of-way in a typical subdivision);
 - e. Sod or seed and fertilize cleared areas and lake banks immediately upon completion of grading activities;
 - f. Utilize water spray trucks to suppress and control dust generation in heavy construction areas;
 - g. Design swales, ditches and culverts for peak velocities in the three (3) to six (6) feet per second maximum range; and
 - h. Preserve the existing natural vegetation along the Braden River, Wolf Slough and other unnamed tributaries to minimize the potential for erosion during construction.
45. The Developer* shall submit a plan to Manatee County and the Tampa Bay Regional Planning Council (TBRPC) for using non-potable water for landscape and open space irrigation with each Preliminary Development Plan*.
46. The Developer* indicates that wastewater treatment and disposal shall be by the County utilizing the Southeast Regional Wastewater Treatment plant. In the event that capacity is not available, the Developer* will be required to provide for the treatment plant expansion and the ultimate disposal of all the wastewater generated by the project or construction of the interim plant at an off-site location out of either the WO-E or WO-M. Any and all wastewater facilities must be designed in accordance with all applicable regulations including the obtaining of all appropriate permits for construction and operation. No septic system shall be permitted within the development.
47. No sewer lift stations shall be built where emergency discharges have the potential for direct discharge into the Braden River, its tributaries, or Evers Reservoir.
48. Sewer lift stations shall be designed and equipped in accordance with Manatee County's Public Utilities Department guidelines with several means of backup, to provide assurance against equipment failure and discharge to the environment. These shall include:
- a. Lift stations with 35HP (or less) motors shall have an auxiliary generator receptacle on the panel box.
 - b. Stations with greater than 35HP motors shall include an on-site stationary generator set with remote transfer capability;
 - c. Wet wells to contain sewage line surcharges/overflows.
 - d. Emergency bypass pumpouts for tank trucks; and
 - e. 100 percent redundancy in lift station pumping equipment.
49. The Developer*, shall maintain all water lines and fire hydrants not dedicated to the County.

50. The Developer*, shall make its fair share contribution for school sites in the southeast county area. To meet this contribution, prior to Final Development Plan approval for residential units of Phase I and in no event no later than approval of the first Preliminary Development Plan* for Phase II the developer* shall negotiate the dedication of forty (40) acres for a school site that is acceptable to the School Board, with an option for the School Board to purchase as adjoining ten (10) acres at fair market value or offer an acceptable school impact credit for future development. The site can be located either on or off the Cypress Banks property. Such a dedication will fulfill all present and any future countywide educational site dedication requirements adopted by the County or the School Board regarding the 1,790 acres included in Z-86-30(C)(R).
51. The Developer*, shall be required to construct all habitable structures with finish floor elevations at or above the 100-year flood elevations as established by the Federal Emergency Management Agency "FEMA" or other representative study as agreed on by the County. Additionally, the development shall cause no net loss in storage or flow capacity within the 100-year floodplain without providing compensatory storage.
52. The Developer*, shall be required to operate and maintain all on-site wells in accordance with acceptable practices and applicable SWFWMD regulations.
53. The Developer*, shall be required to maintain all common open space areas within the project, including the site reservoir.
54. The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, constructing and equipping of emergency service facilities for police, fire, and emergency medical services or any combination thereof. The Developer* may, with the concurrence of the County, satisfy this obligation in whole or part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, if applicable. An agreement as to pro-rata share, mutually acceptable to the County and the Developer*, shall be reached prior to the issuance of permits for Vertical Development* for Phase I.
55. The availability of adequate service/capability to provide water, wastewater treatment, solid waste disposal, electricity, water, police, fire, and EMS service shall be demonstrated with each Preliminary Development Plan* submittal.
56. SMR Development Corporation, its successors, assigns and/or transferees, shall submit annual DRI reports in accordance with Section 380.06(18), FS, to Manatee County, and the Tampa Bay Regional Planning Council, the State Land Planning Agency and other agencies, as may be appropriate, on the anniversary of the effective date of this Order and each year thereafter until such time as all terms and conditions of this Order are satisfied. Six copies of this report shall be submitted to the Director of Manatee County Planning and Zoning Department who shall review the report for compliance with the terms and conditions of this Order and may submit an appropriate report to the County Commission should the Director decide that further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, waiver or change of conditions as to any terms or conditions of this Order. The annual report shall contain the following:

- (a) Any changes in the plan of development, or in the representation contained in the ADA, or in the phasing for the reporting year and for the next year;
 - (b) A summary comparison of development activity proposed and actually conducted for the year;
 - (c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or developer;
 - (d) Identification and intended use of lands purchased, leased or optioned by the developer adjacent to the original DRI site since the development order was issued;
 - (e) An assessment of the developer's and the local government's compliance with the conditions of approval contained in the DRI development order and the commitments which are contained in the Application for Development Approval and which have been identified by the local government, the Regional Planning Council, or the Department of Community Affairs as being significant.
 - (f) Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;
 - (g) An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;
 - (h) A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;
 - (i) A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(14) and (16), Florida Statutes; and
 - (j) A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(14)(d), Florida Statutes.
57. The stipulations set forth in the Development Order as approved by Resolution R-89-161 are included herein by reference.
58. Bridges crossing the Braden River or its tributaries shall be designed so that bridge abutments are placed landward of wetland vegetation as defined by the Florida Department of Environmental Regulation.
59. The runoff from the surface of any bridge or structure crossing the Braden River or its tributaries shall be captured and treated to meet the water quality standards as specified in The Manatee County Comprehensive Plan, Ordinance 89-01.
60. To prove "no negative effect" on water quality in the Future Land Use Categories in the Manatee County Comprehensive Plan, Ordinance 89-01, found within the projects boundaries, the Developer* must show that stormwater management structures/practices conform to Outstanding Florida Water (OFW) regulations (provide 150% of the treatment required by Chapter 17-25, Florida Administrative Code). Designs for these stormwater management structures must be incorporated

- (a) Any changes in the plan of development, or in the representation contained in the ADA, or in the phasing for the reporting year and for the next year;
 - (b) A summary comparison of development activity proposed and actually conducted for the year;
 - (c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or developer;
 - (d) Identification and intended use of lands purchased, leased or optioned by the developer adjacent to the original DRI site since the development order was issued;
 - (e) An assessment of the developer's and the local government's compliance with the conditions of approval contained in the DRI development order and the commitments which are contained in the Application for Development Approval and which have been identified by the local government, the Regional Planning Council, or the Department of Community Affairs as being significant.
 - (f) Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;
 - (g) An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;
 - (h) A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;
 - (i) A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(14) and (16), Florida Statutes; and
 - (j) A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(14)(d), Florida Statutes.
57. The stipulations set forth in the Development Order as approved by Resolution R- 87-62 are included herein by reference.
58. Bridges crossing the Braden River or its tributaries shall be designed so that bridge abutments are placed landward of wetland vegetation as defined by the Florida Department of Environmental Regulation.
59. The runoff from the surface of any bridge or structure crossing the Braden River or its tributaries shall be captured and treated to meet the water quality standards as specified in The Manatee County Comprehensive Plan, Ordinance 89-01.
60. To prove "no negative effect" on water quality in the Future Land Use Categories in the Manatee County Comprehensive Plan, Ordinance 89-01, found within the projects boundaries, the Developer* must show that stormwater management structures/practices conform to Outstanding Florida Water (OFW) regulations (provide 150% of the treatment required by Chapter 17-25, Florida Administrative Code). Designs for these stormwater management structures must be incorporated

in Southwest Florida Management District (SWFWMD) surface water management permits, and proof of permit must be provided prior to final plan approval..

61. The Shopping Center and the Southeast quadrant of the intersection of Lorraine Road and S.R. 70 shall be designed to be oriented for the residents of this Development. This shall be accomplished through building orientation, signage control, access and buffering and shall be reviewed at time of Preliminary Development Plan*.
62. Gopher tortoises encountered in areas slated for construction will be relocated, after obtaining the appropriate permits from Florida Game and Freshwater Fish Commission, to the conservation area specifically preserved for them (ADA, pg. 100). Should the developer* not be able to obtain said permits the active gopher tortoise burrows shall be preserved within a fifty foot (50') buffer.
63. In order to ensure that people will find adequate housing opportunities reasonably accessible to their places of employment, the Developer shall, prior to the commencement of development for Phase II, conduct an analysis of the housing needs to be created by the development and determine the availability of adequate housing proximate to or otherwise reasonably accessible to the development. This analysis and determination shall be accomplished using a methodology approved by the Department of Community Affairs. If such analysis indicates that the development will create a substantial need for adequate housing that is not being provided by other residential development proximate to the development or if such analysis indicates that the development would not substantially further the creation of adequate housing opportunities reasonably accessible to places of employment, then the Developer shall prepare a Housing Affordability and Implementation Plan (HAIP) and adopt the HAIP as an amendment to this development order. The HAIP shall comply with the goals and standards established by the Tampa Bay Regional Planning Council's Comprehensive Regional Policy Plan, the Manatee County Comprehensive Plan, and all applicable rules and policies established by the state land planning agency prior to the commencement of Phase II.

At a minimum, the HAIP shall contain:

1. Specific provisions for onsite housing delivery, including housing delivery alternatives;
2. Specific provisions for offsite housing in addition to onsite housing or when onsite housing would be impracticable;
3. Specific mechanisms for HAIP implementation;
4. Provisions to ensure continued adequacy of units provided;
5. Monitoring provisions;
6. Location and placement of adequate housing units; and
7. An assessment of the HAIP and its relationship to the local comprehensive plan in regard to the need for adequate housing.

The HAIP may also contain:

8. Proposed provisions for crediting the Developer for activities that address adequate housing opportunities; or

9. Proposed developer incentives for providing adequate housing opportunities such as density bonuses, density transfers, alternative or expedited development review, or partial or full fee waivers.

Section 3. AMENDMENT OF OFFICIAL ZONING ATLAS The official Zoning Atlas of Manatee County Ordinance No. 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from A/WP/ST (General Agriculture) to PDC (Planned Commercial Development) and PDR (Planned Residential Development) retaining all Watershed Protection Overlay and Special Treatment Overlay Districts, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning and Zoning Department are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. Legal Description:

That part of Section 17, Twp. 35 S., Rge 19 E., lying south of State Road No. 70.

ALSO:

That part of Section 20, Twp. 35 S., Rge 19 E., lying south of State Road No. 70.

ALSO:

That part of Section 21, Twp 35 S., Rge 19 E., lying south of State Road No. 70.

