

FILED
2009 MAR 23 11:10:49
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

**MANATEE COUNTY ORDINANCE
PDMU/PDC-98-04(P)(R4) – THE WOODS OF MOCCASIN WALLOW/IMAGINE SCHOOL**

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, PERTAINING TO APPROXIMATELY 200.13 ACRES ON THE SOUTH SIDE OF MOCCASIN WALLOW ROAD AND WEST OF I-75, EXTENDING SOUTH TO I-275 IN THE PDMU/PDC (PLANNED DEVELOPMENT MIXED USE AND PLANNED DEVELOPMENT COMMERCIAL) ZONING DISTRICTS; APPROVING A REVISED PRELIMINARY SITE PLAN AND AMENDING AND RESTATING THE APPROVED ORDINANCE; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING AN EFFECTIVE DATE; AND TO:

FILED FOR RECORD
R. B. SHORE

2009 MAR 27 AM 11:12

CLERK OF CIRCUIT COURT
MANATEE CO FLORIDA

1. REDESIGNATE AND REDESIGN PHASE III TO PERMIT A 70,000 SQUARE FOOT SCHOOL;
2. REDESIGNATE AN APPROXIMATELY 1.9 ACRE PORTION OF PHASE III FOR 7,500 SQ. FT. OF COMMERCIAL USES;
3. AMEND THE ZONING ORDINANCE TO PERMIT SCHOOLS IN PHASE III;
4. AMEND STIPULATIONS B.6, B.11, AND OTHER STIPULATIONS AS NECESSARY TO IMPLEMENT THE ABOVE CHANGES AND FOR INTERNAL CONSISTENCY; AND
5. AMEND THE SITE PLAN AND ZONING ORDINANCE TO REFLECT THE ABOVE CHANGES AS REQUIRED FOR INTERNAL CONSISTENCY AND CODE COMPLIANCE

WHEREAS, The Woods of Moccasin Wallow, LLC (the "Applicant") filed an application for an amendment to the approved Ordinance for approximately 200.13 acres described in Exhibit "A", attached hereto, (the "Property") to redesignate and redesign Phase III to permit a 70,000 square foot school; redesignate an approximately 1.9 acre portion of Phase III for 7,500 sq. ft. of commercial uses; amend the Zoning Ordinance to permit schools in Phase III; amend Stipulations B.6, B.11, and other stipulations as necessary to implement the above changes and for internal consistency; and amend the site plan and Zoning Ordinance to reflect the above changes as required for internal consistency and code compliance; and

WHEREAS, the applicant also requested Special Approval as previously granted for a project: (1) within an Entranceway; (2) non-residential uses exceeding 150,000 sq. ft. of gross building area; (3) adjacent to a Perennial Stream, and (4) in the Mixed Use Future Land Use Category; and

WHEREAS, the applicant also requested Specific Approval for an alternative to Section 711.4.3 of the Land Development Code; and

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

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on March 12, 2009 to consider the Preliminary Site Plan, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

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

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

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

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

- A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for a Preliminary Site Plan as it relates to the real property described in Exhibit "A" of this Ordinance.
- B. The Board of County Commissioners held a duly noticed public hearing on March 17, 2009 regarding the proposed Preliminary Site Plan described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, (the Manatee County Land Development Code), and has further considered the information received at the public hearing.
- C. The proposed Preliminary Site Plan regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.
- ~~D. The Board hereby finds that the project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.~~
- E. Notwithstanding the failure of the site plan to meet the requirements of the LDC Section 711.4.3, the Board finds that the purpose and intent of the LDC Regulations have been satisfied to an equivalent degree because of the specific nature of the third driveway for parents only and that the third driveway will be constructed in Phase 2 of the school project at a later date.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved to redesignate and redesign Phase III to permit a 70,000 square foot school; redesignate an approximately 1.9 acre portion of Phase III for 7,500 sq. ft. of commercial uses; amend the Zoning Ordinance to permit schools in Phase III; amend Stipulations B.6, B.11, and other stipulations as necessary to implement the above changes and for internal consistency; and amend the site plan and Zoning Ordinance to reflect the above changes as required for internal consistency and code compliance subject to the following Stipulations:

STIPULATIONS

ARCHITECTURAL AND DESIGN GUIDELINES

1. Each development parcel shall be designed with a unified, thematic design, as indicated on the Preliminary Site Plan, and approved by the Planning Department prior to Final Site Plan approval, utilizing the criteria referenced in Stipulations #2 and #3, below. The Architectural Design Guidelines indicated on the original General Development Plan will be utilized with the submittal of the FSP for each development parcel. These guidelines shall be used in the review and approval of all Final Site Plans for the project. The guidelines shall include the following:
 - a. Design Concept (unified thematic design);
 - b. Architecture (building elevations);
 - c. Circulation (internal circulation - sidewalks);
 - d. Scale (Pedestrian scale doors/windows);
 - e. Entry Porches;
 - f. Materials and Color; and
 - g. Lighting
2. Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, or corrugated shall not be permitted. Architectural metals in conjunction with other permitted building materials shall be allowed, provided that at least fifty percent (50%) of the building face is constructed from other permitted materials. Building elevations shall be submitted prior to Final Site Plan approval.
3. The sides of buildings visible from I-75, and Moccasin Wallow Road shall have minimal blank walls no longer than 40 feet in length. In order to insure that the buildings do not project a massive blank wall, design elements including prominently visible architectural details (e.g., bumpouts, reveals, projecting ribs, offsets, windows, shutters, etc.) shall be applied to the walls of buildings visible from the above-referenced streets. Design elements shall be reviewed for compliance by staff at Final Site Plan.
4. The light industrial parcels fronting I-75 are to be consistent in design theme.
5. Service stations, convenience stores with gas pumps, and other drive-thru facilities shall integrate any canopy with the main structure and include the following design criteria:
 - a. Drive-through windows shall incorporate coverings for service windows that are structurally and architecturally integrated into the design of the buildings.
 - b. For convenience stores with gas pump locations, no main or accessory building, gasoline pump, tank, vent, pump island, or pump island canopy shall be located within 25 feet of any property line.
 - c. All drive-thru facilities shall provide a by-pass lane or safe means of egress around drive-through lanes to be determined by the Planning Director with the site plan.

6. A coordinated sign plan for the development shall be approved by the Planning Department prior to the first Final Site Plan approval. Ground signs shall be utilized for all development parcels. The two proposed free standing signs as shown on Sheet 7 must provide concealment of main support structure (e.g., pole) between 20% and 100% of sign width with materials consistent with those in the development. Ground signs and free standing signs shall include decorative elements reflective of the finish building materials, colors, and architectural details consistent with the development parcel.
7. All roof mounted H.V.A.C. equipment, loading zones, and dumpsters shall be screened from view from I-75, Moccasin Wallow Road, adjacent properties and internal roads. Screening shall be provided by materials consistent with the exterior finish materials of the buildings, landscaping, or other opaque materials consistent with the standards of the entranceway. All loading zones near internal roadways shall be screened with an 8' high decorative wall with landscaping. The 8' wall shall also include decorative elements reflective of the finish building materials, colors, and architectural details of the main structure.

B. TRANSPORTATION AND LAND USE

1. Access points to this site shall be required to line up with the access points to the "Gateway North" DRI, as shown on approved construction plans and the General Development Plan for Gateway North. **(Completed with the Final Plat for Phase 1)**
2. This project shall be limited to three (3) access points to Moccasin Wallow Road, generally as shown on the Preliminary Site Plan. The westernmost entrance shown on the PSP may be relocated to the vicinity of Lot C-12 at the time of Final Site Plan approval, provided the new location is approved by FDOT.
- ~~3. All truck traffic (3 or more axles) shall access the site from the Moccasin Wallow Road via 49th Avenue East to 96th Street East only. Additionally, truck traffic (3 or more axles) shall be prohibited on the residential portion of 81st Street East. Signs identifying "No through Trucks" shall be posted at the western property line and signs directing truck traffic north on 81st Street East to 96th Street East shall be posted at all loading zones.~~
4. The applicant shall pave 2,465 feet of existing 81st Street East from the project southern property line to the paved portion of 81st Street East, east of Ellenton-Gillette Road. This paving shall be done in conjunction with construction of Phase II of the project. **(Construction drawings have been approved)**
5. The landscape buffer adjacent to Lots C-1 and C-10 shall be 20-feet wide and shall be planted with two rows of 3" d.b.h. canopy trees (at least 14' in height) offset 40' on-center. Existing vegetation may be used to fulfill this requirement.