ALSO:

That part of Section 22, Twp. 35 S., Rge 19 E., described as follows:

Begin at the southwest corner of said Section 22; thence S 89°29'58" E., along the south line of said Section 22, 100.00 ft., thence N 00°30'04" E., parallel with the west line of said Section 22 and 100.00 ft., easterly therefrom. A distance of 2,397.34 ft., the P.G. of a curve, concave to the southeast having a radius of 950.00 ft.; thence run northeasterly. Along the arc of said curve, through a central angle of 68°46'17", a distance of 1,140.27 ft., to the PRC of a curve, concave to the northwest having a radius of 1,050.00 ft.; thence run northeasterly along the arc of said curve, through a central angle of 68°37'34", a distance of 1,257.64 ft.; thence S. 89°21'12" E., parallel with the south R/W of State Road No. 70, and 900.00 ft. southerly therefrom, a distance of 872.00 ft., thence N. 00°38'48" E., perpendicular with said south R/W, 900.00 ft. to the intersection with the south R/W of said State Road No. 70, thence N 89°21'12" W., along said south R/W; 2,250.12 ft. to the intersection with the west line of said Section 22; thence S 00°30'04" W., along said west section line, 5,162.33 ft. to the P.O.B.

ALSO:

The north 3,077.34 ft. of the west 1/2 of Section 28, Twp. 35 S., Rge 19 E.

ALSO:

The NW 1/4 and the north 1/2 of the NE 1/4 of Section 29, Twp. 35 S., Rge 19 E.

Less the following described land:

Commence at the northeast corner of Section 20, Twp. 35 S., Rge 19 E., also being the northwest corner of Section 21, Twp. 35 S., Rge 19 E.; thence S. 00°05'32" W. along the common line between Section 20 and 21, 1,010.00 ft. for a P.O.B.; thence S 66°05'32" W, 280.00 ft.; thence S 23°54'28" E, 628.89 ft. to the intersection with said common line between Section 20 and 21; thence S 00°05'32" W, along said common section line, 450.00 ft.; thence S 64°54'28" E, 580.00 ft.; thence N 25°05'32" E, 917.59 ft.; thence N 23°54'28" W, 875.72 ft.; thence S 66°05'32" W, 610.00 ft. to the P.O.B., being and lying in Section 20 and 21, Twp. 35 S., Rge 19 E., Manatee County Florida. Containing 1,762.80 acres more or less.

ALSO:

P.D.G.

DESCRIPTION: CYPRESS BANKS PROPOSED:

Commence at the northeast corner of Section 20, Twp. 35 S., Rge 19 E., also being the northwest corner of Section 21, Twp 35 S., Rge 19 E.; thence S 00°05'32" W, along the common line between Section 20 and 21, 1,010.00 ft., for a P.O.B.; thence S 66°05'32" W, 280.00 ft.; thence S 23°54'28" E 628.89 ft. to the intersection with said common line between Section 20 and 21; thence S 00°05'32" W, along said common section line, 450.00 ft.; thence S 64°54'28" E, 580.00 ft.; thence N 25°05'32" E, 917.59 ft.; thence N 23°54'28" W, 875.72 ft.; thence S 66°05'32" W, 610.00 ft. to the P.O.B., being and lying in Section 20 and 21, Twp 35 S, Rge 19 E., Manatee County, Florida. Containing 26.20 acres more or less.

All of the above being and lying in Township 35 South, Range 19 East, manatee County, Florida. Containing 1,790 acres more or less.

Section 5. EFFECTIVE DATE This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 8th day of August 1989.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Patricia M. Shaw

Chairman

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

Susan D. French D.C.





The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921
BRADENTON, FLORIDA 34206
TELEPHONE (813) 748-0411

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

STATE OF FLORIDA COUNTY OF MANATEE:

Before the undersigned authority personally appeared Linda L. Rikke, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

Notice of Public Hearing/Cypress Banks

_____ in the _____ Court,
was published in said newspaper in the issues of _____
7/2, '89

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

5th day of July

A.D. 1989

(SEAL) Notary Public

Notary Public, State of Florida at Large
My Commission Expires May 30, 1991

Notice of Public Hearing/Cypress Banks
Notice is hereby given pursuant to provisions of Chapter 20-107, Laws of Florida, Sections 170.01, 170.02, 170.03, 170.04, 170.05, 170.06, 170.07, 170.08, 170.09, 170.10, 170.11, 170.12, 170.13, 170.14, 170.15, 170.16, 170.17, 170.18, 170.19, 170.20, 170.21, 170.22, 170.23, 170.24, 170.25, 170.26, 170.27, 170.28, 170.29, 170.30, 170.31, 170.32, 170.33, 170.34, 170.35, 170.36, 170.37, 170.38, 170.39, 170.40, 170.41, 170.42, 170.43, 170.44, 170.45, 170.46, 170.47, 170.48, 170.49, 170.50, 170.51, 170.52, 170.53, 170.54, 170.55, 170.56, 170.57, 170.58, 170.59, 170.60, 170.61, 170.62, 170.63, 170.64, 170.65, 170.66, 170.67, 170.68, 170.69, 170.70, 170.71, 170.72, 170.73, 170.74, 170.75, 170.76, 170.77, 170.78, 170.79, 170.80, 170.81, 170.82, 170.83, 170.84, 170.85, 170.86, 170.87, 170.88, 170.89, 170.90, 170.91, 170.92, 170.93, 170.94, 170.95, 170.96, 170.97, 170.98, 170.99, 170.100, 170.101, 170.102, 170.103, 170.104, 170.105, 170.106, 170.107, 170.108, 170.109, 170.110, 170.111, 170.112, 170.113, 170.114, 170.115, 170.116, 170.117, 170.118, 170.119, 170.120, 170.121, 170.122, 170.123, 170.124, 170.125, 170.126, 170.127, 170.128, 170.129, 170.130, 170.131, 170.132, 170.133, 170.134, 170.135, 170.136, 170.137, 170.138, 170.139, 170.140, 170.141, 170.142, 170.143, 170.144, 170.145, 170.146, 170.147, 170.148, 170.149, 170.150, 170.151, 170.152, 170.153, 170.154, 170.155, 170.156, 170.157, 170.158, 170.159, 170.160, 170.161, 170.162, 170.163, 170.164, 170.165, 170.166, 170.167, 170.168, 170.169, 170.170, 170.171, 170.172, 170.173, 170.174, 170.175, 170.176, 170.177, 170.178, 170.179, 170.180, 170.181, 170.182, 170.183, 170.184, 170.185, 170.186, 170.187, 170.188, 170.189, 170.190, 170.191, 170.192, 170.193, 170.194, 170.195, 170.196, 170.197, 170.198, 170.199, 170.200, 170.201, 170.202, 170.203, 170.204, 170.205, 170.206, 170.207, 170.208, 170.209, 170.210, 170.211, 170.212, 170.213, 170.214, 170.215, 170.216, 170.217, 170.218, 170.219, 170.220, 170.221, 170.222, 170.223, 170.224, 170.225, 170.226, 170.227, 170.228, 170.229, 170.230, 170.231, 170.232, 170.233, 170.234, 170.235, 170.236, 170.237, 170.238, 170.239, 170.240, 170.241, 170.242, 170.243, 170.244, 170.245, 170.246, 170.247, 170.248, 170.249, 170.250, 170.251, 170.252, 170.253, 170.254, 170.255, 170.256, 170.257, 170.258, 170.259, 170.260, 170.261, 170.262, 170.263, 170.264, 170.265, 170.266, 170.267, 170.268, 170.269, 170.270, 170.271, 170.272, 170.273, 170.274, 170.275, 170.276, 170.277, 170.278, 170.279, 170.280, 170.281, 170.282, 170.283, 170.284, 170.285, 170.286, 170.287, 170.288, 170.289, 170.290, 170.291, 170.292, 170.293, 170.294, 170.295, 170.296, 170.297, 170.298, 170.299, 170.300, 170.301, 170.302, 170.303, 170.304, 170.305, 170.306, 170.307, 170.308, 170.309, 170.310, 170.311, 170.312, 170.313, 170.314, 170.315, 170.316, 170.317, 170.318, 170.319, 170.320, 170.321, 170.322, 170.323, 170.324, 170.325, 170.326, 170.327, 170.328, 170.329, 170.330, 170.331, 170.332, 170.333, 170.334, 170.335, 170.336, 170.337, 170.338, 170.339, 170.340, 170.341, 170.342, 170.343, 170.344, 170.345, 170.346, 170.347, 170.348, 170.349, 170.350, 170.351, 170.352, 170.353, 170.354, 170.355, 170.356, 170.357, 170.358, 170.359, 170.360, 170.361, 170.362, 170.363, 170.364, 170.365, 170.366, 170.367, 170.368, 170.369, 170.370, 170.371, 170.372, 170.373, 170.374, 170.375, 170.376, 170.377, 170.378, 170.379, 170.380, 170.381, 170.382, 170.383, 170.384, 170.385, 170.386, 170.387, 170.388, 170.389, 170.390, 170.391, 170.392, 170.393, 170.394, 170.395, 170.396, 170.397, 170.398, 170.399, 170.400, 170.401, 170.402, 170.403, 170.404, 170.405, 170.406, 170.407, 170.408, 170.409, 170.410, 170.411, 170.412, 170.413, 170.414, 170.415, 170.416, 170.417, 170.418, 170.419, 170.420, 170.421, 170.422, 170.423, 170.424, 170.425, 170.426, 170.427, 170.428, 170.429, 170.430, 170.431, 170.432, 170.433, 170.434, 170.435, 170.436, 170.437, 170.438, 170.439, 170.440, 170.441, 170.442, 170.443, 170.444, 170.445, 170.446, 170.447, 170.448, 170.449, 170.450, 170.451, 170.452, 170.453, 170.454, 170.455, 170.456, 170.457, 170.458, 170.459, 170.460, 170.461, 170.462, 170.463, 170.464, 170.465, 170.466, 170.467, 170.468, 170.469, 170.470, 170.471, 170.472, 170.473, 170.474, 170.475, 170.476, 170.477, 170.478, 170.479, 170.480, 170.481, 170.482, 170.483, 170.484, 170.485, 170.486, 170.487, 170.488, 170.489, 170.490, 170.491, 170.492, 170.493, 170.494, 170.495, 170.496, 170.497, 170.498, 170.499, 170.500, 170.501, 170.502, 170.503, 170.504, 170.505, 170.506, 170.507, 170.508, 170.509, 170.510, 170.511, 170.512, 170.513, 170.514, 170.515, 170.516, 170.517, 170.518, 170.519, 170.520, 170.521, 170.522, 170.523, 170.524, 170.525, 170.526, 170.527, 170.528, 170.529, 170.530, 170.531, 170.532, 170.533, 170.534, 170.535, 170.536, 170.537, 170.538, 170.539, 170.540, 170.541, 170.542, 170.543, 170.544, 170.545, 170.546, 170.547, 170.548, 170.549, 170.550, 170.551, 170.552, 170.553, 170.554, 170.555, 170.556, 170.557, 170.558, 170.559, 170.560, 170.561, 170.562, 170.563, 170.564, 170.565, 170.566, 170.567, 170.568, 170.569, 170.570, 170.571, 170.572, 170.573, 170.574, 170.575, 170.576, 170.577, 170.578, 170.579, 170.580, 170.581, 170.582, 170.583, 170.584, 170.585, 170.586, 170.587, 170.588, 170.589, 170.590, 170.591, 170.592, 170.593, 170.594, 170.595, 170.596, 170.597, 170.598, 170.599, 170.600, 170.601, 170.602, 170.603, 170.604, 170.605, 170.606, 170.607, 170.608, 170.609, 170.610, 170.611, 170.612, 170.613, 170.614, 170.615, 170.616, 170.617, 170.618, 170.619, 170.620, 170.621, 170.622, 170.623, 170.624, 170.625, 170.626, 170.627, 170.628, 170.629, 170.630, 170.631, 170.632, 170.633, 170.634, 170.635, 170.636, 170.637, 170.638, 170.639, 170.640, 170.641, 170.642, 170.643, 170.644, 170.645, 170.646, 170.647, 170.648, 170.649, 170.650, 170.651, 170.652, 170.653, 170.654, 170.655, 170.656, 170.657, 170.658, 170.659, 170.660, 170.661, 170.662, 170.663, 170.664, 170.665, 170.666, 170.667, 170.668, 170.669, 170.670, 170.671, 170.672, 170.673, 170.674, 170.675, 170.676, 170.677, 170.678, 170.679, 170.680, 170.681, 170.682, 170.683, 170.684, 170.685, 170.686, 170.687, 170.688, 170.689, 170.690, 170.691, 170.692, 170.693, 170.694, 170.695, 170.696, 170.697, 170.698, 170.699, 170.700, 170.701, 170.702, 170.703, 170.704, 170.705, 170.706, 170.707, 170.708, 170.709, 170.710, 170.711, 170.712, 170.713, 170.714, 170.715, 170.716, 170.717, 170.718, 170.719, 170.720, 170.721, 170.722, 170.723, 170.724, 170.725, 170.726, 170.727, 170.728, 170.729, 170.730, 170.731, 170.732, 170.733, 170.734, 170.735, 170.736, 170.737, 170.738, 170.739, 170.740, 170.741, 170.742, 170.743, 170.744, 170.745, 170.746, 170.747, 170.748, 170.749, 170.750, 170.751, 170.752, 170.753, 170.754, 170.755, 170.756, 170.757, 170.758, 170.759, 170.760, 170.761, 170.762, 170.763, 170.764, 170.765, 170.766, 170.767, 170.768, 170.769, 170.770, 170.771, 170.772, 170.773, 170.774, 170.775, 170.776, 170.777, 170.778, 170.779, 170.780, 170.781, 170.782, 170.783, 170.784, 170.785, 170.786, 170.787, 170.788, 170.789, 170.790, 170.791, 170.792, 170.793, 170.794, 170.795, 170.796, 170.797, 170.798, 170.799, 170.800, 170.801, 170.802, 170.803, 170.804, 170.805, 170.806, 170.807, 170.808, 170.809, 170.810, 170.811, 170.812, 170.813, 170.814, 170.815, 170.816, 170.817, 170.818, 170.819, 170.820, 170.821, 170.822, 170.823, 170.824, 170.825, 170.826, 170.827, 170.828, 170.829, 170.830, 170.831, 170.832, 170.833, 170.834, 170.835, 170.836, 170.837, 170.838, 170.839, 170.840, 170.841, 170.842, 170.843, 170.844, 170.845, 170.846, 170.847, 170.848, 170.849, 170.850, 170.851, 170.852, 170.853, 170.854, 170.855, 170.856, 170.857, 170.858, 170.859, 170.860, 170.861, 170.862, 170.863, 170.864, 170.865, 170.866, 170.867, 170.868, 170.869, 170.870, 170.871, 170.872, 170.873, 170.874, 170.875, 170.876, 170.877, 170.878, 170.879, 170.880, 170.881, 170.882, 170.883, 170.884, 170.885, 170.886, 170.887, 170.888, 170.889, 170.890, 170.891, 170.892, 170.893, 170.894, 170.895, 170.896, 170.897, 170.898, 170.899, 170.900, 170.901, 170.902, 170.903, 170.904, 170.905, 170.906, 170.907, 170.908, 170.909, 170.910, 170.911, 170.912, 170.913, 170.914, 170.915, 170.916, 170.917, 170.918, 170.919, 170.920, 170.921, 170.922, 170.923, 170.924, 170.925, 170.926, 170.927, 170.928, 170.929, 170.930, 170.931, 170.932, 170.933, 170.934, 170.935, 170.936, 170.937, 170.938, 170.939, 170.940, 170.941, 170.942, 170.943, 170.944, 170.945, 170.946, 170.947, 170.948, 170.949, 170.950, 170.951, 170.952, 170.953, 170.954, 170.955, 170.956, 170.957, 170.958, 170.959, 170.960, 170.961, 170.962, 170.963, 170.964, 170.965, 170.966, 170.967, 170.968, 170.969, 170.970, 170.971, 170.972, 170.973, 170.974, 170.975, 170.976, 170.977, 170.978, 170.979, 170.980, 170.981, 170.982, 170.983, 170.984, 170.985, 170.986, 170.987, 170.988, 170.989, 170.990, 170.991, 170.992, 170.993, 170.994, 170.995, 170.996, 170.997, 170.998, 170.999, 171.000, 171.001, 171.002, 171.003, 171.004, 171.005, 171.006, 171.007, 171.008, 171.009, 171.010, 171.011, 171.012, 171.013, 171.014, 171.015, 171.016, 171.017, 171.018, 171.019, 171.020, 171.021, 171.022, 171.023, 171.024, 171.025, 171.026, 171.027, 171.028, 171.029, 171.030, 171.031, 171.032, 171.033, 171.034, 171.035, 171.036, 171.037, 171.038, 171.039, 171.040, 171.041, 171.042, 171.043, 171.044, 171.045, 171.046, 171.047, 171.048, 171.049, 171.050, 171.051, 171.052, 171.053, 171.054, 171.055, 171.056, 171.057, 171.058, 171.059, 171.060, 171.061, 171.062, 171.063, 171.064, 171.065, 171.066, 171.067, 171.068, 171.069, 171.070, 171.071, 171.072, 171.073, 171.074, 171.075, 171.076, 171.077, 171.078, 171.079, 171.080, 171.081, 171.082, 171.083, 171.084, 171.085, 171.086, 171.087, 171.088, 171.089, 171.090, 171.091, 171.092, 171.093, 171.094, 171.095, 171.096, 171.097, 171.098, 171.099, 171.100, 171.101, 171.102, 171.103, 171.104, 171.105, 171.106, 171.107, 171.108, 171.109, 171.110, 171.111, 171.112, 171.113, 171.114, 171.115, 171.116, 171.117, 171.118, 171.119, 171.120, 171.121, 171.122, 171.123, 171.124, 171.125, 171.126, 171.127, 171.128, 171.129, 171.130, 171.131, 171.132, 171.133, 171.134, 171.135, 171.136, 171.137, 171.138, 171.139, 171.140, 171.141, 171.142, 171.143, 171.144, 171.145, 171.146, 171.147, 171.148, 171.149, 171.150, 171.151, 171.152, 171.153, 171.154, 171.155, 171.156, 171.157, 171.158, 171.159, 171.160, 171.161, 171.162, 171.163, 171.164, 171.165, 171.166, 171.167, 171.168, 171.169, 171.170, 171.171, 171.172, 171.173, 171.174, 171.175, 171.176, 171.177, 171.178, 171.179, 171.180, 171.181, 171.182, 171.183, 171.184, 171.185, 171.186, 171.187, 171.188, 171.189, 171.190, 171.191, 171.192, 171.193, 171.194, 171.195, 171.196, 171.197, 171.198, 171.199, 171.200, 171.201, 171.202, 171.203, 171.204, 171.205, 171.206, 171.207, 171.208, 171.209, 171.210, 171.211, 171.212, 171.213, 171.214, 171.215, 171.216, 171.217, 171.218, 171.219, 171.220, 171.221, 171.222, 171.223, 171.224, 171.225, 171.226, 171.227, 171.228, 171.229, 171.230, 171.231, 171.232, 171.233, 171.234, 171.235, 171.236, 171.237, 171.238, 171.239, 171.240, 171.241, 171.242, 171.243, 171.244, 171.245, 171.246, 171.247, 171.248, 171.249, 171.250, 171.251, 171.252, 171.253, 171.254, 171.255, 171.256, 171.257, 171.258, 171.259, 171.260, 171.261, 171.262, 171.263, 171.264, 171.265, 171.266, 171.267, 171.268, 171.269, 171.270, 171.271, 171.272, 171.273, 171.274, 171.275,

DESCRIBED LAND:

Commence at the Northeast corner of Section 20, TWP. 35S., RGE 19 E., Also being the Northwest corner of Section 21, TWP. 35S., RGE 19E; thence S 00°05'32" W, along the common line between section 20 and 21, 1010.00 ft., FOR A POINT OF BEGINNING; Thence S 64°05'32" W, 280.00 ft.; thence S 23°54'28" E, 628.89 ft. to the intersection with said common line between section 20 and 21; Thence S 00°05'32" W, along said common section line, 450.00 ft.; thence S 64°54'28" E, 580.00 ft.; thence N 25°05'32" E, 917.59 ft.; Thence N 23°54'28" W, 875.72 ft.; Thence S 64°05'32" W, 610.00 ft. to the point of beginning, being and lying in section 20 and 21, TWP. 35S., RGE 19E., Manatee County, Florida.

CONTAINING 1742.80 ACRES MORE OR LESS.

ALSO:
DESCRIPTION: CYPRESS BANKS - PROPOSED P.D.C.

Commence at the Northeast corner of section 20, TWP. 35 S., RGE 19 E., Also being the Northwest corner of section 21, TWP. 35 S., RGE 19 E; thence S 00°05'32" W, along the common line between section 20 and 21, 1010.00 ft., FOR A POINT OF BEGINNING; Thence S 64°05'32" W, 280.00 ft.; thence S 23°54'28" E, 628.89 ft. to the intersection with said common line between section 20 and 21; thence S 00°05'32" W, along said common section line, 450.00 ft.; thence S 64°54'28" E, 580.00 ft.; Thence N 25°05'32" E, 917.59 ft.; Thence N 23°54'28" W, 875.72 ft.; thence S 64°05'32" W, 610.00 ft. to the point of beginning, being and lying in section 20 and 21, TWP. 35 S., RGE 19 E., Manatee County, Florida

CONTAINING 26.20 ACRES MORE OR LESS

All of the above being and lying in Township 35 South, Range 19 East, Manatee County, Florida containing 1790 acres more or less.