6. The 25' landscape buffer along Moccasin Wallow Road and the 20' landscape buffer along the western property line (adjacent to Commercial Lot C-15 and school site) shall be planted with two staggered rows of 3" d.b.h. canopy trees (at least 14' in height) off-set 25' on-center. An additional 15-foot easement shall be required on Lot C-15 and the school site to meet LDC Section 702.6.7 for a 35-foot open space area. A hedge, shrub, or berm meeting the requirements of Section 737.5.1.1 shall be provided along Moccasin Wallow Road and I-75 landscape buffers. To the maximum extent possible, existing vegetation and tree groupings along Cabbage Slough and throughout the project shall be utilized to meet the screening requirements. If the agricultural use ceases to exist prior to final plat approval, the 15-foot easement is not required.
7. Truck loading, service areas, outside storage, or parking of heavy equipment, semi trucks, trailers, or other vehicles over 1½ tons shall not be adjacent to I-75, Moccasin Wallow Road, or between the buildings along the western side of the project and the west property line.
8. Setbacks for this project are as follows:

Commercial Lots:

Front - Moccasin Wallow Road	45'
Interior Roadways	30'
Rear -	20'
Side -	15'

Industrial Parcels:

Front -	30'
Rear -	30'
Side -	25'

Residential Support Uses:

Front -	30'
Rear - (West)	75'
Side -(North)	120'
Side- (South)	100'

Residential Lots:

Front -	20' to structure, 25' to garage
Rear -	15'
Side -	7.5'

9. A non-ingress/egress easement shall be recorded along Moccasin Wallow Road prior to approval of Final Site Plans or Final Plats.
10. The maximum height shall be 45 feet for hotels, 35 feet for all other uses.

11. There shall be no outdoor speakers associated with this project, other than an intercom system for the purpose of communication between the station attendant and gasoline patrons.
12. The developer shall provide an interneighborhood tie from 49th Avenue East to the west property line as shown on the Preliminary Site Plan. **(Completed with Phase 1)**
13. Allowable use within the industrial portion of the site shall be limited to uses permitted in the Light Manufacturing (LM), PDMU, and PDI zoning districts, as shown in Figure 6-1 of the LDC.

Allowable use within the commercial portion of the site shall be limited to uses permitted in the PDC zoning district, as shown in Figure 6-1 of the LDC, except for the following uses which are prohibited:

- Agricultural Research Facilities
- Agriculture
- Breeding Facility (non-wild and non-exotic)
- Stables or Equestrian Centers
- Auction Houses (Open, Enclosed, and Auto)
- Building Materials Establishments
- Construction Service Establishments
- Farms Equipment and Supply Establishments
- MH/RV Sales, Rental, or Leasing
- RV Parks
- Major Motor Vehicle Repair
- Taxi-Cab, Limousine Service
- Flea Market (Open)
- Towing Service and Storage Establishment
- Bus RR/Maintenance Facility
- Helistop

Proposed uses for non-residential parcels shall be listed on the Final Site Plan and each Final Site Plan. Elementary and Middle Schools shall be allowed in Phase 3 with BOCC approval of a revised Preliminary Site Plan.

14. If more than four (4) adjoining lots in the industrial portion of the site are combined, the side yard setback shall be 50-feet.
15. The Floor Area Ratio for commercial and industrial parcels shall not exceed 0.25 or 0.35, respectively.
16. Prior to the operation of this school facility, the intersection of Moccasin Wallow Road and 49th Avenue East shall be signalized. The signal will need to operate intermittently, consistent with school access times in the A.M. and P.M. and flash the remainder of the time. The signal shall be span wire construction. The applicant shall be responsible for up to 50% of the cost.

C. RESIDENTIAL COMPONENT

1. The recreation area shall also provide a picnic area and a commercial grade tot lot with surrounding benches. Design of these areas shall be determined prior to Final Site Plan approval. **(Completed with Phase 1)**
2. All residential phases or subphases of this project with more than 100 lots shall include a second means of access pursuant to the LDC.
3. No construction traffic for the commercial or industrial lots shall utilize use the residential portions of 49th Avenue East or 52nd Avenue East.
4. The Homeowner's documents, Notice-To-Buyers, and Final Site Plans shall include a notice to inform homeowners that at the time of this site plan approval, the adjacent property east of Cabbage Slough may be developed with light industrial uses, without notice to adjoining or nearby property owners.
5. The Homeowner's documents, Notice-To-Buyers, and Final Site Plans shall include a notice to inform homeowners of the presences of neighboring agricultural uses and citrus operations, including the possible use of pesticides and herbicides and of odors and noises associated with agricultural uses.
6. The Homeowner's Documents, Notice-To-Buyers, and Final Site Plan shall include notice to inform homeowners that the entrance to their development is designed to serve as a roadway connection for future development and that there are interneighborhood ties to the west and east.

D. FIRE PROTECTION

1. Access for emergency purposes shall be provided to at least two sides of each multi- family or non-residential building, as approved by the Fire District.