All interested parties are invited to appear at this Hearing and be heard. Additionally, any written comments filed with the Planning Commission or the Planning and Development Department will be heard and considered by the Board of County Commissioners.

Interested parties may examine the Official Zoning Atlas, the application and related documents and may obtain assistance regarding this matter from the Manatee County Planning and Development Department, 212 Sixth Avenue East, Bradenton, Florida.

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings made, which includes the testimony and evidence upon which the appeal is to be based.

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS

Manatee County Planning & Development Department
Manatee County, Florida
7/2/89

JUL 18 1989

RECEIVED

AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY MAIL TO CONTIGUOUS PROPERTY OWNERSSTATE OF FLORIDA
COUNTY OF MANATEE

BEFORE ME, the undersigned authority, personally appeared Diane C. Chadwick of Lombardo & Skipper, Inc., who, after having been first duly sworn and put upon oath, says as follows:

1. That she is the agent for owner (owner, agent for owner), attorney in fact for owner, etc.) of the property identified in the application for Official Zoning Atlas Amendment No. Z-86-110(e), to be heard on July 26, 1989 and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein and they are true to the best of his knowledge, information and belief.
2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 81-4 on the property identified in said application and said sign was conspicuously posted * feet from the front property line on the 30th day of June, 1989.
3. That the Affiant has caused the mailing of the required letter of notification to contiguous property owners pursuant to Manatee County Ordinance 81-4, by 1st Class Mail, on the 30th day of June, 1989, and attaches hereto as part of and incorporated herein, copies of said letters of notification.
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 81-4 as it relates to the above matters may cause the above-identified application and any public hearing held thereon to be ineffective and a nullity.

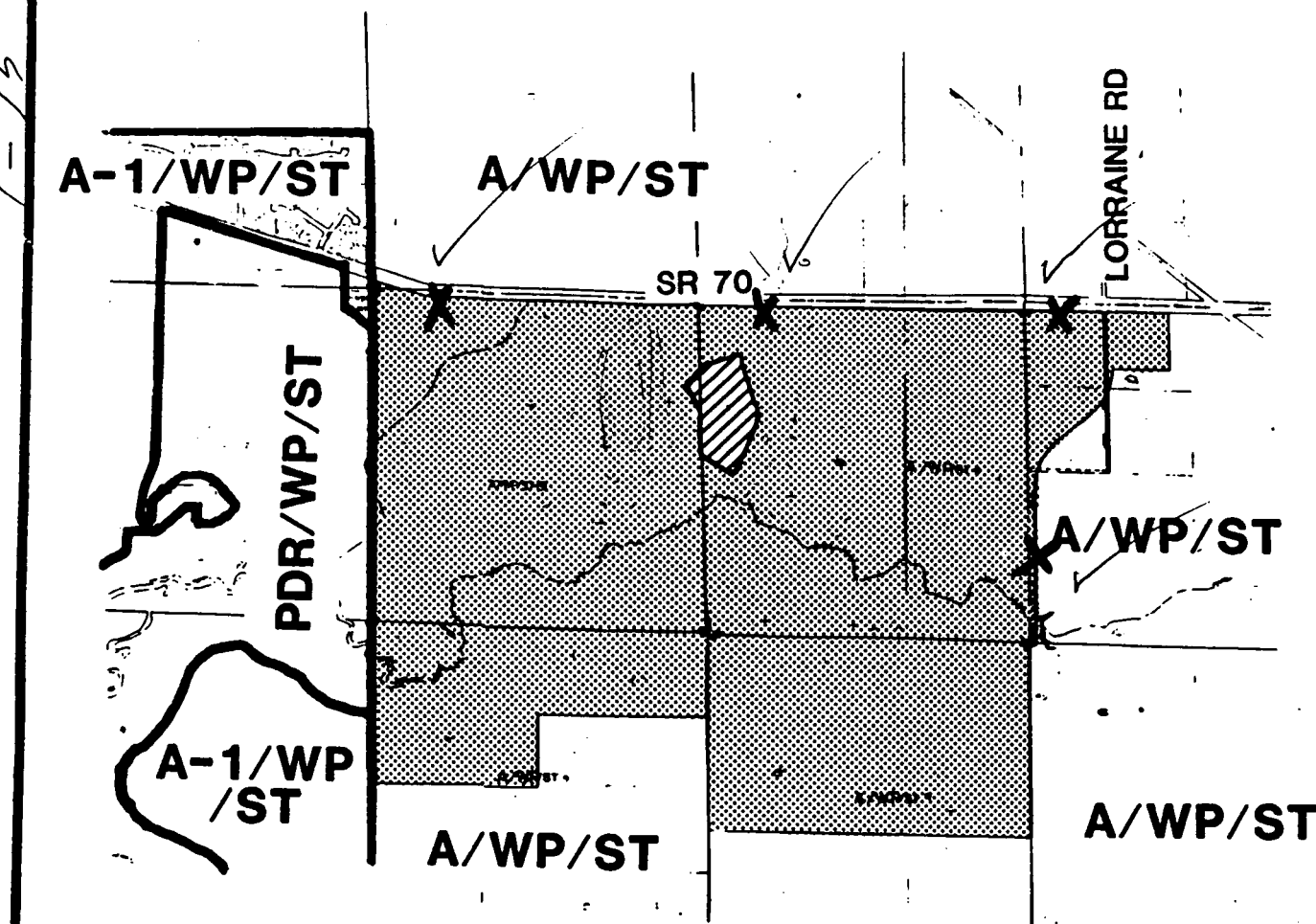
FURTHER YOUR AFFIANT SAITH NOT.

Sworn to and subscribed before me this.

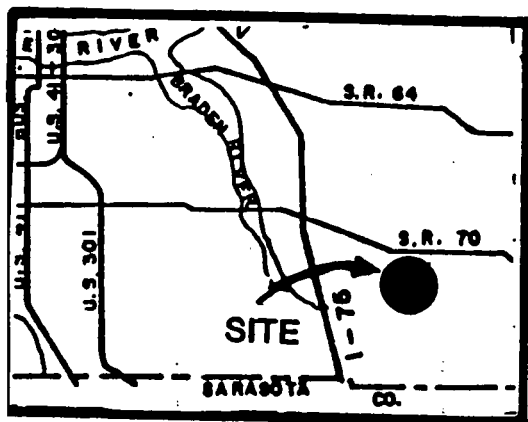
18 day of July, 1989Diane C. Chadwick
Notary Public, State of Florida at LargeMy Commission Expires:
NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: DEC. 12, 1992.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

5. A Notice of Public Hearing was published in The Bradenton Herald on July 2, 1989. (Original Proof of Publication is attached).

*On the property line as noted on the attached map.



SCALE IN FEET: 1":2640



LAND USE CHARACTERISTICS:

LAND USE:

ZONING:

*ALL SIGNS POSTED
6-30-89*

JB

TAX I.D. NO. 5841,5845,5848,5870,5872,5843



AREA OF CONSIDERATION

PDR: 1762.80
PDC: 20.20

ACREAGE

SECTION, TOWNSHIP, RANGE

17,20,21,22,
28 & 29-35-19

PROJECT NO: **Z-86-30 /DRI #17**

PROPOSED USE:

EXISTING ZONING: **A/WP/ST**

PROPOSED ZONING: **PDR/WP/ST & PDC/WP/ST**

REQUESTED BY: **SCHROEDER-MANATEE INC**

COMMISSIONER: **MRS. HOOPER**

1435 Y

CYPRESS BANKS (LIST OF SURROUNDING PROPERTY
OWNERS FROM SARASOTA COUNTY, ONLY)

July 3, 1989

0037-16-0002
SARASOTA OBEDIENCE TRAINING CLUB, INC.
C/O LINDA WALLEDA
3600 HENRIETTA PLACE
SARASOTA, FL 34234

0203-00-1002
WILLIAM L. CHAPMAN
254 ROBIN DRIVE
SARASOTA, FL 34236

0211-03-0003
GAIL D. VIGNOLA
1560 WAGON WHEEL DRIVE
SARASOTA, FL 34232

29276.0250
GEORGE H. & RHONDA L. COLVIN
ROUTE 2, BOX 332 X-3
SARASOTA, FL 34232

29276.0260
GARY D. & PENNY L. WHALEN
P.O. BOX 332-X2
SARASOTA, FL 34232

9497.0000
9494.0000
4563.0000
ASHLAND-WARREN, INC.
P.O. BOX 2579
SARASOTA, FL 34230

9497.0010
JOHN T. & WANDA L. PICKETT
1251 SEEDS AVENUE
SARASOTA, FL 34236

9508.0000
JOHN P. & JUNE C. SHANNON
2001 BROWN ROAD
SARASOTA, FL 34232

9508.1000
AVERY B. WYNN, SR.
1900 BROWN ROAD
SARASOTA, FL 34232

29291.0000
INDUSTRY PLAZA LIMITED
C/O SHELDON THOMPSON
710 SIESTA DRIVE
SARASOTA, FL 34231

29292.0000
TATUM RIDGE GOLF LINKS, INC.
1944 ROLLING GREEN CIRCLE
SARSOSTA, FL 34240

9537.0010
WILLIAM A. SABA, TRUSTEE
SUITE 820
UNITED FIRST FEDERAL BUILDING
1390 MAIN STREET
SARASOTA, FL 34236

29287.0000
29288.0000
P.F. & ROSALIE FERLISE
719 CATTLEMEN ROAD
SARASOTA, FL 34232

29287.0100
P.F. & ROSALIE FERLISE
1400 HARBOR DRIVE
SARASOTA, FL 34239

29812.0000
29807.0000
ROBERT W., SYDNEY R. & JANICE NEWMAN
C/O WILLIAM WELCH
ROUTE 2, BOX 332 Z
SARASOTA, FL 34232

29274.0000
BOYCE H. BLACKMON
P.O. BOX 2435
SARASOTA, FL 34230

29274.2000
WILLIAM L. & KITTY L. CHAPMAN
254 ROBIN DRIVE
SARASOTA, FL 34236

4547.0000
4547.0010
DICK H. HEARIN, TRUSTEE
P.O. BOX 2551
BATON ROUGE, LA 70821

29275.0100
BOBBY & CINDY RUSSELL
2717 CASEY KEY ROAD
NOKOMIS, FL 34275

29270.2000
29279.2000
PATSY MCCLURE,
M.B. & M.P. KOERNER
2512 CROTON AVENUE
SARASOTA, FL 34234

29278.0000
PAULINE EDWARDS,
VERNIE WEAVER,
MARY L. & CLARA L. RICHARDSON
10555 VIC EDWARDS ROAD
SARASOTA, FL 34240

29278.0100
MARY L. & CLARA L. RICHARDSON
P.O. BOX 4295
SARASOTA, FL 34230

29332.2200
CHARLES & RUTH SHUE
2558 RIVER RIDGE
SARASOTA, FL 34239

29332.2220
PUENTES BERNARD, INC.
1664 FOX CREEK DRIVE
SARASOTA, FL 34240

29333.0850
STEVEN E. & JANICE E. GREENFIELD
1457 RANCHERO DRIVE
SARASOTA, FL 34232

29333.0950
REGINA M. & CLAUDE H. SWILLEY
1609 RACIMO DRIVE
SARASOTA, FL 34232

29297.0010
EDWARD V. & PATRICIA A. TONITIS
7055 WILDERNESS LANE
SARASOTA, FL 34232

(1)

CONTIGUOUS PROPERTY OWNERS TO SCHROEDER MANATEE INC PROPERTIES.