E. INTERMODAL DESIGN

1. Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the project. At such time that MCAT has established a plan for service to the project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the project. The bus turn out lane shown on the PSP may be used to satisfy this requirement. **(Completed, paving installed with Phase 1)**
2. Bicycle parking facilities with the inverted "U" style rack shall be provided for each individual development parcel. These facilities shall be available at all structures in the non-residential development parcels and be conveniently located to the entrances of the primary structures and in clear view of the main entries.
3. A five foot sidewalk shall be provided in the light-industrial area on the northwest side of 81st Street East.
4. A five foot sidewalk shall be provided on both sides of 49th Avenue East, except on the side where a bicycle/multipurpose trail is proposed.

5. A five-foot (5') wide sidewalk shall be provided on the south side of Moccasin Wallow Road."

F. DRAINAGE DESIGN

1. This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Cabbage Slough/Buffalo Canal. Modeling shall be used to determine pre and post-development flows.
2. A top-of-bank to top-of bank drainage easement along Cabbage Slough shall be shown on the Final Site Plan and shall be dedicated to Manatee County with the recording of the applicable Final Plat for each project phase. Manatee County is only responsible for maintaining the free flow of drainage through these systems.
3. A twenty-foot (20') Drainage-Maintenance Access Easement shall be provided adjacent to the east side top-of-bank of Cabbage Slough. This 20-foot wide easement shall be dedicated to Manatee County with the recording of the applicable Final Plat for each project phase.
4. The applicant shall provide stabilization, erosion protection, provide for removal of debris and other obstructions within Cabbage Slough.
5. The project shall not increase the FEMA 100 year floodplain, floodway, or base flood elevations; and shall meet all FEMA requirements and guidelines, where applicable.
6. Any fill within the 25-year or 100-year floodplains of Cabbage Slough shall be compensated by the creation of an equal or greater storage volume above seasonal high water table with such compensatory storage within the 100-year floodplain. 100-year and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).
7. There shall be a full 25-year attenuation on all stormwater ponds within the development.
8. The existing 25-year flood elevation along Cabbage Slough shall be utilized as tailwater condition.
9. All residential lots shall be located outside of the post-development 25-year floodplain.
10. All roads must be built above the 100-year floodplain elevation.
11. All components of the drainage system shall be reviewed and approved by the Public Works Department prior to Final Site plan approval.
12. All stormwater facilities shall be placed in separate tracts. These tracts shall be dedicated to the home owners association, community development district, or other applicable entity (excluding Manatee County), and have a public flowage easement.

G. PUBLIC UTILITIES/FACILITIES

1. All infrastructure, including gravity sewer, lift stations, service cleanouts, and manhole rims shall be set 4 inches above the 100 year floodplain.

H. ENVIRONMENTAL

1. The entire development site shall be evaluated for critical habitat and endangered and threatened species prior to the first Preliminary Site Plan approval. **(Completed)**
2. Prior to each Final Site Plan approval, required Wetland Buffer Restoration Plans shall be reviewed and approved by the Planning Department.
3. There shall be no open burning of trees or branches for land clearing.
4. Wildlife crossings or corridors shall be provided to maintain connections between wetlands and Cabbage Slough. Details and locations for the crossings shall be reviewed by the Planning Department with the Final Site Plan.
5. The Final Site Plan for Phase II shall indicate a conservation easement over the 1.0 acre upland preservation area east of Cabbage Slough Clearing or destruction of vegetation shall be prohibited within this area. Lot 9 and Lake 5 may be reconfigured as necessary to allow for the best quality habitat to be preserved.
6. An ERP approved by SWFWMD shall be provided to the Planning Department for review prior to commencement of construction of each phase.
7. Prior to any Certificate of Occupancy Final Plat approval, a Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County in accordance with Section 719.11.1.3 of the LDC.
8. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

I. PRESERVATION AND CONSERVATION

1. To the maximum extent possible, Original Stipulation native vegetation shall be preserved to meet screening requirements in accordance with Section 737.5.1.1 throughout the project.
2. 50 foot wide tree preservation and landscape easement shall be designated adjacent to Lots 1-18, 125, and 126. A 20-foot drainage easement is included as part of the 50-foot Tree Preservation and Landscape Easement. No 4 inch d.b.h. trees or greater shall be removed within the Tree Preservation Easement, except as allowed under Section 714.2.2 of the Land Development Code. **(Completed for Lots 1-18)**

- 3. Land clearing shall not commence until a Final Site Plan and Construction Plans have been approved. Land clearing, tree removal, or grading shall be limited to the specific parcel receiving approval and shall be conducted simultaneously with building construction.
- 4. A 30-foot (30') wide Tree Preservation and Landscape Buffer Easement shall be designated adjacent to the west side top-of-bank of Cabbage Slough. This easement shall be dedicated to Manatee County with the recording of the applicable Final Plat for each Phase of the Project.
- 5. A ten-foot (10') wide Tree Preservation and Landscape Buffer Easement shall be designated on the east side of Cabbage Slough adjacent to the 20-foot wide Drainage-Maintenance Access Easement. This easement shall be dedicated to Manatee County with the recording of the applicable Final Plat for each Phase of the project. Any landscaping within this easement shall not interfere with use of the Drainage-Maintenance Access Easement.

Section 3. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a project previously granted Special Approval: (1) within an Entranceway; (2) non-residential uses exceeding 150,000 sq. ft. of gross building area; (3) adjacent to a Perennial Stream; and (4) in the Mixed Use Future Land Use Category. The Special Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for an alternative to Section 711.4.3 of the Land Development Code. The Specific Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

Section 4. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 17th day of March, 2009.



**BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA**

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

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

BY: Susan Q. Komene
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1

COMMENCE AT THE NORTHWEST CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S 00°52'51" W, ALONG THE WEST LINE OF SAID NE 1/4 OF THE NW 1/4, A DISTANCE OF 164.38 FEET TO THE SOUTH LINE OF MOCCASIN WALLOW ROAD FOR THE POINT OF BEGINNING; THENCE S 89°33'49" E, ALONG SAID RIGHT OF WAY LINE, 607.83 FEET, THENCE S 00°52'51" W, PARALLEL TO SAID WEST LINE OF NE 1/4 OF NW 1/4 A DISTANCE OF 1176.18 FEET; THENCE N 89°48'19" W, ALONG THE SOUTH LINE OF SAID NE 1/4 OF NW 1/4 A DISTANCE OF 607.82 FEET TO THE SOUTHWEST CORNER OF SAID NE 1/4 OF NW 1/4; THENCE N 00°52'51" E, ALONG THE AFOREMENTIONED WEST LINE OF NE 1/4 OF NW 1/4 A DISTANCE OF 1178.74 FEET TO THE P.O.B.. THE ABOVE LYING IN SECTION 21, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

PARCEL 2

THE WEST 1/2 OF THE NORTHWEST 1/4; THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 LYING WEST OF 1-75 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 33 SOUTH, RANGE 18 EAST, LESS AND EXCEPT THAT CERTAIN PROPERTY DESCRIBED AS PARCEL 100 IN ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 867, PAGE 438, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; SAID LYING AND BEING IN MANATEE COUNTY, FLORIDA.

PARCEL 3

THAT PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 LYING WEST OF 1- 75 OF SECTION 21, TOWNSHIP 33 SOUTH, RANGE 18 EAST; SAID LAND LYING AND BEING IN MANATEE COUNTY, FLORIDA.

TOGETHER WITH:

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

LESS:

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF SAID SECTION 20, THENCE N00°19'46"W ALONG THE EAST LINE OF SAID SECTION 20 FOR 707.32 FEET TO A POINT ON A CURVE THAT IS CONCAVE TO THE NORTHWEST, A TANGENT LINE THROUGH SAID POINT BEARS S56°22'58"W; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE 18°29'38" FOR 1449.17 FEET TO THE END OF THIS PORTION OF SAID CURVE; THENCE S00°08'18"W 103.68 FEET TO THE SOUTH LINE OF SAID SECTION 20; THENCE S89°38'2"E ALONG SAID LINE FOR 1318.66 FEET TO THE POINT OF BEGINNING.

BEING FURTHER DESCRIBED AS FOLLOWS: (BY SURVEY)

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

LESS: THAT PART OF THE SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 LYING SOUTHERLY OF THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 93-A (1-75) AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION'S RIGHT OF WAY MAPS.

ALSO LESS: THAT PART SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 LYING WITHIN THE: RIGHT OF WAY OF CECIL BURNETT ROAD AS SHOWN IN ROAD PLAT BOOK 9, PAGE 209 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the documents on file in my office.

Witness my hand and official seal this 19TH day of

MARCH, 2009

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris D.C.

FILED FOR RECORD
R. B. SHORE



2009 MAR 27 AM 11:12

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

March 23, 2009

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

Attention: Ms. Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 20, 2009 and certified copies of Manatee County Ordinance Nos. 09-21, 09-23 and PDMU/PDC-98-040(P)(R4), which were filed in this office on March 23, 2009.

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

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282