2755.0000/7	TIITF/DNR REC & PARKS LAKE MANATEE STATE PARK DNR DOUGLAS BLDG TALLAHASSEE, FL 32303
3059.0000/3 3068.0000/4 3198.0000/9	RUTLAND, HUBERT EST OF C/O RUTLAND BANK TR DEPT P O BOX 11311 ST PETERSBURG, FL 33733
3202.0000/9 3312.0000/6 3317.0000/5 3319.0000/1	MOTT, RUTH R C/O ATWOOD DUNWODY, ESQ SE FINANCIAL CENTER STE 4500 MIAMI, FL 33131-2387
5604.1000/3 5604.1040/9 5604.2000/2 14642.0000/3 14644.0000/9 14645.0000/6 14645.1000/5	MANATEE COUNTY COUNTY COURTHOUSE BRADENTON, FL 34205
5604.2010/1 5604.2020/0 5604.2030/9	ANDERSON AUTO PARTS CO INC 2347 17TH ST SARASOTA, FL 34234
5617.0000/6	GLISSON, TINA 1216 ZIPPERER RD BRADENTON, FL 34202
5627.1050/9	YOUNG, MABLE JOHNSON, BETTY J SMITH, W R P O BOX 453 BRADENTON, FL 34206
5627.1065/7	JAMISON, JOHNNIE LOU 775 RYE RD BRADENTON, FL 34202
5627.1075/6	GLISSON, DAVID 15755 WATERLINE RD BRADENTON, FL 34202
5629.0000/1 5629.0005/0	CODDINGTON, LOREN L CODDINGTON, SHERRY B 14119 RYE RD E BRADENTON, FL 34202
5629.1000/0	CODDINGTON, DONOVAN L & CAROL 14109 RYE RD E BRADENTON, FL 34202
5638.0000/2	REAGAN, C L & BETTY SUE RT 2 BOX 289 BRADENTON, FL 34202

(2)

5639.0000/0	HOWARD, THEODORE M HOWARD, V BRODIE & STEPHAN D 502 51ST ST NW BRADENTON, FL 34209
5640.0000/8 5644.0000/0	AURORA FOUNDATION THE ANTHONY T ROSSI AS TR P O BOX 1848 BRADENTON, FL 34206
5641.0000/6 5641.0010/5 5682.1000/9	PURSLEY INC 5803 BRADEN RUN BRADENTON, FL 34202
5647.0000/3	CIAMBRONE, LEONORA LE SPENCER, SANDRA LEE COOK 8754 21ST AVE NW BRADENTON, FL 34209
5648.0000/1	STOKES, BILLIE FAYE P O BOX 20354 BRADENTON, FL 34202
5656.0000/4 5657.0000/2	MOORES DAIRY FARM INC RT 2 BOX 314 BRADENTON, FL 34202
5657.1000/1	CODDINGTON, BERNARD R TR 316 53RD AVE E BRADENTON, FL 34203
5658.0000/0	CAMBERN, JAMES C & JOAN E 10508 64 HWY E BRADENTON, FL 34202
5659.0000/8	REAGAN, E LAWRENCE & SALLY 10107 HWY 64 E BRADENTON, FL 34202
5660.0000/6	MARSHALL, VIVIEN M 10008 HWY 64 E BRADENTON, FL 34202
5661.0000/4	MARING, PHILIP E & ANNA R 9908 ST RD 64E BRADENTON, FL 34202
5663.0000/0	BOYER, NAPOLEON J & CLAIRE M 304 34TH ST W BRADENTON, FL 34205
5663.1005/8	FINKELSTEIN, SEYMOUR & LILY B 9812 ST RD 64-E BRADENTON, FL 34202
5664.0000/8	RILEY, GLENNA C 9616 ST RD 64-E BRADENTON, FL 34202
5664.1000/7	RILEY, MARGARET ANN STEPHENS, GLENNA R 9616 ST RD 64-E BRADENTON, FL 34202

5664.1010/6	LUSBY, DONALD S & MARGARET A 10211 HWY 64 E BRADENTON, FL 34202
5665.0000/5	KIRK, CHARLES E & JOANN RT 1 DAVISVILLE, WV26142
5665.1000/4	SMITH, DELBERT W & JUNE A 9408 S R 64 E BRADENTON, FL 34202
5665.1010/3	GAZZO, VINCENT & MARGARET 866 LEHIGH AVE UNION, NJ 07083
5671.1000/2	SMR GOLF PROPERTIES (LESSEE) MANATEE COUNTY COURTHOUSE BRADENTON, FL 34205
5673.5000/4	METZ, DAVID P 12004 SR 64 E BRADENTON, FL 34202
5674.0000/7 5677.0000/8	TRIKO ENTERPRISES INC 2116 POPE RD BRADENTON, FL 34202
5679.0000/6	TAYLOR, JOHN D & BEVERLY J 1808 TAYLOR RD E BRADENTON, FL 34202
5683.0000/8	SMITH, MICHAEL A & CAMELLE E 1703 POPE RD BRADENTON, FL 34202
5684.0000/6	POPE, RICHARD R & MARY LOUISE 2305 POPE RD E BRADENTON, FL 34202
5684.0010/5 5648.0015/4	RIMER, FRED C & PATRICIA 2303 POPE RD E BRADENTON, FL 34202
5684.0020/4	YODER, MERRILL & FRIEDA 2101 N WASHINGTON BLVD SARASOTA, FL 34243
5684.1005/4	LANGFORD, HENRY P JR LANGFORD, RUBY LEE 2215 POPE RD BRADENTON, FL 34202
5685.0000/3	WILEY, RALPH E & JEANNE S 2004 POPE RD BRADENTON, FL 34202
5687.1000/8	FLORIDA ST DEPARTMENT OF TRANSPORTATION CAPITAL BUILDING TALLAHASSEE, FL 32301
5688.0000/7	SCHERER, PAUL A & GLORIA 15211 ST RD 64 E BRADENTON, FL 34202

5688.1005/5	FLORIDA SOUTHERN INVEST CORP MONEY PUR PENSION PLAN & TRUST 2109 CLEVELAND AVE FT MYERS, FL 33901
5688.1010/5	WITTMAN, MARY LOU 12383 EAST ARCHER RD NORTH EAST, PA 16428
5688.1015/4	NORSKOV, WILLIAM RICHARD NORSKOV, BARBARA S P O BOX 1012 BRADENTON, FL 34206
5688.1020/4	RHOADES, ROBERT H & MARLENE 15005 SR 64 E BRADENTON, FL 34202
5688.1025/3	CORDER, VERNON W & YUVONNE 15009 SR 64 E BRADENTON, FL 34202
5688.1030/3	BENSON, ADRIAN & HELEN 15011 HWY 64 E BRADENTON, FL 34202
5688.1035/2	BASILE, BERTHEA M 293 SHERWOOD DR BRADENTON, FL 34210
5690.0000/3	ROWLEY, JAMES D & GRACE E 15513 HWY 64 E BRADENTON, FL 34202
5690.1000/2	GILES, DONALD STEPHEN GILES, SHAWN R 15403 ST RD 64 E BRADENTON, FL 34202
5690.1005/1	HESS, LEO J & MARY J 15504 ST RD 64 E BRADENTON, FL 34202
5692.0000/9	SINKLER, RAYMOND D SINKLER, ROSIE NELL 14427 ST RD 64 E BRADENTON, FL 34202
5696.0000/0	LUSBY, GEORGE S 14503 HWY 64 E BRADENTON, FL 34202
5701.0000/8 5702.0000/6	MORAN, WILLIAM E & MATTIE PEARL 1703 ZIPPERER RD BRADENTON, FL 34202
5704.0000/2	LAPHAM. STANLEY F & MARY P O BOX 20025 BRADENTON, FL 34202
5726.0000/5	SEWARD, DOROTHY 1804 DUDLEY PL SARASOTA, FL 34235
5752.2000/9	BRAMEISTER, VIRGINIA H 2918 LORRAINE RD E BRADENTON, FL 34202
5754.0000/7	HENRY, FRED 1608 WATERLINE RD BRADENTON, FL 34202
5754.1000/6	CUMMINS, HENRY F & EDITH B 18910 DAM RD BRADENTON, FL 34202

5756.0000/2	TAYLOR, DAVID E & MARY L P O BOX 552 ELLENTON, FL 34222
5756.0005/1	FRANKE, RUSSELL J & APRIL L 17212 WATERLINE RD BRADENTON, FL 34202
5756.1000/1	CORBIN, FRED 6342 7TH AVE W BRADENTON, FL 34209
5756.1005.0	HENSON, MAMIE G 7801 SEVILLE CIR BRADENTON, FL 34209
5761.0000/2 5764.0000/6	MANATEE RIVER GROVES INC EDWARDS PACKING CO INC EDWARDS FRUIT CO INC P O BOX 9829 BRADENTON, FL 34206-9829
5762.1100/7	HENKEL, WOLFGANG J & HELGA M 3808 BAYSIDE DR BRADENTON, FL 34210
5762.1200/5 5762.1300/3	MOORE, EUGENE & VALARIE 12114 HWY 64 E BRADENTON, FL 34202
5762.1400/1	PENTECOSTAL CHURCH OF GOD OF AMERICA THE 2715 4TH ST W BRADENTON, FL 34205
5762.1535/4	SIMON, DAVID L & KATHY L 2404 162ND ST E BRADENTON, FL 34202
5762.1540/4	SMITH, ROBERT G & D KAYE 2403 162ND ST E BRADENTON, FL 34202
5767.0000/9	POPE, EARL H JR POPE, KATHLEEN LOUISE 10987 SE HWY C-25 BELLEVIEW, FL 32620
5767.1000/8	JONES, RAYMOND EDISON SR JONES, OLGA MARTHA 602 30TH ST W BRADENTON, FL 34205
5767.1005/7	BROOKS, BILLY E & GLENDA FAY 2406 LORRAINE RD BRADENTON, FL 34202
5767.1010/7	DART, THOMAS H TC SHEA, NORMAN J III TC P O BOX 49017 SARASOTA, FL 34230-6017
5768.0000/7	PEREKOVICH, JOHN A RS MASEMER, JAANINE RS 2424 LORRAINE RD BRADENTON, FL 34202
5771.0000/1	WILSON, JAMES L & MARY JO 5024 37TH ST E BRADENTON, FL 34203

5771.0005/0	CARLSEN, PAUL 3210 LORRAINE RD BRADENTON, FL 34202
5771.1010/9	CABALLERO, JESUS & ROSARIO S 3512 LORRAINE RD BRADENTON, FL 34202
5771.1100/8	BRAMEISTER, VIRGINIA H 2918 LORRAINE RD BRADENTON, FL 34202
5771.1200/6	WRIGHT, DAN H & CONNIE 3004 LORRAINE RD E BRADENTON, FL 34202
5772.0000/9	PIPKIN, C T 3624 LORRAINE RD E BRADENTON, FL 34202
5772.1000/8	GANEY, JOSEPH R & VERA MAE 3620 LORRAINE RD BRADENTON, FL 34202
5772.1005/7	TOCZEK, FREDERICK W TOCZEK, STEPHANIE 3628 LORRAINE RD BRADENTON, FL 34202
5772.1010/7	SHEWBRIDGE, RICHARD ANDREW SHEWBRIDGE, S BERNICE 3622 LORRAINE RD BRADENTON, FL 34202
5773.0000/7	LEE, FREDDIE E & GALE W 3215 LORRAINE RD BRADENTON, FL 34202
5773.1000/6	WILLIAMSON, ROSS S JR WILLIAMSON, SHIRLEY 3307 LORRAINE RD BRADENTON, FL 34202
5773.1010/5	COLEMAN, JAMES T & DIXIE B 2915 LORRAINE RD BRADNETON, FL 34202
5773.1050/1	WROBLEWSKI, JOHN J 4250 MARLOWE DR SARASOTA, FL 34241
5773.1075/8	SCIORTINO, JOSEPH RT 2 BREWSTER, NY 10509
5752.1010/9	SHIDNER, JAMES T & FRANCES L 111 SOUTH BROADWAY PENNSVILLE, NJ 08070
5762.0000/0	CRAWLEY, S EARL & PEGGIE H P O BOX 211 BRADENTON BEACH, FL 34217
5775.0000/2 5776.0000/0	FLORIDA STATE OF DEPARTMENT OF TRANSPORTATION CAPITOL BUILDING TALLAHASSEE, FL 32301
5781.0000/0	SMITH, ARCHIE M & EDNA JOSIE 2107 POPE RD E BRADENTON, FL 34202
5782.0000/8	SMITH, JULIAN CLAUDE & RUTH-ANNE 2375 OLD OLGA RD SE FT MYERS, FL 33905

5797.0000/6
5800.0000/8
5828.0000/9
5846.0000/1
5855.0000/2
5859.0000/4
14646.0000/4

FLORIDA POWER & LIGHT COMPANY
C/O ATTN: PROPERTY TAX DEPT
P O BOX 14000
JUNO BEACH, FL 33408-0420

5802.0000/4

MARTIN, EDWARD C & JEANNE E
9812 CHALET CIRCLE
BRADENTON, FL 34202

5802.1000/3

MULLIS, WILLIAM J & EUNICE JAN
3910 LORRAINE RD
BRADENTON, FL 34202

5802.1005/2

JOHNSON, O R & MILDRED T
1129 NE 3RD ST
OCALA, FL 32670

5802.1010/2

SCHERER, JOHN L & JULIA B
3916 LORRAINE RD
BRADENTON, FL 34202

5803.0000/2

JOHNS, C C & SHIRLEY C
5111 LORRAINE RD
BRADENTON, FL 34202

5803.1005/0

HOWZE, ROBERT W & BOBBIE J
5215 LORRAINE RD
BRADENTON, FL 34202

5803.1015/9

SCHILLING, SHELLEY O
5007 LORRAINE RD
BRADENTON, FL 34202

5804.0000/0

DIX, WADE A
P O BOX 219
BRADENTON, FL 34204

5805.0000/7

MILLER, EUGENE E
MILLER, CHRISTINA M
1215 35TH AVE W
BRADENTON, FL 34205

5805.1000/6

5806.0000/5

PYATT, ARTHUR D JR & CAROLYN D
7516 CV TER
SARASOTA, FL 34231

5807.0000/3

DICKSON, ROBERT F & POLLY R
5020 LORRAINE RD
BRADENTON, FL 34202

5808.0000/1

MANN, LARRY L RS
GREENE, SHIRLEY A RS
1022 N LOCKWOODRIDGE RD
SARASOTA, DL 34237

5808.1000/0

G & W NURSERY
2711 26TH AVE DR W
BRADENTON, FL 34205

5808.1010/9

FAZIO, ANTHONY A & DIANE P
4919 LORRAINE RD
BRADENTON, FL 34202

5808.1015/8

DAVIS, GEORGE
THOMPSON, MARTIN JR
CUNNINGHAM, TOM T
2069 HYATTS RD
DELAWARE, OH 43015

5808.1020/8

KUNDTZ, BARBARA J
4915 LORRAINE RD
BRADENTON, FL 34202

5819.0000/8

MILKS, BARRY K & BARBARA E
5757 LORRAINE RD
BRADENTON, FL 34202

5819.1005/6	PECK, MARY L
5819.1025/4	WROBLEWSKI, JOHN J TC
	WROBLEWSKI, JANET K TC
	5521 LORRAINE RD
	BRADENTON, FL 34202
5819.1010/6	NARDUCCI, TERESA
	FONTANA, DENISE
	2169 BOGART AVE
	NEW YORK CITY, NY 10462
5819.1030/4	STANALAND, ARNOLD N & LINDA S
	5515 LORRAINE RD
	BRADENTON, FL 34202
5819.1035/3	PEKRUL, RICHARD A
	PEKRUL, PATRICIA JO
	5907 LORRAINE RD
	BRADENTON, FL 34202
5819.1040/3	CREWS, MICHAEL V & LINDA A
	6007 LORRAINE RD
	BRADENTON, FL 34202
5819.1045/2	JACKSON, FREDERICK E JR
	5707 LORRAINE RD
	BRADENTON, FL 34202
5819.1050/2	CURTISS, LAWRENCE D & CAROLINE
	5527 LORRAINE RD
	BRADENTON, FL 34202
5820.0000/6	MCKEEVER, DONALD S & GEORGIE M
5820.1000/5	5340 LORRAINE RD
	BRADENTON, FL 34202
5820.1100/3	WISH, STANLEY J & NADENE J
	5428 LORRAINE RD
	BRADENTON, FL 34202
5821.1000/3	BAUM, ROBERT A & SHANNON L
	5710 LORRAINE RD
	BRADENTON, FL 34202
5823.0000/3	FANN, THOMAS H & VIRGINIA A
	PROBUS, DAVID M & DOROTHEA D
	6802 LORRAINE RD
	BRADENTON, FL 34202
5823.0700/5	SPISAK, EDWARD S & CONNIE J
	14015 HWY 70 E
	BRADENTON, FL 34202
5823.1000/9	VARNER, ELLIS B & EILEEN L
	P O BOX 142
	ALTURAS, FL 33820
5823.1100/7	GORSKI, RAYMOND C & PAULETTE J
	6912 LORRAINE RD
	BRADENTON, FL 34202
8523.1200/5	WEST, HUGH & CAROL
	14207 HWY 70 E
	BRADENTON, FL 34202
5823.1300/3	NORWICH, WALTER THOMAS
	NORWICH, PATRICIA ANN
	P O BOX 31312
	PALM BEACH GARDENS, FL 33410
5823.1400/1	WOOD, RUSSELL E JR & FLORA LEE
	6708 LORRAINE RD
	BRADENTON, FL 34202
5823.1500/8	GOETZ, WOLFGANG & LYDIA E
5823.1600/6	2910 9TH ST W
	BRADENTON, FL 34205

5830.0000/5	LEE, DUANE F & MARGARET A 6920 18TH AVE E BRADENTON, FL 34208
5836.1000/1	WOODLAND BAPTIST CHURCH INCORPORATED OF BRADENTON 9607 ST RD 70 BRADENTON, FL 34202
5836.1360/9	CIRA, STEPHEN & MARY L 10808 FOREST RUN BRADENTON, FL 34202
5836.1365/8	TIHY, PETER & BARBARA J 10812 FOREST RUN BRADENTON, FL 34202
5836.1370/8	CAGLE, JOHN A & ARLEEN C 10816 FOREST RUN BRADENTON, FL 34202
5836.1375/7	SMITH, M DIANE 10820FOREST RUN DR BRADENTON, FL 34202
5836.1380/7	GREEN, ANTHONY F & JUDITH K 10824 FOREST RUN DR BRADENTON, FL 34202
5836.1385/6	SIMPSON, WILLARD K JR & DEBRA A P O BOX 20583 BRADENTON, FL 34203
5836.1390/6	BARBER, DAVID C & EILEEN L 10832 FOREST RUN DR BRADENTON, FL 34202
5836.1400/3	DOUGLAS, GERALD & MABEL 10840 FOREST RUN DR BRADENTON, FL 34202
5836.1405/2	SILVER, RONALD D & LESLIE C 4088 VANA DR SARASOTA, FL 34241
5836.1410/2	DERESPINO, JAMES A & MARTHA C 10852 FOREST RUN DR BRADENTON, FL 34202
5836.1440/9	VETERANS HOLDING COMPANY OF BRADEN RIVER INC P O BOX 397 ONECO, FL 34264
5836.2500/9	ELCA LOAN FUND 8765 W HIGGINS RD CHICAGO, IL 60631
5838.0000/8 5876.0000/8 5880.0000/0	MANATEE JOINT VENTURE 5803 BRADEN RUN BRADENTON, FL 34202
5838.1000/7	SCHOOL BOARD OF MANATEE COUNTY P O BOX 9069 BRADENTON, FL 34206
5852.0000/9 5867.0000/7 5869.0000/3	MANATEE FRUIT COMPANY C/O WALTER PRESTON P O BOX 128 PALMETTO, FL 34220

5873.0000/5 5874.0000/3	TAYLOR, RONALD L 1731 WISCONSIN LANE SARASOTA, FL 34239
5836.1055/5	HAVELKA, EDWARD WILLIAM HAVELKA, DIANE MACMICHAEL 10320 FOREST RUN DR BRADENTON, FL 34202
5836.1060/5	WACHOB, JAMES A & SHIRLEY B 3632 DESOTO RD SARASOTA, FL 34235
5836.1065/4	VANHOTEN. E MICHAEL 10408 FOREST RUN DR BRADENTON, FL 34202
5836.1070/4	SMITHERS, SUSAN D 7455 N LEEWYNN DR SARASOTA, FL 34240
5836.1075/3	KUGACH, WALTER & OLGA 10612 FOREST RUN DR BRADENTON, FL 34202
5836.1080/3	SPIVEY, B J & MARIE W 10508 FOREST RUN DR BRADENTON, FL 34202
5836.1090/2	ROWE, CARROLL E & BETTY I 10508 OAK RUN DR BRADENTON, FL 34202
5836.1100/9	GOUX, PARTICK W & NANCY M 10612 FOREST RUN DR BRADENTON, FL 34202
5836.1265/0	CROWL, FREDERICK S & SHARON 9619 OAK RUN DR BRADENTON, FL 34202
5836.1270/0	CAIRNS, STEPHEN W & TERESA L 9622 OAK RUN DR BRADENTON, FL 34202
5836.1275/9	STANSBURY, DONNA L 9704 OAK RUN DR BRADENTON, FL 34202
5836.1280/9	HOLLAND, HENRY A & SANDRA A 9708 OAK RUN DR BRADENTON, FL 34202
5836.1285/8	VANDERNOORD, PETER & FRANCES 9712 OAK RUN DR BRADENTON, FL 34202
5836.1290/8	CHILTON, DONALD E & NANCY A 9812 OAK RUN DR BRADENTON, FL 34202
5836.1295/7	MARTIN, MARK RANDALL 4520 MANATEE AVE W BRADENTON, FL 34209
5836.1305/4	MARTIN, EDWARD C & JEANNE E 4520 MANATEE AVE W BRADENTON, FL 34202

Lease

THIS LEASE, Made this 26th day of July A. D. 1989
by and between Frank & Jackie Hageman & Pascoe Commission Inc.
hereinafter called the Landlord, and Frank & Jackie Hageman
hereinafter called the Tenant.

WITNESSETH, That in consideration of the covenants herein contained, on the part of the said Tenant to be kept and performed, the said Landlord does hereby lease to the said Tenant the following described property:

Coguina Beach Area only.

TO HAVE AND TO HOLD the same for the term of 96th J.N. days & 2 years
from the 26th day of July A. D. 1989, to the 19th day
of October A. D. 1992, the said Tenant paying therefor the Landlord
rental of Percentage of Gross Business J.N. Dollars
And the said Tenant covenant with the said Landlord to pay the said rent as follows:

Based on agreement Between Landlord & Tenant That Tenant will pay Landlord 20% of tenants Gross Business (Cabana Rentals) on a Weekly Basis

to make no unlawful, improper or offensive use of said premises; not to assign this lease nor to sublet any part of said premises without the written consent of the Landlord; not to use said premises for any other purpose than Cabana Rentals

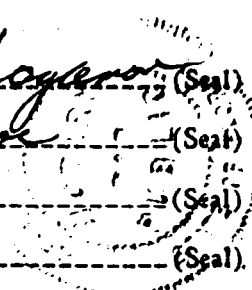
and to quit and deliver up said premises at the end of said term in as good condition as they are now (ordinary wear and decay and damages by the elements only excepted). And the said Tenant hereby covenant and agree that if default shall be made in the payments of the rent as aforesaid, or if the said Tenant shall violate any of the covenants of this lease, then said Tenant shall become Tenant at sufferance, thereby waiving all right of notice, and the Landlord shall be entitled immediately to re-enter and re-take possession of the demised premises.

WITNESS our hands and seals this 28TH day of JULY A. D. 1989
Signed, sealed and delivered in the presence of:

Kelly Woolley

Frank A. Hageman (Seal)
Jackie F. Pascoe (Seal)

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: MAY 21, 1993.
WITNESSETH, NOTARY PUBLIC UNDERWRITER



5836.1310/4	DVORATCHEK, ROBERT R & ELLEN L 9908 CHALET CIRCLE BRADENTON, FL 34202
5836.1330/2	KNEELAND, DAVID L & CATHY JEAN 10620 FOREST RUN DR BRADENTON, FL 34202
5836.1335/1	RHODES, BEVERLY JEAN 10624 FORREST RUN DR BRADENTON, FL 34202
5836.1340/1	FRITH, HERBERT A JR & LUCI A 5909 35TH AVE W BRADENTON, FL 34209
5836.1345/0	JORGENSEN, RICHARD C & BETTY J 6812 ARBOR OAK DR BRADENTON, FL 34209
5836.1350/0	JOHNSTON, JAY S 10712 FOREST RUN DR BRADENTON, FL 34202
5836.1355/9	TREFETHEN, GEORGE A & EILEEN J 10804 FOREST RUN DR BRADENTON, FL 34202
14628.0000/2 14640.0000/7	MUSGRAVE, ROGER L 8503 HWY 64 E BRADENTON, FL 34202
17308.0005/7	ROSS, RICHARD E TR P O BOX 807 SARASOTA, FL 34230
20547.0005/5	EDMUNDS, F JOSEPH C/O JAMES R BOYER 2055 WOOD ST SUITE 220 SARASOTA, FL 34236
20547.1000/5	WILBUR BOYD CORP 1401 MANATEE AVE W SUITE 1200 BRADENTON, FL 34205

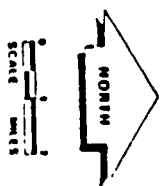
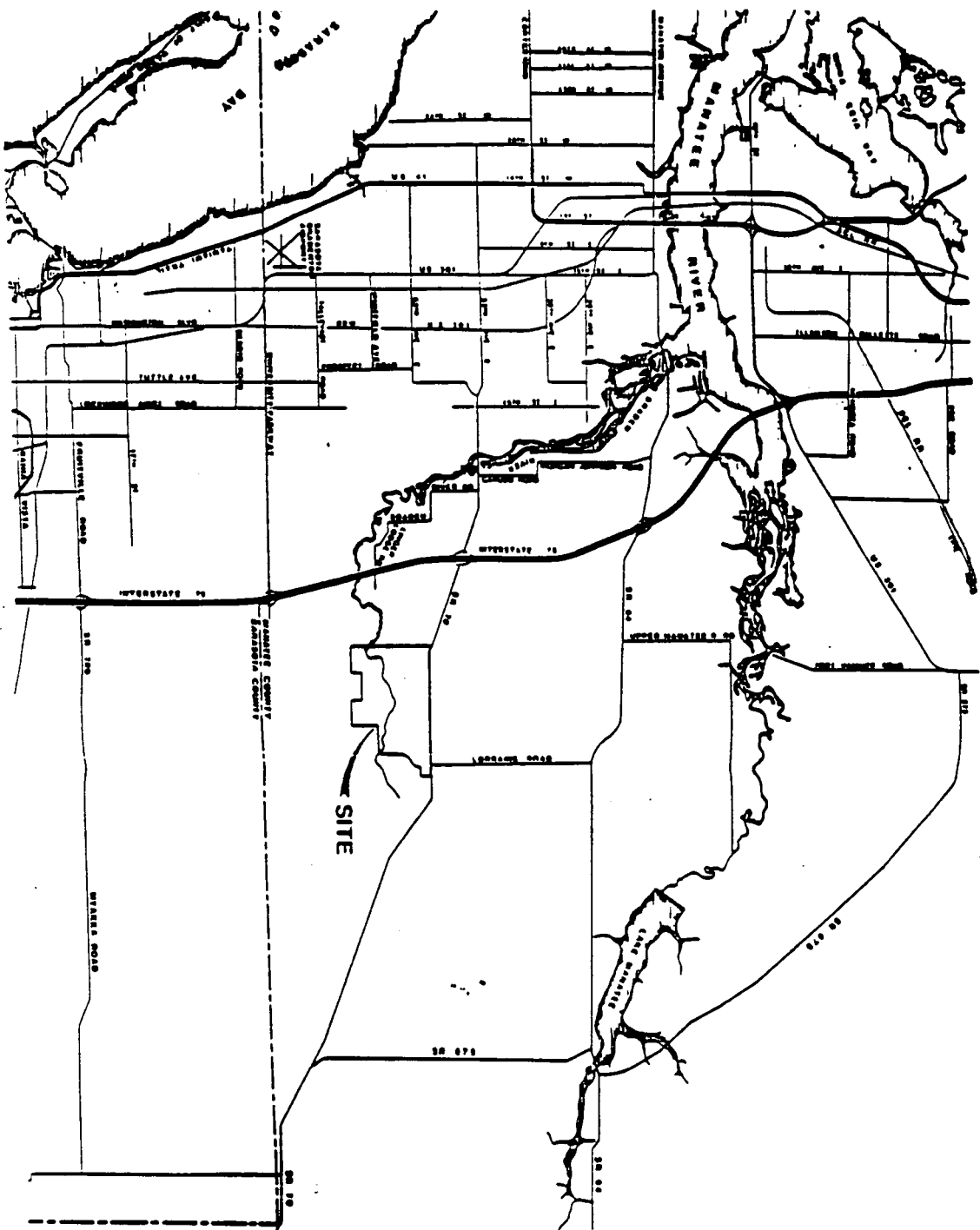


EXHIBIT B
MAP J

TRANSPORTATION NETWORK

CYPRESS BANKS
and development

(RPL)

Duval County, Florida

EXHIBIT C

Phase I

Improvement	Project Traffic	Project Traffic
	as Percent of Existing LOS C Daily Capacity	as Percent of Projected LOS D Peak Capacity

Intersections

S.R.70 @ Caruso Rd.:
 Add eastbound left-turn lane to mitigate.
 Add eastbound and westbound through to restore.
 **Planned Programmed Improvement.

S.R.70 @ 45th St.:
 Add eastbound and westbound through lane to
 mitigate and restore.
 **Planned Programmed Improvement.

Site Access:

S.R.70 @ West Entrance: 100
 Signalize, add eastbound right-turn lane,
 westbound left-turn lane, northbound left-
 turn lane, and northbound right-turn lane.

S.R.70 @ Hotel Entrance: 100
 Add northbound left-turn/right-turn lane,
 unsignalized.

Fwy Ramp Intersections:

I-75 @ S.R.70, west and east intersection: 8.3
 Signalize.

EXHIBIT C (continued)

Phase I (continued)

Improvement	Project Traffic as Percent of Existing LOS C Daily Capacity	Project Traffic as Percent of Projected LOS D PeakCapacity
<u>Links:</u>		
53rd Ave. (S.R.70) U.S.301 to 45th St.: 2-lane undivided to 4-lane undivided.	5.4	
S.R. 70 45th St. to Caruso Rd.: 2-lane undivided to 4-lane undivided.	10.9	
S.R. 70 Caruso Rd. to I-75: 2-lane rural to 4-lane undivided.	13.8	
University Pkwy. Planned Honore Rd. to I-75: 2-lane rural to 6-lane divided. **Planned Program Improvement.		
Fruitville Rd. McIntosh Rd. to I-75: 2-lane rural to 4-lane divided. **Planned Programmed Improvement.		

EXHIBIT C (continued)

Phase II

Improvement	Project Traffic as Percent of Existing LOS C Daily Capacity	Project Traffic as Percent of Projected LOS D Peak Capacity
<u>Intersections:</u>		
None.		
<u>Site Access:</u>		
S.R.70 @ West Entrance: Add eastbound and westbound ST.	(100)	
S.R.70 @ Hotel Entrance: Signalize, add eastbound and westbound ST.	(100)	
S.R.70 @ Lorraine Rd.: Signalize, add eastbound right-turn lane, westbound through lane, northbound left-turn/through/right-turn lane.	(100)	
<u>Fwy Ramp Intersections:</u>		
I-75 @ University Parkway Construct Ground Loop to separate traffic. (TBRPC)		11.0
<u>Freeway Ramps:</u>		
None.		
<u>Links:</u>		
53rd Ave. (S.R.70) U.S.301 to 45th St.: 4-lane undivided to 6-lane divided.	10.5	
S.R.70 45th St to Caruso Rd.: 4-lane undivided to 6-lane divided.	39.6 (21.0)	
S.R.70 Caruso Rd. to I-75: 4-lane undivided to 8-lane divided or 6-lane expressway.	50.0 (29.4)	

EXHIBIT C (continued)

Phase II (continued)

Improvement	Project Traffic	
	as Percent of Existing LOS C Daily Capacity	as Percent of Projected LOS C Peak Capacity
<u>Links (continued):</u>		
S.R.70 I-75 to West Project Entrance: 2-lane rural to 6-lane divided.	143.0	
S.R.70 Westerly Project Entrance to Lorraine Rd: 2-lane rural to 4-lane divided.	90.2-113.4	
University Pkwy. Rel.301 to Lockwood Ridge Rd.: 2-lane undivided to 4-lane divided. (Planned Programmed Improvement)	8.8	
University Pkwy. Lockwood Ridge Rd. to planned Honore Rd.: 2-lane rural to 6-lane divided.	8.8	
University Pkwy. Planned Honore Rd. to I-75: 6-lane divided to 6-lane expressway.	16.0	
I-75 S.R.70 to University Pkwy.: 6-lane freeway to 8-lane freeway.	13.7	
I-75 University Pkwy. to Fruitville Rd.: 6-lane freeway to 8-lane freeway.	6.9	

EXHIBIT C (continued)

Phase II (continued)

Improvement	Project Traffic as Percent of Existing LOS C Daily Capacity	Project Traffic as Percent of Projected LOS D Peak Capacity
<u>Links (continued):</u>		
S.R.64 Morgan Johnson Rd. to I-75: 2-lane undivided to 4-lane divided. (Programmed for 4-lane prior to end of Phase I)		
U.S.301 1st St. to 15th St.: 2-lane undivided to 4-lane divided.		
Fruitville Rd. Tuttle Ave. to McIntosh Rd.: 2-lane rural to 4-lane undivided. (Programmed 6-lane prior to end of Phase I)		
Fruitville Rd. McIntosh Rd. to I-75: 4-lane divided to 6-lane divided. (Programed 6-lane prior to end of Phase I)		
<u>Grade Separation</u>		
* U.S. 301 and 53rd Avenue East	8.6	

EXHIBIT C (continued)

Phase III

Improvement	Project Traffic as Percent of Existing LOS C Daily Capacity	Project Traffic as Percent of Projected LOS D Peak Capacity
<u>Intersections:</u>		
None.		
<u>Site Access:</u>		
None.		
<u>Fwy Ramp Intersections:</u>		
None.		
<u>Freeway Ramps:</u>		
None.		
<u>Links:</u>		
I-75		
S.R.70 to S.R.64:		5.2
6-lane freeway to 8-lane freeway.		
S.R.70		
Westerly project entrance to Hotel entrance:		126.2
4-lane divided to 6-lane divided.		(74.2)
University Pkwy.		
Rd.301 to Lockwood		8.7
Ridge Rd.:		
4-lane divided to 6-lane divided.		
University Pkwy.		
Lockwood Ridge Rd. to		11.1
planned Honore Rd.:		(7.3)
6-lane divided to 8-lane divided or		
6-lane expressway.		

EXHIBIT C (continued)

Phase III (continued)

Improvement	Project Traffic as Percent of Existing LOS C Daily Capacity	Project Traffic as Percent of Projected LOS D Peak Capacity
<u>Links (continued):</u>		
University Pkwy.		
Planned Honore Rd. to		
I-75:		
6-lane expressway to 8-lane expressway.		
	20.3 (10.9)	
I-75		
S.R.70 to University Pkwy.:		
8-lane freeway to 10-lane freeway.		
	17.4 (13.1)	
I-75		
University Pkwy. to Fruitville Rd.:		
8-lane freeway to 10-lane freeway.		
	8.7 (6.5)	
Fruitville Rd.		
McIntosh Rd. to I-75:		
4-lane divided to 8-lane divided or		
6-lane expressway.		
	9.2	
* 9th Street West		
1st Street to 53rd Avenue East		
4-lane divided arterial		
	14.9	
<u>Grade Separations:</u>		
* S.R. 70 @ Caruso Rd.		14.4
* S.R. 70 @ 45th Street		10.3
* Relocated 301 @ 53rd Ave (S.R.70)		5.9

EXHIBIT C (continued)

Phase IV

Improvement	Project Traffic	Project Traffic
	as Percent of Existing LOS C Daily Capacity	as Percent of Projected LOS D Peak Capacity

Intersections:

None.

Site Access:

None.

Fwy Ramp Intersections:

None.

Freeway Ramps:

None.

Links:**U.S. 301**

1st St. to 15th St.: 22.7
 4-lane divided to 6-lane divided.

S.R. 70

Caruso Rd. to I-75: 77.0
 6-lane expressway to 8-lane expressway. (18.5)

S.R. 70

I-75 to Westerly Project Rd.: 220.0
 6-lane divided to 8-lane divided or (88.1)
 6-lane expressway.

EXHIBIT C (continued)

Phase IV (continued)

Improvement	Project Traffic	
	as Percent of Existing LOS C Daily Capacity	Project Traffic as Percent of Projected LOS D Peak Capacity
<u>Links (continued):</u>		
S.R. 70		
45th Street East to Caruso Road.:		
6-lane divided to six-lane expressway.	21.2	
S.R.70		
Westerly Project Rd. to Lorraine Rd.:		
4-lane divided to 6-lane divided.	116.0 (68.2)	
* University Pkwy.		
Planned Honore Rd. to I-75:		
8-lane expressway to 10-lane expressway or 8-lane freeway.	24.6 (9.9)	
I-75		
S.R.70 to University Pkwy.:	21.1	
10-lane freeway to 12-lane freeway.		
I-75		
University Pkwy. to Fruitville Rd.:	10.6	
10-lane freeway to 12-lane freeway.		

NOTE:

1. Percentages shown are based on the existing capacity or projected capacity as shown in the column headings. The percentages shown in parentheses represent those for the improvement if the improvement for the previous phase is completed.
2. The Manatee County Public Works Department, Transportation Division has agreed that Relocated 301 should not be considered a four lane divided highway as was done in the Kimley-Horn Transportation review. However, the road fully meet the definition of a limited access highway. Therefore, for the purposes of this document reference to link improvements for relaocated 301 have been removed. The Transportation Division reserves the right to require in-depth review of the intersections in the analysis required for future phases as stated in the main body of this Development Order.

EXHIBIT D

CYPRESS BANKS DEVELOPMENT
PROPOSED PHASING SCHEDULE

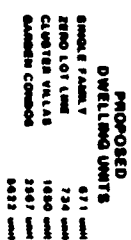
PHASE	COMMERCIAL USE	RECREATION USE	DWELLING UNITS
I (1990-1995)	Resort Center*	Tennis Complex, First and Second Golf Course (18 Holes Each)	1405**
II (1995-2000)	203,500 s.f. Community Shopping	Third Golf Course (18 Holes) Equestrian Center Religious Center	1405
III (2000-2005)			1406
IV (2005-2009)			1406
Total			5622

* Includes 27,000 s.f. of Specialty Retail

** Includes 300 Rooms in Resort Hotel

*** Phasing Schedule is based upon the projections
in the APA - with a completion date of 2006.

**RETAIL/OFFICE/RESIDENTIAL
22.9 AC.**



MASTER DEVELOPMENT PLAN

(RM)
MANATEE & HARBORWAY DIST.
Manatee County, Florida

R. B. Shore
Clerk of Circuit Court
By: Susan P. Shore



MANATEE COUNTY
PLANNING & DEVELOPMENT DEPT.

FLORIDA DEPARTMENT OF STATE

Jim Smith
Secretary of State

DIVISION OF ELECTIONS
Room 1802, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-8427

August 18, 1989

FILED FOR RECORD
H.R. SHORE
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA
AUG 21 11 40 AM '89

AUG 22 1989

RECEIVED

Honorable R. B. Shore
Clerk of Circuit Court
Manatee County Courthouse
Post Office Box 1000
Bradenton, Florida 34206

Attention: Susan G. French, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of letter/s of August 16, 1989
and certified copy/ies of Manatee
County Ordinance(s) No. ~~R~~-86-30
(for Schroeder Manatee, Inc. (Cypress Banks) a PDC, & PDR
2. Receipt of _____ County Ordinance(s)
relative to:
(a) _____
which we have numbered _____
(b) _____
which we have numbered _____
3. We have filed this/~~these~~ ordinances in this office
on August 18, 1989. (9:49 am)
4. The ~~original~~/duplicate copy/ies showing the filing date
is/~~are~~ being returned for your records.

Sincerely,

Liz Cloud

Liz Cloud, Chief
Bureau of Administrative Code

LC/mb

Enclosure